

Community Governance Review

Portfolio	Corporate - Non-Executive Function
Ward(s) Affected:	Bisley; Chobham

Purpose

To consider a request for a Community Governance Review.

Background

1. Bisley parish currently includes a detached area. The division and ward district boundaries are co-terminus and follow the parish boundary so therefore also contain a detached area of the division and ward. See plan attached at Annex A.
2. Bisley detached is sparsely populated and comprises just three properties and six electors.

Local Government Boundary Commission for England

3. The Local Government Boundary Commission for England (LGBCE) conducted a review of county divisional boundaries in Surrey in 2011. As part of its draft recommendations it proposed that Chobham Parish be divided into 2 wards, one of which would incorporate Bisley detached.
4. The LGBCE issued its final proposal in 2012. It had received substantial opposition to its draft recommendations which involved dividing the parish of Chobham. The LGBCE considered all representations and noted the strength of feeling against dividing Chobham Parish and were persuaded, in this rather exceptional case, to depart from its policy of not creating detached divisions, due to the overwhelming evidence received. It recommended that the whole of Chobham parish be incorporated in the proposed Bagshot, Windlesham and Chobham county division.
5. However, it considered that the existence of a detached parish area, and the consequent need to create a detached district ward and county division, was not conducive to effective and convenient local government. It believed it was in the interests of all concerned for this Council to carry out a Community Governance Review to address this anomaly.

Request from Chobham Parish Council

6. A request has been received from Chobham Parish Council for the Council to carry out the Community Governance Review on the following grounds:
 - (a) the issue that catalysed the LGBCE’s original proposal remains unresolved, namely the existence of a small detached part of Bisley parish lying to the south of Chobham parish;
 - (b) although a review to remedy this issue may or may not affect the Chobham parish boundary, the Parish Council fully supports this recommendation to avoid any likelihood of similar distractions recurring in the future;

- (c) the existing Chobham parish boundary does not properly reflect the natural community of Chobham. For example, the boundary with Woking divides Scotts Grove Road, placing properties to the west in Chobham and those to the east in Woking. Similarly, some properties to the south of the A3046 (Station Road) are in Chobham, while others lie in Woking. In each case, residents on both sides of the parish boundary have adopted Chobham as their 'natural community';
- (d) it is appreciated that reviewing the Woking/Surrey Heath boundary would involve the LGBC; however, adjusting the boundary to reflect the true natural communities would be in the interests of both the Chobham parish and the Borough Council.

Community Governance Review

- 7. Community governance reviews provide the opportunity for principal councils to review and make changes to parishes within their areas, particularly in circumstances where there have been changes in population, or in reaction to specific or local new issues.
- 8. Guidance indicates that in the interests of effective governance, the Council should consider the benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion of two or three areas. However, it is recognised that a full-scale review will not always be warranted and it may be appropriate to carry out a smaller review, for example, to adjust minor parish boundary anomalies.
- 9. Any recommendations made in a community governance review should be reflective of the identities and interests of the community in that area, be effective and convenient, bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services.
- 10. If the Council decides to undertake a review it is required to seek the views of the County Council at an early stage, to consult local people and to take account of any representations received in connection with the review.
- 11. The process for a review could take up to 12 months. Having completed the process, the Council must make and publish a Reorganisation of Community Governance Order.
- 12. Changes to parish boundaries may result in parish boundaries no longer being coterminous with ward and county division boundaries. In the interests of maintaining coterminosity, the Council could make recommendations to the LGBC for consequential alterations to the boundaries of the affected borough wards and county divisions. The LGBC may agree to make an order to implement the related alterations.
- 13. If the Commission decide not to implement the proposed related alterations, then the existing ward and/or division boundaries will remain in force. The Commission has no power to modify any recommendations submitted to it; it may only implement or reject the recommendations.

Legal Implications

- 14. Despite the recommendation by the LGBC and the request from Chobham Parish Council, the Council is not obliged to undertake a Community Governance Review at

this time, unless a valid petition is received in accordance with the Local Government and Involvement in Public Health Act 2007.

Resource Implications

15. The costs involved in carrying out a Community Governance Review to address the anomaly of Bisley Detached would relate mainly to opportunity costs of officer time. There would be some printing and postage costs but these are likely to be low in view of the number of electors involved.
16. However there are concerns in relation to the availability of staff resources to undertake a review in the foreseeable future given the imminent changes to electoral registration, which represent the most significant change in the past 100 years.

Proposal

17. The Council is asked to consider whether to undertake a Community Governance Review to address the anomaly of Bisley detached as recommended by the LGBCE and requested by Chobham Parish Council.
18. Should it be decided that a review should be undertaken it will be necessary to define the Terms of Reference of the review. It is suggested that the review could be confined to the proposed amendment of the parish boundary between Bisley and Chobham to eliminate Bisley detached.
19. The request from Chobham Parish Council that other adjustments should be made to the parish/district boundaries with Woking Borough Council is outside the scope of a Community Governance Review. Amendments to the boundaries between local authorities would require a Principal Area Boundary Review by the LGBCE.

Governance Working Group

20. The Governance Working Group, at its meeting on 31 May 2013, considered the request from Chobham Parish Council.
21. The Group recognised that conducting the Community Governance Review would involve a substantial amount of work for a small area comprising just 3 properties. It therefore recommended that the matter should be considered during the next Further Electoral Review which was expected to be carried out by the LGBCE within the next few years.
22. The Working Group also considered that the LGBCE should be asked as part of the Further Electoral Review to review the boundaries of Bisley and Chobham with neighbouring boroughs. It has, however, subsequently been clarified that reviewing borough boundaries is outside the scope of a Further Electoral Review and would have to be part of Principal Area Review.

Recommendation

23. In the light of the views of the Governance Working Group, the Council is advised to resolve that a Community Governance Review to address the anomaly of Bisley detached be not undertaken at the current time and that Chobham Parish Council be informed accordingly.

Agenda Item 10

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Background Papers: None

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