

Community Governance Review

Portfolio:	Non-Executive Function
Ward(s) Affected:	Bagshot; Windlesham

Purpose: To consider a request from Windlesham Parish Council to conduct a Community Governance Review in order to re-instate an equal number of councillors representing each village in the parish area.

1. Background

- 1.1. In 2016-17 the Local Government Boundary Commission for England (LGBCE) carried out an electoral review of Surrey Heath Borough and provided revised electoral arrangements for the borough, to be effective from May 2019. These arrangements included alterations to boundaries between Bagshot and Windlesham wards, with 550 households moving from Windlesham ward to Bagshot ward.
- 1.2. In conducting its reviews, the LGBCE must be mindful of electoral equality, meaning the number of voters represented by each councillor must be approximately the same across the borough, ideally within a variance of 10%.
- 1.3. Electoral equality relates to the ratio of electors to councillor, rather than an equality of representatives allocated to settlement areas. The ratios only apply within the authority area, meaning any comparisons with elector to councillor ratios in adjoining boroughs or parishes are irrelevant.
- 1.4. Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 requires that a parish ward must lie wholly within a single borough electoral ward.
- 1.5. As a consequence of the borough review, the LGBCE provided revised arrangements for Windlesham parish. The revised boundaries for the parish reflect the revised borough boundaries, meaning that the electors in the north of Windlesham ward will transfer from Windlesham parish ward to Bagshot parish ward.
- 1.6. Taking into account the requirement for electoral equality between the parish wards, the LGBCE also made the following revisions to Windlesham Parish Council's electoral arrangements:

Parish Ward	Number of Councillors
Bagshot	8
Lightwater	7
Windlesham	3

- 1.7. The electorate moving from Windlesham ward to Bagshot ward will from May 2019 be represented by Bagshot parish councillors and are thus included in the calculations for that parish ward's electoral equality.
- 1.8. The Surrey Heath Borough Council (Electoral Changes) Order 2017 containing the LGBCE's recommendations was laid in Parliament on 25 October 2017 and made on 13 December 2017.

2. Current Position

- 2.1. As a principal authority, Surrey Heath Borough Council has the power to undertake a Community Governance Review (CGR).
- 2.2. Windlesham Parish Council (WPC), at its meeting on 27 November 2018, passed a motion requesting this Council to conduct a CGR in order to re-instate an equal number of councillors representing each village in the parish area.
- 2.3. In its letter to this Council, the Parish Council reiterated its previous objections to this Council about the alterations and its view that the split of councillors is the responsibility of this Council. Whilst responsibility for the review of parish electoral arrangements has been transferred to this Council, the decision to alter the electoral arrangements for the Parish was made during the 2017 review of Surrey Heath by the LGBCE, using its authority to make consequential changes to parish electoral arrangements; this Council did not have the power to alter this decision. WPC was informed of this position at the relevant time and advised to address its objections to the LGBCE.
- 2.4. The Council can choose to conduct a CGR as requested by WPC. However, if the Council wishes to alter the electoral arrangements put in place by the LGBCE within a 5-year period of that order, Section 86 of the Local Government & Public Involvement in Health Act 2007 requires it to consult the LGBCE. In effect this places a 5 year moratorium on the LGBCE's decision, making the revised electoral arrangements for Windlesham Parish 'protected electoral arrangements'.
- 2.5. Furthermore, in conducting a CGR this Council would need to be mindful of the LGBCE's criteria, including electoral equality requirements. The outcome requested by WPC is unlikely to meet these requirements as the LGBCE's revised arrangements were made specifically to address the electoral inequality in the parish wards.
- 2.6. It is therefore considered that, even if the LGBCE is minded to allow the Council to conduct a CGR on its protected electoral arrangements, it is unlikely that the CGR will meet its requirements in respect of electoral equality.

3. Options

- 3.1. The Council has the option to:

- (i) decide not to conduct a CGR at this time; or
- (ii) consult the LGBCE and, subject to its agreement, thereafter conduct a Community Governance as requested by WPC.

4. Proposal

- 4.1. In view of the unlikelihood that any revised arrangements which reflect the requested action will meet the electoral equality requirements, it is not proposed not to conduct a Community Governance Review at this time.

5. Resource Implications

- 5.1. The resource implications arising from conducting a CGR will relate to officer time and any costs in publicising the review.

6. Recommendation

- 6.1. The Council is advised to RESOLVE to not conduct a Community Governance Review to alter Windlesham Parish Council's electoral arrangements at the present time.

Background Papers: [LGBCE Review of Surrey Heath Borough Council](#)
[Surrey Heath Borough Council \(Electoral Changes\) Order 2017](#)
[CGR guidance](#)

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