

**Windlesham Parish Council Community  
Governance Review - Consultation  
Outcomes and Next Steps**

Portfolio:	Non-executive function
Ward(s) Affected:	Bagshot; Lightwater; Windlesham & Chobham

**Purpose of Report**

To provide the Council with feedback from the initial consultations in connection with the Community Governance Review for the area currently covered by Windlesham Parish Council

**1. Legislative Background**

- 1.1 In accordance with the Local Government and Public Involvement and Health Act 2007 ('the 2007 Act'), Surrey Heath Borough Council as the 'principal council' has powers to determine parish boundaries and parish electoral arrangements. The way in which the legislation enables principal councils to make such changes is by conducting a community governance review.
- 1.2 Chapter 3 of Part 4 of the 2007 Act devolved the power to make decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England. Subsequently, from 13<sup>th</sup> February 2008, district councils, unitary county councils and London borough councils were given responsibility for undertaking community governance reviews and have been given the power to decide whether to give effect to recommendations made as a result of any such reviews.
- 1.3 This report sets out feedback from initial consultation in respect of a community governance review for the area currently covered by Windlesham Parish Council and provides further guidance on the statutory community governance review process in order to assist the Council in determining a way forward in relation to the future arrangements for Windlesham Parish Council.
- 1.4 Consultation findings should inform the Council's final decision. In making that decision, however, the Council needs to be mindful of its primary duty to secure that community governance within the area under review:
  - i. Reflects the identities and interests of the community in that area, and
  - ii. Is effective and convenient<sup>1</sup>.
- 1.5 Relevant considerations which should influence the Council's judgement against these two principal criteria include the impact on community cohesion, and the size, population and boundaries of the proposed area.<sup>2</sup>

<sup>1</sup> Local Government & Public Involvement in Health Act 2007 93(4)

<sup>2</sup> Guidance on community governance reviews DCLG & LGBCE 2010 para 53

1.6 The government has further clarified criterion ii above by stating that the effectiveness and convenience of local government is best understood in the context of a local authority's ability to deliver quality services economically and efficiently, and give users of services a democratic voice in the decisions that affect them.<sup>3</sup>

## 2. Background

2.1 Windlesham Parish Council (WPC) was one of the first parish councils to be established under the Local Government Act of 1894. Today, the Parish Council's administrative area covers approximately one fifth of the land area and population of Surrey Heath. The Parish Council's offices are currently located in Lightwater and the Council provides a number of services across the villages of Bagshot, Lightwater and Windlesham including but not limited to:

- Maintenance and management of cemeteries in Bagshot, Windlesham and Lightwater
- A grant scheme to support local sports and recreational facilities and provide financial assistance to local voluntary and charitable organisations.
- Provision and maintenance of 52 allotment plots.
- Maintenance and management of a number of buildings (Council Chamber, Parish Office, Bagshot Chapel and the pavilion at Lightwater Recreation Ground), a public clock in Bagshot High Street and the Jubilee Lamp in Bagshot Square, three village war memorials and memorial gardens.
- Maintenance of public amenity areas, open spaces, recreation grounds, play spaces and play equipment owned by the Parish Council as well as other public land under formal agreements with other authorities

2.2 Until 2016, WPC was made up of eighteen parish councillors split unevenly<sup>4</sup> across the four parish wards of Bagshot, Lightwater East, Lightwater West and Windlesham. A breakdown of electorate representation in 2016 is show in table 1 below.

<b>Ward Area</b>	<b>Councillors</b>	<b>Electors*</b>	<b>Ratio</b>
Bagshot	6	4772	1:795
Lightwater East	4	3750	1:938
Lightwater West	2	1811	1:906
Windlesham	6	3481	1:580
<b>Total WPC Area</b>	<b>18</b>	<b>13814</b>	<b>1:767</b>

\*Electorate based on Electoral Register figures as at 1st September 2016

<sup>3</sup> Guidance on community governance reviews DCLG & LGBCE 2010 para 62

<sup>4</sup> This reference to 'unevenly' refers to the uneven split of councillor representation in respect of councillor:elector ratio, rather than councillor:village ratio.

## Local Government Boundary Commission for England Review of Borough and Parish Ward Boundaries

- 2.3 The 2007 Act devolved responsibility for determining parish electoral arrangements to principal councils. However, the Local Government Boundary Commission for England (LGBCE) is able to make recommendations on parish electoral arrangements that are directly affected by its recommendations for changes to borough wards or county divisions.
- 2.4 Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) requires that a parish ward must lie wholly within a single borough electoral ward or county electoral division.
- 2.5 In 2016, as part of its local boundary review of Surrey Heath Borough the LGBCE reviewed borough electoral arrangements with a view to:
- Improving electoral equality by equalising the number of electors each councillor represented
  - Reflecting community identity
  - Providing for effective and convenient local government
- 2.6 The LGBCE’s final recommendations for the borough included revising the boundary between Bagshot and Windlesham to incorporate the northern area of Windlesham, predominantly the Snows Ride estate. These revisions subsequently came into being following local council elections in May 2019.
- 2.7 As a consequence of this change to the borough boundaries, the WPC boundaries were reviewed by the LGBCE and subsequently divided into three wards. The 3 parish wards were broadly based on the defined settlement areas, but also reflected the new borough boundary between Bagshot and Windlesham. This met the requirements set out at paragraph 2.5 above.
- 2.8 Voters continued to be represented by 18 parish councillors. However the split of councillors was altered by the LGBCE to equalise the ratio of councillors to electors across the WPC area. Details of the current councillor:elector ratio for each ward of WPC are set out in table 2 below.

<b>Table 2 – Electorate representation post 2019<sup>‡</sup></b>			
<b>Ward Area</b>	<b>Councillors</b>	<b>Electorate*</b>	<b>Councillor: Elector ratio</b>
Bagshot	8	5,578	1:697
Lightwater	7	5,407	1:772
Windlesham	3	2,378	1:792
<b>Total WPC Area</b>	<b>18</b>	<b>13,363</b>	<b>1:742</b>

<sup>‡</sup>Revised boundaries were implemented following the 2019 Borough and Parish Elections

\*Electorate based on Electoral Register figures as at 1st September 2019

### 3. Receipt of a Community Governance Review Petition for Windlesham Village

3.1 In May 2019, a group of residents submitted a Community Governance Petition to the Council, asking the Council to conduct a Community Governance Review. The petition wording called on the council to:

“Create separate and devolved Parish Council for Windlesham Village and residents only.”

The petitioners’ request included a map defining the area of a proposed new Parish Council, which was co-terminus with the Windlesham Neighbourhood Plan area which had been formally adopted in June 2019

3.2 The names and addresses of all those who signed the petition were checked against the Electoral Register to confirm that the signatories lived in the Windlesham Parish area. Once the names of those not on the electoral register in Windlesham Parish were removed the number of signatories to the petition stood at 619 electors.

3.3 The petition was subsequently deemed to be valid and, in line with the requirements placed on it by the 2007 Act, Terms of Reference for a community governance review were drawn up and agreed by Surrey Heath Borough Council at the Full Council meeting on 24<sup>th</sup> July 2019 (A copy of the Review’s Terms of Reference is attached as Annex A to this report). These proposed four possible options which were to be put forward for public consultation:

- **Option 1:** To create a new parish in Windlesham and create a new Parish Council covering the area as per the petitioners’ request.
- **Option 2:** To re-instate an equal number of councillors representing each village within Windlesham Parish Council. This option reflected a request received from Windlesham Parish Council in January 2019.
- **Option 3:** To create a new parish ward for North Windlesham and amend the councillor representation in the parish wards to best reflect electoral equality in the parish.
- **Option 4:** To make no change to the current arrangements.

#### Initial Consultation

3.4 On 5<sup>th</sup> August 2019, letters were sent by post to all households in the WPC area informing them of the review, the options proposed and where they could find out more information (Copy attached as Annex B). Letters were also sent to elected representatives, Windlesham Parish Council, Surrey County Council and the Windlesham Society inviting them to respond. In addition, information about the consultation was published on the Council’s website and

publicised through the Council's social media channels and the Council's residents Heathscene magazine.

- 3.5 The consultation ran for an eleven week period between 5<sup>th</sup> August 2019 and 28<sup>th</sup> October 2019. During the consultation period, WPC produced a leaflet which provided more information about the financial situation of the current parish council and how this could change if the parish council was split up and the potential implications for residents across the current WPC area. The petitioners also ran a concerted campaign across the Windlesham village area to encourage residents to submit representations and to assist them with this produced a template response letter expressing support of Option 1 and requesting the creation of a new Parish Council to cover only the Windlesham area was provided by the petitioners. A copy of this template response has been included as part of Annex C.
- 3.6 At the close of the consultation period, 668 individual responses had been received, which equates to 5.0% of electorate in the whole of the WPC area (Based on electorate figures at 1<sup>st</sup> September 2019). Of these, a total of 507 responses were received from Windlesham residents (A figure which equates to 14.7% of the electors registered in Windlesham). The breakdown of responses by area is set out in tables 3a and 3b below:

<b>Area</b>	<b>No of Responses<sup>‡</sup></b>	<b>Electorate</b>	<b>Percentage of Electorate responding</b>
Windlesham	507	3,425	14.7%
Lightwater & Bagshot	158	9,938	1.6%
Other	3		
<b>Total Number of Responses</b>	<b>668</b>	<b>13,363*</b>	<b>5.0%</b>

<sup>‡</sup> Where a response was signed on behalf of two (or more) people this was counted as two (or more) responses.

\*It should be noted that the population of the WPC area will be higher than the electorate total because entry on the electoral register is restricted to UK, Irish, EU or Commonwealth citizens only.

<b>Area</b>	<b>No of Responses</b>	<b>No. of Households in Area</b>	<b>Percentage of Households responding</b>
Windlesham	348	1,910	18.2%
Lightwater & Bagshot	125	5,562	2.2%
Other*	1		
<b>Total Number of Responses</b>	<b>473</b>	<b>7,472</b>	<b>6.3%</b>

\*Two of the three 'other' responses received did not state where they were located and for the purposes of this table all out of area responses were disregarded.

- 3.7 Of the 668 responses received the level of support for each option can be broken down as set out in table 4:

<b>Table 4: Number of responses supporting each option by area</b>					
	<b>Option 1</b> To create a new parish council	<b>Option 2</b> To reinstate an equal number of councillors for each ward of WPC	<b>Option 3</b> To create a new parish ward for North Windlesham	<b>Option 4</b> No Change	<b>Total</b>
Windlesham	481	13	6	7	507
Lightwater & Bagshot	16	33	20	89	158
Others	2	1	0	0	3
All	499*	47	26	96	668
(% overall response rate)	(74.7%)	(7.0%)	(3.9%)	(14.4%)	

\*239 of the responses received in support of Option 1 were based wholly on the template letter provided by the petitioners.

3.8 As well as these headline results, respondents raised a range of interests and concerns and a representative sample of the more substantive of these can be found in Annex C of this report.

3.9 Those responding in favour of Option 1 (To create a new parish and parish council) raised the following points:

- The creation of a standalone parish council would bring about an increased sense of community cohesion and identity.
- It would give Windlesham residents better representation.
- A standalone parish council would be best placed to deliver the Windlesham Neighbourhood Plan.
- Parts of the village i.e. so called 'North Windlesham' were not represented by Windlesham councillors. As it is considered part of Bagshot this divides the actual village arbitrarily and also separates the actual village residents representatives, to the detriment of the village cohesion and meeting of all local needs of the village as a whole
- More effective and accountable relationships with Councillors
- A standalone parish council would better look after the interests of Windlesham residents.

3.10 Option 2 (To reinstate an equal number of councillors for each ward of WPC) was preferred option of Windlesham Parish Council. Respondents in favour of this option raised the following additional points;

- Option 2 would encourage unity rather than division and isolation.
- Residents in Windlesham village had been disadvantaged by the LGBCE's 2016 review which had led to residents in the Snows Ride area of Windlesham to be subsumed into the Bagshot ward. A situation which had split the community of Windlesham village.
- Reinstating 6 councillors for each village would give residents equal representation on the Parish Council.

3.11 Option 3 (To create a new parish ward for North Windlesham) was added to the consultation as a halfway house option to provide a compromise between options 1 and 2. The creation of a new parish ward would ensure that the Boundary Commission's desire for electoral equality was maintained whilst at the same time improve representation for residents in the north of Windlesham who had felt disenfranchised by the 2016 Boundary Commission review. Comments received in relation to this option included:

- That the current parish council was highly effective and made efforts to ensure that each village was treated equally.
- Historically it has been difficult to get a sufficient number of Windlesham residents to stand for election to the parish council.
- Division of the parish did not make economic sense

3.12 Respondents in favour of Option 4 (To make no change to the current arrangements) primarily raised concerns about financing any new structures and how the changes might impact on 'cross boundary' matters which benefitted the whole of the WPC area for example the allotments which are located in the Lightwater ward of WPC. Other comments included:

- Work should be focused on what needed doing in the Parish rather than staffing arrangements.
- The current situation worked well and no coherent reasons had been given for wanting to change the current arrangements.
- The small number of petitioners was unrepresentative of the whole of the Parish area.
- Concerns over the increase in cost and a reduction of services if the parish was split.
- Impact on access to facilities that were currently shared across the parish area; for example allotment plots.

#### **4. Assessment of Responses**

4.1 Whilst Options 2 and 3 would involve relatively straightforward administrative changes, which would not only address the feeling of disenfranchisement cited by residents of the Snows Ride estate following the 2016 LGBCE review and, in the case of Option 3, be more likely to be approved by the LGBCE, there was little significant support for either option. Consequently neither Option 2 nor 3 will be recommended as a way forward at this time.

4.2 Respondents to the consultation made a number of assertions in their support of options 1 and 4 and the next section of this report considers the more substantive of these.

*A standalone Parish Council would better reflect the natural Windlesham village boundary*

- 4.3 Whilst the petitioners have requested that the boundary of any new parish council be co-terminus with the boundaries set out in the adopted Windlesham Neighbourhood Plan it would be for Surrey Heath Borough Council, as the Principal Council, to make recommendations on the boundaries of any proposed new parish council.
- 4.4 The Windlesham Neighbourhood Plan was developed to match the boundaries of what was, until the 2016 LGBCE review, the Windlesham ward of Windlesham Parish Council. As part of the 2016 review, the boundaries of this ward were redrawn to include Swift Lane and Guildford Road which had previously been part of the Bagshot ward of Windlesham Parish. A view would therefore need to be taken on whether the area of any new Parish should be expanded to take the whole of the current ward area into account or if Swift Lane and Guildford Road should be excluded from a new parish area.
- 4.5 Furthermore, if the parish boundaries were to be redrawn consideration would need to be given to how the boundaries not only matched with those of the Bagshot and Lightwater area but also aligned with paragraph 83 of the LGBCE guidance which states that "Parish boundaries should reflect the 'no-mans land' between communities represented by areas of low population or barriers such as rivers, roads or railways. They need to be, and be likely to remain, easily identifiable."
- 4.6 It should be noted that if the proposed parish boundary was not expanded to include Swift Lane and Guildford Road then electoral law would require the establishment of a new polling district for the 38 properties in these roads. In the opinion of the Returning Officer, due to the practicalities involved during elections, a polling district of this size would not be conducive to good, effective or convenient local government.

*Part of Windlesham is now in Bagshot*

- 4.7 The LGBCE 2016 review redrew the Borough Council's ward boundaries and in the process moved properties in the Snows Ride estate in the north of Windlesham out of the Windlesham ward and placed them in the Borough Ward of Bagshot.
- 4.8 The Council is aware, both anecdotally from residents and locally elected representatives, and through this consultation, that the LGBCE's decision to include the northern part of Windlesham in Bagshot borough and parish wards generated a degree of unhappiness amongst some Windlesham village residents who saw it as bringing about a de facto breakup of the village.
- 4.9 It should be noted that this boundary is a purely administrative one and the creation of a new parish covering only Windlesham village would have no effect on it and residents in the northern part of Windlesham would continue to be represented at Borough council level by ward Councillors for 'Bagshot'.

- 4.10 Furthermore, the requirements of the 2009 Act, referred to in paragraph 2.5, which requires that a parish ward must lie wholly within a single borough electoral ward or county electoral division, would continue to apply. Consequently, any new parish council for Windlesham would need to be warded to reflect the current borough boundaries.

*Residents of Windlesham Village would like a standalone parish council similar to that in Bisley, West End or Chobham*

- 4.11 This position is acknowledged.

*A standalone parish council would give Windlesham residents better local representation*

- 4.12 A number of respondents living in Windlesham village put forward the argument that a standalone Parish Council would afford them better representation with a wider audience. However none of the respondents have given any clear examples of how the current arrangements did not provide them with adequate representation or provide any indication of ways in which they thought that representation could be improved.

- 4.13 Notwithstanding this, there is a clear feeling amongst some respondents that the changes arising from the LGBCE's 2016 review were imposed on the village of Windlesham with little or no opportunity for its residents to provide input into the review process and it is acknowledged that this has coloured residents' views as to the level of representation that they receive.

- 4.14 At present, residents of the northern area of Windlesham are represented on WPC by councillors for Bagshot ward, with villagers in the Windlesham ward being represented by 3 of the 18 councillors on WPC. Options 2 and 3 would provide a level of additional representation for Windlesham within the existing parish structure with additional dedicated Windlesham councillors on the parish council, but these options did not receive any significant support in the consultation.

- 4.15 Whilst the creation of a new, separate parish council would create a clear representation for the village in the form a single parish council, it should be noted that Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 ("the 2009 Act") requires that a parish ward must lie wholly within a single borough electoral ward or county electoral division. Consequently, a new Parish Council would have to be warded due to the Borough Council ward boundaries.

- 4.16 It should also be noted that the division of WPC into smaller areas would not necessarily guarantee that only Windlesham residents would stand for election. Electoral law states that anyone who wishes to put themselves forward for election to a parish council must be qualified to stand for election and meet at least one of the following eligibility criteria:

- They are registered as a local government elector for the area of the parish
- They own property within the parish boundary
- Their main place of work falls within the parish boundary
- They live either within the parish boundary or within three miles of the parish boundary

Consequently a resident of any of the three villages in the WPC area, or residents from further afield e.g. Ascot, West End or Sunningdale would also be eligible to stand for election.

*The creation of a standalone parish council would improve community cohesion in Windlesham and provide residents with a sense of belonging*

4.17 The concept of ‘community cohesion’ was established following a number of riots and disturbances in England in 2001 and the subsequent *Report of the Independent Review Team* (the ‘Cantle Report’, 2001). It describes the ability of all communities to function and grow in harmony together rather than in conflict. It aims to build communities where people feel confident that they belong and are comfortable mixing and interacting with others, particularly with people from different ethnic backgrounds or people of a different faith.

4.18 In 2007 the Commission for Integration and Cohesion defined community cohesion as:

- a defined and widely shared sense of the contribution of different individuals and groups to a future local or national vision
- a strong sense of an individual’s local rights and responsibilities
- a strong sense that people with different backgrounds should experience similar life opportunities and access to services and treatment
- a strong sense of trust in institutions locally, and trust that they will act fairly when arbitrating between different interests and be subject to public scrutiny
- a strong recognition of the contribution of the newly arrived, and of those who have deep attachments to a particular place – focusing on what people have in common
- Positive relationships between people from different backgrounds in the workplace, schools and other institutions.

4.19 Key indicators of community cohesion relate to how people feel about their local area and whether they have a sense of belonging to the area that they live in. Formal opportunities for public participation are only part of the story in nurturing a sense of belonging. More commonly, it is the informal relationships and networks within a local area that determine how residents feel about their community and their neighbours. Research<sup>5</sup> has highlighted the importance of spontaneous and relaxed interaction in shaping social

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<sup>5</sup> Everybody needs good neighbours? A study of the link between public participation and community cohesion, Involve (2008)

relationships and contrasts the relaxed feel of informal social interactions with the more formal and time-restricted nature of local authority initiatives.

- 4.20 Whilst a number of respondents supporting Option 1 cited the fact that they felt a standalone Parish Council for Windlesham Village would improve community cohesion, no evidence was provided to indicate how community cohesion in Windlesham might be currently lacking nor were any suggestions made as to how community cohesion might be improved.
- 4.21 Many of the respondents across all options cited the fact that local activities and events such as the Windlesham Pram Race, the opening of the Community Hub at Windlesham Field of Remembrance, Windlesham's annual summer fete and the interaction of those using the allotments, the Windlesham Community Facebook page and the social links developed through local school networks and other voluntary and community activities had a far greater impact on their enjoyment of their lives in Windlesham than Parish Council activities. Consequently it could therefore be concluded that the establishment of a standalone Parish Council may add little to the already high levels of community cohesion in Windlesham village.

*A standalone parish council would be better able to deliver the Windlesham Neighbourhood Plan*

- 4.22 The Windlesham Neighbourhood Plan was 'made' at Full Council in June 2019 and now forms part of Surrey Heath's Development Plan, which is used to determine planning applications and help guide and shape development in the Borough.
- 4.23 Whilst it is expected that the originators of neighbourhood plans will ensure that they are kept under review to ensure that they remained fit for purpose it would principally be for the Borough Council, as the Local Planning Authority, to apply the policies set out in the Neighbourhood Plan.
- 4.24 Whilst a new standalone parish council would be classified as being a statutory consultee with the right to be consulted on planning applications within their boundaries the existence of an adopted Neighbourhood Plan for the area would confer no additional weight to that parish council's submission. Consequently, any submissions from either, the current WPC, or a new parish council, would carry no more or less influence than they did before the adoption of the Windlesham Neighbourhood Plan.

*Impact on shared services*

- 4.25 WPC provides a number of services across the three villages which would be impacted by any changes to the parish for example residents from across WPC are able to apply for one of the Council's allotments which are located in Lightwater. Should a Parish council be created for Windlesham village then a view would need to be taken on whether Windlesham residents would lose any rights to continue using these. Similarly, WPC area residents are also able to benefit from reduced residents rates when applying for space at any

one of the three cemeteries managed by WPC and again these arrangements would need to be reviewed if a decision was made to establish a new parish.

4.26 In addition, WPC currently administers three grant schemes:

- A General Grant scheme to help organisations for a specific purpose that will benefit the Parish, or residents of the Parish, and which is not directly controlled or administered by WPC
- Open Spaces Maintenance Grants for the maintenance of open spaces and associated essential ancillary facilities be applied for.
- Councillors Community Pride Grants – To enable individual Councillors to support local groups or a worthy cause that does not qualify for the formal grant process. Each village has £6,000 allocated to it and the money is divided by the number of councillors representing each ward. In 2019/20, Bagshot councillors received a maximum of £750 each, Lightwater councillors had a maximum of £857 each and Windlesham councillors had a maximum of £2,000 each to use for grants specifically in their wards.

These grants are funded from WPC's income and are provided for the benefit of all residents of WPC regardless of which of the villages they live in. Figures provided by WPC, based on an eight year average, show that each year groups based in Windlesham have received roughly the same amount of grant funding as groups in Bagshot and Lightwater combined (£12,153 compared to £12,491).

4.27 If a decision was made to create a new Parish Council then it would be necessary to take a view as to whether these grants would continue and in what form and if they were to continue how they would be funded both in the new Parish Council and in Lightwater and Bagshot. Any changes to Parish Council precepts as part of any potential changes would impact on the income available to fund these grants and it should be stressed that there is no guarantee that grant funding would be continued at the same level, if at all.

4.28 Members should note that the services listed in paragraphs 4.25 and 4.26 above are not an exhaustive list and it is possible that there are other services being provided for the direct benefit of all WPC residents that we are not currently aware of.

4.29 It should be noted that whilst the paragraphs above refer only to residents in Windlesham village, the break up of the existing WPC would also impact on the services currently provided to residents in Lightwater and Bagshot and any changes to the current governance arrangements would need to be robustly consulted on with residents in all three villages.

*The current arrangements do not represent good value for money and a standalone parish council would be able to operate more cheaply and efficiently*

4.30 In 2019/20 WPC precept was £306,409, a figure which equates to £37.76 a year for a Band D property and whilst the population of the WPC area does

mean that it is one of the larger parish council's in the Country, its low precept level means that it is one of the lowest precepting of the larger councils (The national average parish precept for a Band D property in 2018/19 was £108.95).

- 4.31 There are currently 7,463 properties in the WPC area. Of these 1,724 properties are located in Windlesham and 5739 properties are located in Lightwater and Bagshot. In 2019/20 WPC raised a total precept of £306,409 with properties in Windlesham contributing 26% of this sum (Approximately £80,000).
- 4.32 Whilst a parish council is able to generate additional income from other sources, for example through the renting of allotment plots, sales of burial plots in cemeteries and the hiring of facilities, this income cannot be guaranteed and will fluctuate year on year.
- 4.33 In addition to the costs associated with the normal annual work cycle, for example staffing, utilities payments, grounds and buildings maintenance, licences and subscriptions, ICT and website provision, office rates, insurance and audit costs parish councils are subject to a range of incidental costs which any new parish council would need to make provision for. For example although parish council elections are administered by the Borough Council the costs incurred are recharged to the parish council in question. The costs of administering Parish Council Elections in 2019 were in the region of £12,000 for WPC and £3,000 for Bisley Parish Council (Chobham and West End Parish Council Elections were uncontested). The 2019 elections were combined with the Borough Council elections and this brought economies of scale and a lower recharge than if a standalone parish election was held. To provide a sense of perspective a standalone By-Election would cost a parish council in the region of £5,000. Any parish council would be expected to ensure that it had sufficient funding available to cover these and other incidental costs.

*A standalone parish council would require fewer councillors*

- 4.34 The legal minimum number of parish councillors for a council is five; there is no maximum number. In 1988, the National Association of Local Councils (NALC) published guidance on the suggested number of parish councillors to be allocated to a parish council depending on the size of the population being represented. NALC guidance<sup>6</sup> recommends that a council of the legal minimum of five is inconveniently small and that practically the minimum level that a parish council needed to operate is seven councillors.
- 4.35 The NALC guidance went on to set out the following recommendations in relation to the number of councillors required based on an area's electorate:

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<sup>6</sup> NALC Circular 1126 (1988)

Electors	Recommended Number of Councillors
Up to 900	7
1,400	8
2,000	9
2,700	10
3,500	11
4,400	12

In 1992, the Aston Business School published further research which suggested:

Electors	Recommended Number of Councillors
<500	5-8
501-2,500	6-12
2,501 -10,000	9-16

- 4.36 Using this guidance, based on the electorate figure, as at 1<sup>st</sup> September 2019, for Windlesham of 3,425 it is expected that a standalone Windlesham Parish Council would require in the region of 11 councillors.

## **5. Learning from Community Governance Reviews Elsewhere**

- 5.1 Government guidance gives no specifics on either how Community Governance Reviews should be conducted or guidance on the thresholds that should be used when considering whether or not to recommend implementing changes to local governance. Research has found few examples of a review similar to this one however a precis of those identified as being similar in scope is set out in the following paragraphs for information.

*Wyre Forest District Council, Kidderminster, 2015*

- 5.2 A CGR was undertaken to ascertain the level of support for the creation of a town council for Kidderminster. A local advisory poll was combined with the General Election on 7<sup>th</sup> May 2015. A total of 23,086 votes were cast in the advisory poll (53.3% turnout) and of these 79.1% (18,264 votes) were cast in favour of the creation of a town council. Given the substantial turnout and margin voting in favour of a town council it was agreed that a town council would be created.

*Winchester City Council, Littleton and Harestock CGR 2018*

- 5.3 A CGR was undertaken on whether Littleton and Harestock Parish Council should be split into two separate parish councils. 23% (347 responses) of households responded to an initial consultation exercise. A total of 218 the responses received were from the residents in the Harestock and Littleton Parish Council area. A figure that equates to 11% of the parish council's electorate. Responses were evenly split between those wanting a split and those wanting no change (51%:49% respectively). The review concluded that

there was insufficient local support for changes and the review was not progressed.

*Mole Valley District Council, Bookham CGR 2017*

- 5.4 A review was undertaken to ascertain the level of support for the creation of a parish council for Bookham village. The terms of reference allowed for a local advisory poll to be conducted. Bookham's electorate was 9,096 and turnout for the poll was 54% (4,929 registered electors voted). 83% of voters voted against setting up a parish council and there was a petition against the establishment of a parish council in electronic and paper format which had a combined total of 1,694 signatures.
- 5.5 On the basis of the vote and the significant number of signatures on the petition it was decided there was little evidence that there was community support for a parish council in Bookham and the Council decided not to proceed further.

*Three Rivers District Council, Four Wards CGR 2016*

- 5.6 A review was undertaken to establish whether a Parish Council should be established for the unparished part of the District. An advisory ballot was held in the affected areas and 4,607 ballots were returned (28.1% of the electorate). Of these 2,525 (15.3%) voted for the establishment of a parish council and 2,082 (12.6%) voted against the establishment of a parish council. Three wards Moor Park & Eastbury, Rickmansworth Town and Penn & Mill End returned a preference for the establishment of a parish council (65%, 55% and 50% respectively) and it was agreed that further consultation would be undertaken on the establishment of a Parish Council for these areas.
- 5.7 Following the second consultation exercise, it was concluded that the low turnout during the first consultation gave little justification to change the status quo and that in setting up a Parish Council on such small margins the Council would be imposing new governance arrangements on a large number of people who either said no or did not express an opinion on the setting up of a parish council. It was therefore decided that no further action would be taken.

## **6 Conclusions**

- 6.1 When formulating recommendations as to the way forward in a community governance review the 2007 Act requires principal authorities to have regard to whether their recommendations would provide:
- i. A better arrangement of cohesive and sustainable communities to be formed.
  - ii. A distinctive and recognisable community of place with its own sense of identity.
  - iii. Effective and convenient local government, viability and the ability to deliver services.

- 6.2 Although the Windlesham Community Governance Review has generated considerable interest within Windlesham and engendered strong feelings amongst respondents to the consultation, it is worth bearing in mind that 95% of electors in the current WPC area (and 85.31% of electors in Windlesham village) did not respond to the consultation. Furthermore, of the 668 valid consultation responses received 507 were from people living within the area covered by the proposed parish area, this is 112 less than the 619 who signed the original petition requesting the community governance review and members must draw their own conclusions from these two facts.
- 6.3 In addition, the lack of interest in the review from residents in Bagshot and Lightwater could be attributed to the fact that many considered the proposal to create a new parish council for Windlesham to be a matter for Windlesham residents only and incidental to their lives. It is clear that any break-up of the existing WPC would have significant implications for residents in Bagshot and Lightwater both in terms of service provision and financial impact and it would be necessary to complete a robust consultation exercise with residents in all three village on any future changes.
- 6.4 Government guidance is clear that community governance arrangements should reflect and be sufficiently representative, of people living across the whole community and not just a discrete cross section of it. After careful consideration the Council has come to the conclusion that at this juncture a 5% overall response rate, and a less than 15% response rate from residents of Windlesham village, does not represent significant support for the creation of a standalone parish council, either within the Windlesham village area or within the broader community.
- 6.5 When making its final decision the Council has a duty to ensure that community governance within an area under review is effective and convenient.<sup>7</sup> However later guidance<sup>8</sup> clarified this criterion by stating that the effectiveness and convenience of local government is best understood in the context of a local authority's ability to deliver services economically and efficiently, and to give users of services a democratic voice in the decisions that affect them.
- 6.6 At this stage it is not possible to put an exact figure on the budget that a standalone Parish Council would require to maintain the current level of service enjoyed by residents of WPC however it is clear that any changes would have a tangible impact on services whether that is a resident no longer being able to use an allotment after 20 years or a reduction in the amount of grant funding available.
- 6.7 Due to its size WPC is currently able to use its purchasing power to obtain better value for money and economies of scale when purchasing goods and services. Breaking up the parish council would impact on this ability with the resultant possibility that costs could increase and/or service levels would

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<sup>7</sup> Local Government & Public Involvement in Health Act 2007. 93(4)

<sup>8</sup> Guidance on Community Governance Reviews, DCLG & LGBCE 2010 para. 62

reduce. Alternatively joint working arrangements could be entered into to ensure that services were retained.

- 6.8 A number of the consultation responses referenced their satisfaction with the services provided currently by WPC and whilst these experiences could be considered to be largely anecdotal none of the respondents made any reference to the effect that WPC was not being efficiently run or that the services being provided were of poor quality and a number expressed the view that the current arrangements provided good value for money.
- 6.9 Consequently, it must be concluded that it would not be in the best interests of the residents of the WPC area to break up an organisation that is well regarded across the three villages and in its place create two or three smaller entities that were not able to leverage the same economies of scale or provide the same levels of service. Thus it is the Council's opinion that the establishment of a new Parish Council would not be an effective form of local governance and would not support the continued delivery of quality services.
- 6.10 In summary, the Council considers that no case for change has been made at this time. Furthermore:
- There is not significant support for the creation of a new parish and parish council either within the Windlesham village area or within the broader community covered by the current WPC.
  - The break-up of WPC and the creation of a new parish council for Windlesham only would have a negative impact on effective and convenient local government.
  - A new parish council would not be best placed to deliver quality services efficiently and effectively.
  - Whilst at this time it is difficult to calculate the precept that a new Parish Council would require it is clear that there is the potential for additional financial cost to local residents not only from the costs associated with the dissolution of the existing Windlesham Parish Council but also from the costs associated with setting up a new parish council covering Windlesham village and dealing with the ongoing governance arrangements for Bagshot and Lightwater.
- 6.11 Government guidance<sup>9</sup> is clear that where a Principal Council has conducted a review following receipt of a petition, it will remain open to the Principal Council to make a recommendation which is different to the recommendation that the petitioners wished the review to make.
- 6.12 With 95% of the residents of the WPC area choosing either not to respond or seeking to retain the status quo, there is no demonstrable evidence of a real wish for change, and this raises the question of whether it would be responsible for the Borough Council to commit further resources to the Review when local government funding is under such pressure. It is therefore recommended that no change be made at this time to the parish arrangements for the area covered by Windlesham Parish Council.

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<sup>9</sup> Guidance on community governance reviews DCLG & LGBCE 2010 paras 95-97

- 6.13 Should the Council support Option 4, i.e. to make no change to the existing arrangements, councillors will need to provide clear reasons for such actions, to authorise the publication of these reasons and to take such steps as it considers sufficient to ensure that those organisations and individuals with an interest in the review are informed of those decisions.

## **7 Alternative Options**

- 7.1 Notwithstanding the recommendations in this report, the Council could opt to pursue the setting up of a new parish council covering Windlesham village. If this option was to be pursued then the next steps that the Council is required to undertake is set out in regulations issued following the 2007 Act<sup>10</sup> and includes but is not limited to:

- The setting of precepts
- Consideration of provisions with respect to the transfer of any functions, property, rights and liabilities
- Consideration of the boundaries of any new parish councils and any warding arrangements
- Consideration of transitional arrangements
- Dissolution of the current WPC
- Consideration of the provisions that would need to be made for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- The creation of any new polling districts arising following the review
- Consideration of what governance arrangements would need to be put in place for the areas of WPC not covered by the new parish council.

- 7.2 A second potential option could be to reconsider Options 2 or 3 which would go part way to addressing the concerns raised in respect of Windlesham not being adequately represented on WPC.

- 7.3 The outcome of the work outlined in paragraphs 7.1 and 7.2 would need to be used to inform a second public consultation with all affected residents before a final recommendation was brought back to the Council for a decision. Government regulations state that a community governance review must be completed within twelve months of a valid petition being received. Consequently the Council would need to have made a final decision on the future governance arrangements for the WPC area by 31<sup>st</sup> July 2020 at the latest.

- 7.4 A significant number of the representations received referenced the fact that they considered that the redrawing of the boundaries and the incorporation of the Snows Ride area of Windlesham into the new parish ward of Bagshot had resulted in a loss of identify for the northern part of Windlesham village. In recognition of this perceived loss of identity a further option that the Council

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<sup>10</sup> Local Government (Parishes and Parish Councils)(England) Regulations 2008, Statutory Instrument No. 625

might want to consider is renaming the parish ward of Bagshot to Bagshot and North Windlesham.

- 7.5 Regardless of the outcome of any subsequent consultation, the most important factor to consider when determining a way forward is the need to gain the consent of the Local Government Boundary Commission for England (LGBCE) to any proposed changes that would change existing electoral arrangements that were in place within the previous five years by the Secretary of State, Electoral Commission or the LGBCE<sup>11</sup>.

## 8 Recommendations

### 8.1 That Council is advised to RESOLVE

- (i) that the findings of the recent consultation process be noted;
- (ii) to not proceed to a further stage of the Community Governance Review process for the following reasons:
  - a. There is insufficient support from residents currently living within the WPC area and from within Windlesham village for the creation of a new parish and parish council
  - b. The break-up of WPC and the creation of a new parish council for Windlesham village only would have a negative impact on effective and convenient local government.
  - c. A new parish council would not be best placed to deliver quality services efficiently and effectively; and
- (iii) that Windlesham Parish Council and the Petitioners be advised of the above decision accordingly.

**Annexes:** Annex A - Community Governance Review Terms of Reference  
Annex B – Letter to residents about the Community Governance Review  
Annex C – Summary of substantive comments received

**Background Papers:** [Guidance on Community Governance Reviews, Local Government Boundary Commission for England \(DCLG\) 2010](#)

[Consultation responses received on the Community Governance Review](#)

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<sup>11</sup> Local Government & Public Involvement in Health Act 2007, Section 86 (3&6) and Guidance on community governance reviews DCLG & LGBCE 2010 paras 172-176

**Executive Head of  
Service:**

Richard Payne – Returning Officer