

Windlesham Community Governance Review - Next Steps

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

Purpose of Report

The purpose of this report is to enable the Council to make a formal decision on the governance arrangements of the Windlesham Parish area and determine the recommended options for the second stage of the Community Governance Review consultation.

1. Reasons for Recommendations

- 1.1 It is necessary for the Council to formally conclude the Windlesham Community Governance Review (CGR) in line with the statutory timetable which is scheduled to finish on 31 July 2020.
- 1.2 It should be noted that due to the Covid-19 pandemic it was not practicable to undertake further consultation during the period of Government imposed lockdown. Legal advice on the implications of extending a CGR beyond its statutory timeframes concluded that given the unprecedented nature of the pandemic this was an appropriate way forward and interested parties were informed of the decision to pause the CGR.

2. Background

- 2.1 In May 2019, the Council received a Community Governance Petition calling on the Council to “create a separate and devolved parish council for Windlesham village and residents only”. The petition was subsequently deemed to be valid, a Community Governance Review was triggered and an initial consultation on the petition’s request took place between August and October 2019.
- 2.2 At the close of the consultation period, 668 individual responses had been received, which equates to 5.0% of the electorate in the whole of the Windlesham Parish Council area (based on electorate figures at 1st September 2019). The consultation elicited a wide range of opinions on the options proposed and a report summarising the outcomes was considered by the Council on 26th February 2020.

Consultative Group Meeting

- 2.3 At its meeting on 26 February 2020, the Council considered the outcomes of the first round of consultation. It was acknowledged that there were differing opinions on the most appropriate way forward and that continuing the status

quo with regard to Windlesham Parish Council was not an option. The Council subsequently resolved that a consultative group would be set up to consider and provide input into the second stage of the Windlesham Community Governance Review. To ensure that all points of view were considered the consultative group would include representatives from:

- Windlesham Parish Council
- Bagshot, Lightwater and Windlesham Residents' Associations and Community Facebook Groups
- The petitioners
- Borough Councillors for the impacted wards
- County Councillors for the impacted wards
- Officers

The Consultative Group met on 18th March 2020.

- 2.4 At its meeting on 18th March 2020, the attendees were informed that the petition to trigger a Community Governance Review had been the result of dissatisfaction amongst residents of Windlesham village over what they perceived to be a disconnect between the Parish Council and local residents. Something that, in the petitioner's view, had been compounded by the Local Government Boundary Commission for England's (LGBCE) 2016 review of the Borough and Parish Council boundaries which resulted in the redrawing of the parish council's wards and what in the petitioners' view was a reduction in representation at parish level for Windlesham residents.
- 2.5 At the meeting, representatives from Windlesham Parish Council (WPC) acknowledged the concerns of the petitioners; however, it was stressed that parish councillors had always considered themselves to have been elected to serve all residents of the parish area and not just those living in the ward that they were elected to represent and that decisions were made on the basis that each of the three villages were considered to be equal partners in the Parish. It was also the Parish Council's contention that the villages' representation would be stronger if they remained as a single entity and that the size of the Parish Council meant that it could leverage certain economies of scale that would not be possible if the Parish Council was broken up.
- 2.6 The Consultative Group was informed that some members of the Parish Council had met prior to the meeting to try and develop a compromise solution that would enable WPC to remain as a single entity whilst at the same time giving the individual villages greater autonomy over local matters. These discussions had given rise to a suggestion that the Parish Council disband its smaller committees and form three new local committees, one for each village. It was proposed that these local committees, of six councillors drawn from the associated wards, would meet on a monthly basis and hold devolved responsibility for any decisions relating to the village it covered. There would be some decisions including, but not limited to, the setting of the precept, signing off the annual accounts and the annual governance statement and personnel matters which would remain subject to approval either by full Council or a Personnel Committee.

- 2.7 The Consultative Group acknowledged that this approach would provide a suitable compromise to the current impasse and the Clerk to the Parish Council had been tasked by the Parish Council to develop this proposal in more detail.
- 2.8 It should be noted that the way that Windlesham Parish Council operates and conducts its business is an internal matter for the Parish Council and not one which the Borough Council has any input into or influence over.
- 2.9 Notwithstanding this, it should be noted that under the current warding arrangements Bagshot has 8 parish councillors, Lightwater has 7 parish councillors and Windlesham has 3 parish councillors. Consequently if membership of a local committees was restricted to the ward members elected to represent that village there is the risk of inefficient and undemocratic decision making occurring in the Windlesham Local Committee.

Windlesham Parish Council Warding Arrangements

- 2.10 One of the drivers for Community Governance Reviews is to ensure that local decision making is efficient and effective. Whilst the Borough Council has no influence over the internal workings of the Parish Council the Community Governance Review process does provide the Borough Council with an opportunity to assist the Parish Council with its internal reorganisation by redrawing the Parish's ward boundaries to provide the Windlesham area with a greater standalone representation on the Parish Council.
- 2.11 The Parish Council would prefer that each village was represented by 6 parish councillors i.e. a reversion to the position that was in place prior to the 2016 Review. It should be noted that the changes made by the 2016 review were brought about in an effort to equalise the electorate:councillor ratio across the Parish and any changes suggested as a result of a community governance review must be approved by the LGBCE. Consequently, this option if it was pursued by the Borough Council is unlikely to gain consent.
- 2.12 An alternative option would be for the Borough Council to recommend to the LGBCE that Windlesham Parish Council's ward boundaries be redrawn so that the parish ward of Bagshot is split into two new wards, namely one that is co-terminus with the current KC: North Windlesham polling district and which would encompass the Snows Ride estate area in the northern part of Windlesham village and a ward covering Bagshot village made up of the areas within the KA and KB polling districts.
- 2.13 Not only would this proposed change provide Windlesham Village with a larger standalone representation on the Parish Council, it would also ensure that the requirements of Schedule 2 of the Local Democracy, Economic Development and Construction Act 2009 ("the 2009 Act") which requires a parish ward to lie wholly within a single borough electoral ward or county electoral division would be met.

- 2.14 If a decision was to be taken to re-ward the Parish Council by restructuring the current ward of Bagshot into two new wards (one covering Bagshot and the other encompassing the northern area of Windlesham) then it is suggested that the two wards created should be named Bagshot and Windlesham North and that the current Windlesham ward be renamed Windlesham South.

Windlesham Parish Council Ward Member Allocation

- 2.15 If the Council was to pursue this option, a view would need to be taken on how many councillors would represent each ward. Windlesham Parish Council has indicated that it considers the current number of ward councillors (18) to be an appropriate number to enable it to conduct its business effectively and efficiently.
- 2.16 It is incumbent on the Borough Council to ensure that any alterations to the current representation do not hinder or constrain the Parish Council's work, either through nominating a level of councillors that is so great that decision making becomes unwieldy nor so small that decision making is no longer robust and is liable to gerrymandering. The Council has received no information to suggest that the current size of WPC is inappropriate, and taking the views of WPC into account, it is considered appropriate that the size of WPC remain at its current level of 18 councillors.
- 2.17 The current breakdown of Councillor:Electorate ratio by ward is set out in table 1 below;

Table 1 – Current Electorate Representation			
Ward Area	Councillors	Electorate*	Councillor: Elector ratio
Bagshot	8	5,675	1:709
Lightwater	7	5,466	1:781
Windlesham	3	2,464	1:821
Total WPC Area	18	13,605	1:756

*Electorate based on Electoral Register figures as at 1st March 2020

- 2.18 Taking into account the need to ensure that the ratio of councillors to electorate is balanced across the wards, alongside the LGBCE's 2016 decision to reduce the number of councillors in Windlesham and the reasoning set out at paragraph 2.16 above for keeping the number of councillors at 18, it is proposed that the number of councillors for the new Bagshot ward be set at 6 and the number of councillors for the new Windlesham North ward be set at 2. The number of Councillors in the renamed Windlesham South ward would remain at 3.
- 2.19 This would give the village of Windlesham an overall Councillor:Electorate ratio of 1:706 a figure that puts it roughly in line with Bagshot and Lightwater

villages at 1:769 and 1:787 respectively. A detailed breakdown can be found in the following table.

Table 2 – Proposed Electorate Representation				
Ward Area	Councillors	Electorate*	Councillor: Elector ratio	
Bagshot	6	4,611	1:769	
Lightwater	7	5,466	1:781	
Windlesham North	2	1,064	1:532	1:706 (5 councillors in total)
Windlesham South	3	2,464	1:821	
Total WPC Area	18	13,605	1:756	

*Electorate based on Electoral Register figures as at 1st March 2020

- 2.20 It is proposed that, if approved, these arrangements be introduced at the next Parish Council elections in May 2023. In the interim it would be for WPC to decide which of their Councillors sat on the Windlesham Local Committee.

Parish Council Name

- 2.21 The Consultative Group's discussions raised the concern that the name of the Parish Council could be considered an anomaly which resulted in confusion with many residents believing that it did not provide services to their village. In the course of the discussions, the Parish Council indicated that, notwithstanding the historic nature of the Parish Council's name, they would be amenable to changing the name to better reflect the nature of its geographical area.
- 2.22 The name of an existing parish council can be changed through community governance reviews under section 82 of the Local Government and Public Involvement in Health Act 2007 and the Borough Council as the principal authority could make a change as part of the current Windlesham CGR. Alternatively, Section 75 of the Local Government Act 1972 makes provision the Principal Area Authority to change the name of a parish at the request of that Parish Council.
- 2.23 During the discussions whilst there was no consensus on an alternative name, a number of suggestions were made including The Three Villages Parish Council and Bagshot, Lightwater and Windlesham Parish Council. The Borough Council would be minded to be guided on the outcome of any recommendations from WPC on this matter.

Next Steps

- 2.24 In view of the strength of feeling generated by the CGR, it is considered incumbent on the Borough Council to conduct a second round of consultation on any proposed changes to WPC. In view of the CGR timetable and the

restrictions placed on residents by the Covid-19 Pandemic these could be light touch and consist of a letter to all households, information on the Council's website and messages distributed through the Council's social media networks. The consultation would inform residents of the preferred course of action and invite any feedback.

3 Resource Implications

3.11 To date, all the work carried out to progress the Community Governance Review including the cost of the initial consultation has been absorbed into existing budgets. This has included, but is not limited to:

- Postage of first round consultation letters to all eligible voters - £3,500 approximately
- Legal Advice - £2,900 (Excl. VAT)

3.12 Depending on the nature of the consultation, costs would range from £3,500 for a similar consultation as in the first stage to £13,000 for a formally run postal advisory poll. It should be noted that there is currently no specific budget provision for these additional costs.

4 Alternative Options

4.1 Alternative options include:

- i. To keep the current status quo and not proceed with any further consultation.
- ii. To develop an alternative electoral arrangement for Windlesham Parish.

4.2 It must be noted that the recommendations set out in section 2 of this report represent a way forward that was negotiated and agreed by the Consultative Group.

4.3 It should also be noted that, notwithstanding any decision by this Council in its capacity as the Principal Authority, and the costs incurred therein, any decision on whether to alter the existing arrangements for Windlesham Parish Council would still be subject to the approval of the Local Government Boundary Commission for England.

5 Recommendations

5.1 The Council is advised to RESOLVE that:

- (i) A second round of consultation is undertaken in the Windlesham Parish area with the following recommended options:

That:

- a. A new parish ward co-terminus to the current KC polling district is created and named Windlesham North ward of Windlesham Parish Council

- b. A new parish ward co-terminus with the KA and KB polling districts be created and named Bagshot Ward of Windlesham Parish Council
 - c. The Windlesham ward of Windlesham Parish Council be renamed Windlesham South ward of Windlesham Parish Council
 - d. Windlesham Parish Council be renamed to better reflect its geographical boundaries;
- (ii) A report be brought back to Council setting out the outcome of the second round of consultation and making final recommendations on the Windlesham Community Governance Review;
- (iii) The Community Governance Review timetable be updated, as set out at Annex A to this report; and
- (iv) Windlesham Parish Council's undertaking to fundamentally restructure its governance process be noted.

Background Papers: None

Annexes None

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Community Governance Review – Revised Timetable

Stage 1	1	Report to full Council	24 July 2019	Council determines terms of reference of community governance review
	2	Publish terms of reference	5 August 2019	Council publishes terms of reference and notifies stakeholders of the commencement of the review.
	3	Initial consultation period on the options set out in the terms of reference	5 August 2019 to 28 October 2019 (12 weeks)	Consultation letters to: <ul style="list-style-type: none"> • every household in Windlesham parish • Surrey County Council • Borough and County Councillors in the affected area • Windlesham Parish Council • Borough councillors representing those parishes • Local residents' and amenity groups operating within those parishes • Local businesses operating within those parishes
	4	Consider responses to initial consultation	29 October 2019 to 31 December 2019	Consider submissions and prepare draft recommendations for report to Council
	5	Report to full Council	26 February 2020	Council to receive details of outcome of initial consultation and consider draft recommendations
	6	Publish draft recommendations	9 March 2020	Council publishes draft recommendations for further consultation.
Stage 2	7	Initial Working Group Meeting	18 th March 2020	
	8	Council Meeting	22 July 2020	
	9	Consultation Starts	w/c 3 August 2020	First week of August
	10	Consultation Period Finishes	1 September 2020	4 week period
	11	Consider responses to further	2 September – 30 September	Consider further submissions and prepare final

Annex A

	consultation	2020	recommendations for report to Council
12	Report to full Council	14 October 2020	Council to receive details of outcome of further consultation and consider final recommendations
13	Publish final recommendations	19 October 2020	Publish final recommendations
14	Final recommendations submitted to the LGBCE for consultation	w/c 19 October 2020	LGBCE to confirm if it agrees to the changes to the protected electoral arrangements.