

SURREY HEATH BOROUGH COUNCIL
Community Governance Review 2019-20
Windlesham Area within the Parish of Windlesham
Terms of Reference

INTRODUCTION

Surrey Heath Borough Council has resolved to undertake a Community Governance Review of Windlesham. The area under review is defined in the map set out at Annex B, although it is recognised that there are consequential effects for the remaining area of the parish of Windlesham

Why are we carrying out this Community Governance Review?

Following receipt of a valid petition signed by 619 electors within Windlesham Village, Surrey Heath Borough Council is required by law to undertake a Community Governance Review to consider the petitioners' request, which is as follows:

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

The petitioners' proposals are illustrated on the maps attached as Annex B to this document. The petitioner has further clarified that the area identified is coterminous with the Windlesham Neighbourhood Plan area.

In drawing up these terms of reference, the Council has consulted both the lead petitioners and Windlesham Parish Council and taken into consideration their comments.

In assessing the options for consideration in this Review, the Council has taken into account the request it received from Windlesham Parish Council in January 2019 to conduct a Community Governance Review with a view to re-instating an equal number of Councillors representing each village within the Parish. This request was considered by the Council at its meeting on 27 February 2019 and was deferred pending the receipt of legal advice obtained by Windlesham Parish Council. The Council has agreed with Windlesham Parish Council to consider this request as part of this Community Governance Review.

A Community Governance Review can only review and make changes to parish boundaries.

What is a Community Governance Review?

A Community Governance Review is a review of the whole or part of the borough to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of a parish and the style of a new parish (i.e. whether to call it a “village”, “community” or “neighbourhood” with the council similarly named as a “village council”, “community council” or “neighbourhood council”);

- The electoral arrangements for parishes (including council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

The Borough Council is required to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area; and
- effective and convenient.

In doing so, the Community Governance Review is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

The government has emphasised that recommendations made in Community Governance Review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

CONSULTATION

How will Surrey Heath Borough Council undertake this Community Governance Review?

As the principal authority, Surrey Heath Borough Council is responsible for undertaking any Community Governance Review within its electoral area. The procedure for a Community Governance Review requires the Council:

- (a) to consult initially on these terms of reference for the review
- (b) taking into account representations received, to then publish draft recommendations and consult on those
- (c) taking into account representations received, to then publish the final recommendations and, if required, to make a community governance reorganisation order to give effect to agreed changes.

In undertaking this Community Governance Review, the Borough Council will be guided by:

- Part 4 of the Local Government and Public Involvement in Health Act 2007,
- the relevant parts of the Local Government Act 1972 and
- the document “Guidance on Community Governance Reviews” (March 2010) issued in accordance with section 100(4) of the 2007 Act by the Department for Communities and Local Government and The Local Government Boundary Commission for England.

As required by Section 79(3) of the 2007 Act, the Borough Council has notified Surrey County Council that a review is to be undertaken, provided them with a copy

of these terms of reference for the review and will consult them on the matters under review.

The Borough Council intends to clearly publish all decisions taken in the review and the reasons for taking those decisions and will work towards the Government's view in undertaking the review that "Community Governance Reviews should be conducted transparently so that local people and other stakeholders who may have an interest are made aware of the outcome of the decisions taken on them and the reasons behind these decisions."

In accordance with the 2007 Act, representations received in connection with the review will be taken into account, and steps will be taken to notify consultees of the outcome of the review by publishing them on the Council's website, through general press releases, and by placing key documents on public deposit at Surrey Heath Borough Council's offices and at the offices of Windlesham Parish Council.

What are we consulting on at this stage?

Surrey Heath Borough Council has agreed to carry out an initial public consultation with the following persons and bodies:

- all local government electors in the area under review (i.e. the parish of Windlesham),
- Windlesham Parish Council,
- Borough and County Councillors in the affected area, and
- any other person or body which appears to have an interest in the review (e.g. local businesses, local residents' associations, amenity groups, local public and voluntary organisations)

We would like to know your view on the following options for the future community governance of the Windlesham area:

Option 1

To create a new parish in Windlesham and create a new Parish Council covering the area.

This is the option proposed in the petition referred to above. The effects of the changes sought in the petition (and shown on the maps at **Annex B**) are as follows:

- (a) To alter the boundary of the parish of Windlesham so that the KC – Windlesham North and NA – Windlesham South* polling districts are removed from that parish
- (b) To rename the current Windlesham Parish Council as Bagshot & Lightwater Parish, or any other appropriate name arising from the Review
- (c) To abolish the Windlesham ward of Windlesham Parish
- (d) To create a new parish, to be named Windlesham Parish, or any other appropriate name arising from the Review, whose boundary will encompass the KC – Windlesham North and NA – Windlesham South*.
- (e) To create a new parish council, to be called Windlesham Parish Council, or any other appropriate name arising from the Review.

This option will also consider whether a revised level of representation for the Bagshot ward of Windlesham Parish is appropriate to reflect the reduced electorate in that parish ward.

**n.b. the current Windlesham ward of Windlesham parish encompasses 2 roads which are not included in the Windlesham Neighbourhood Plan Area, the area specified by the petitioners. The inclusion of these roads in the new parish will be considered as part of the Review.*

Option 2

To re-instate an equal number of councillors representing each village within the Parish.

The request received from Windlesham Parish Council referred to an “equal number of Councillors representing each village”. The Local Government Boundary Commission’s review of the borough in 2016/17 resulted in an area of Windlesham, largely comprising the Snows Ride development within the village, being transferred to Bagshot ward of Windlesham Parish. In order for this area of Windlesham to be treated as part of Windlesham village, a new parish ward would need to be created.

The effects of these changes are as follows:

- (a) To alter the current boundary of Bagshot ward of Windlesham parish and create a new ward, to be called Windlesham North ward of Windlesham Parish, or any other appropriate name arising from the Review, as shown on the map at Annex C.
- (b) To allocate 6 councillors to represent Windlesham village, with a view to introducing the arrangements as follows:
 - a. To alter the electoral arrangements for Windlesham ward of Windlesham parish by increasing the number of councillors representing the parish ward from 3 to 4
 - b. Allocating 2 councillors to represent Windlesham North ward of Windlesham Parish
- (c) To alter the electoral arrangements for Bagshot ward of Windlesham Parish by reducing the number of councillors representing the parish ward from 8 to 6
- (d) To alter the electoral arrangements for Lightwater ward of Windlesham Parish by reducing the number of councillors representing the parish ward from 7 to 6

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.

The effects of these changes are as follows:

- (a) To alter the current boundary of Bagshot ward of Windlesham parish and create a new ward, to be called Windlesham North ward of Windlesham Parish, or any other appropriate name arising from the Review, as shown on the map at Annex C.

- (b) To allocate 2 councillors to represent Windlesham North ward of Windlesham Parish
- (c) To alter the electoral arrangements for Bagshot ward of Windlesham Parish by reducing the number of councillors representing the parish ward from 8 to 6

Windlesham Parish Council's original request asked the Council to conduct a review with a view to re-instating an equal number of councillors representing each village within the Parish. This option has been proposed as it broadly reflects the Parish Council's original request, but better meets electoral equality requirements and community identities.

Option 4

To make no change to the current arrangements.

Electoral Equality

Electoral equality is relevant where a parish is warded and refers to the number of voters represented by each councillor being approximately the same across the authority area, ideally within a variance of 10%.

The electoral equality implications of these options, based on the electorate at July 2019, are set out at Annex E.

How to let us know your views

Any representations on the three options referred to above must be in writing and should be sent to:

Rachel Whillis
Democratic Services, Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
GU15 3HD

by no later than 5pm on Monday 28 October 2019.

Alternatively, you may send your representations to vote@surreyheath.gov.uk

Please ensure that you state your name and address clearly on any representations submitted. Please note that any submissions received after 28 October 2019, or any representations submitted anonymously, will not be taken into account.

Please also note that the consultation stages of a Community Governance Review are public consultations. In the interests of openness and transparency, the Council will make available for public inspection full copies of all representations it takes into account as part of this review.

A timetable for the Community Governance Review

A Community Governance Review must, by law, be concluded within a 12-month period from the day on which the Borough Council publishes its Terms of Reference and ending on the day on which the Council publishes its final recommendations. The agreed timetable for the Community Governance Review is attached as **Annex A**.

Present arrangements/ parish structure

The current boundaries for Windlesham Parish Council can be viewed on the map at Annex D.

ELECTORAL ARRANGEMENTS

An important part of the Review will comprise giving consideration to 'Electoral Arrangements'. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward.

Ordinary year of Election

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter. The Government has indicated that it would want the parish electoral cycle to coincide with the cycle for the borough council elections. If the Review finds that it will be appropriate to hold an election for parish councillors at an earlier date than the next scheduled ordinary elections in May 2023, the terms of office of any newly elected parish councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the borough at the next ordinary elections.

The number of Parish Councillors

The Council notes that the number of parish councillors for each parish council should not be less than five. There is no maximum number. By law, Surrey Heath Borough Council as the principal council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish
- Any change in that number which is likely to occur in the period of 5 years beginning with the

Parish Warding

When considering whether a parish should be divided into wards for the purposes of election, the Council will assess the following:

- Whether the number, or distribution, of local government electors for the parish would make a single election of councillors impracticable or inconvenient;
- Whether it is desirable that any area or areas of the parish should be separately represented on the council.

The Council is also mindful that 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. Any warding patterns will reflect this requirement.

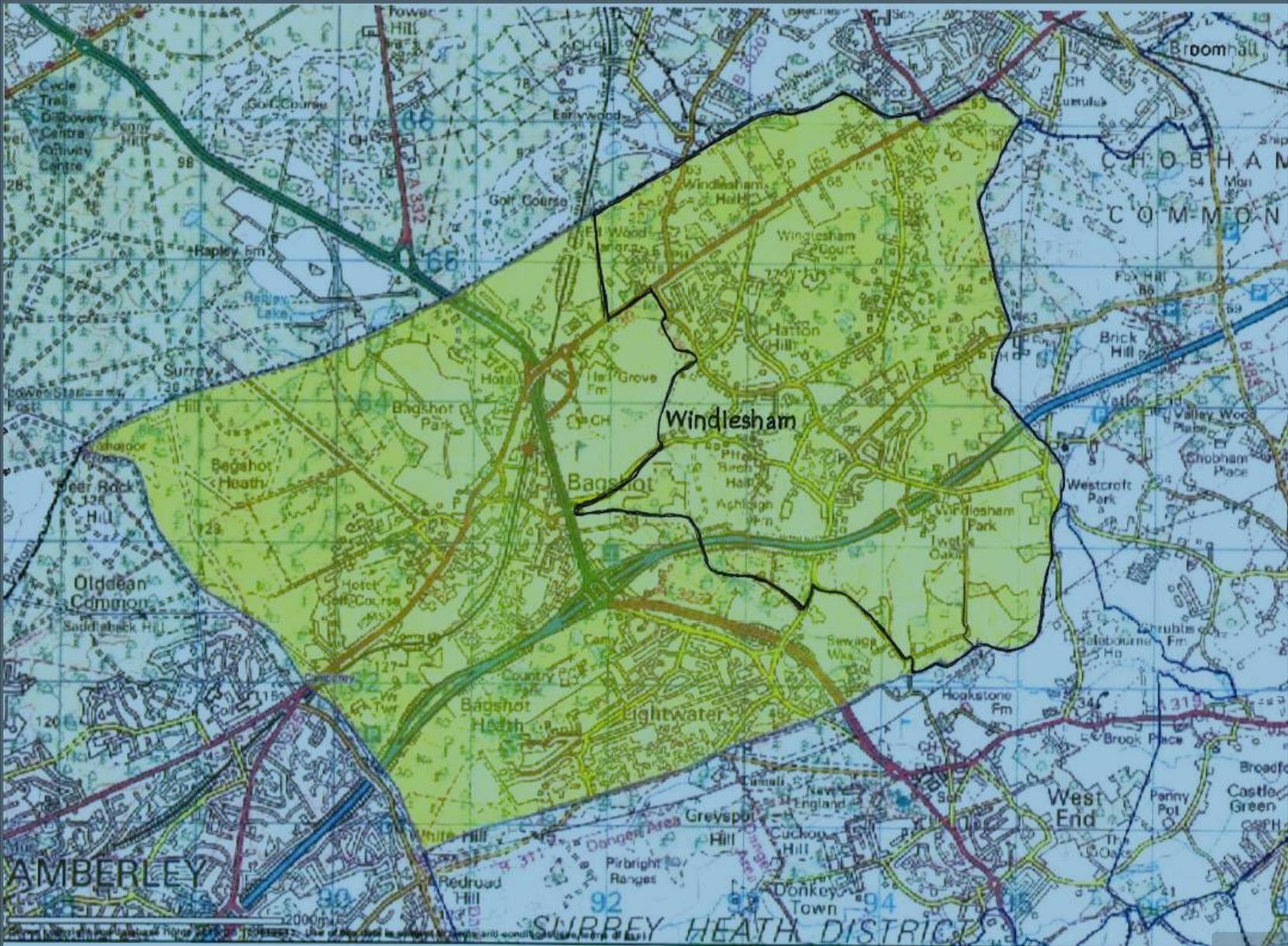
**Date of Publication of Terms of Reference:
Monday 5 August 2019**

Community Governance Review 2015 – Timetable

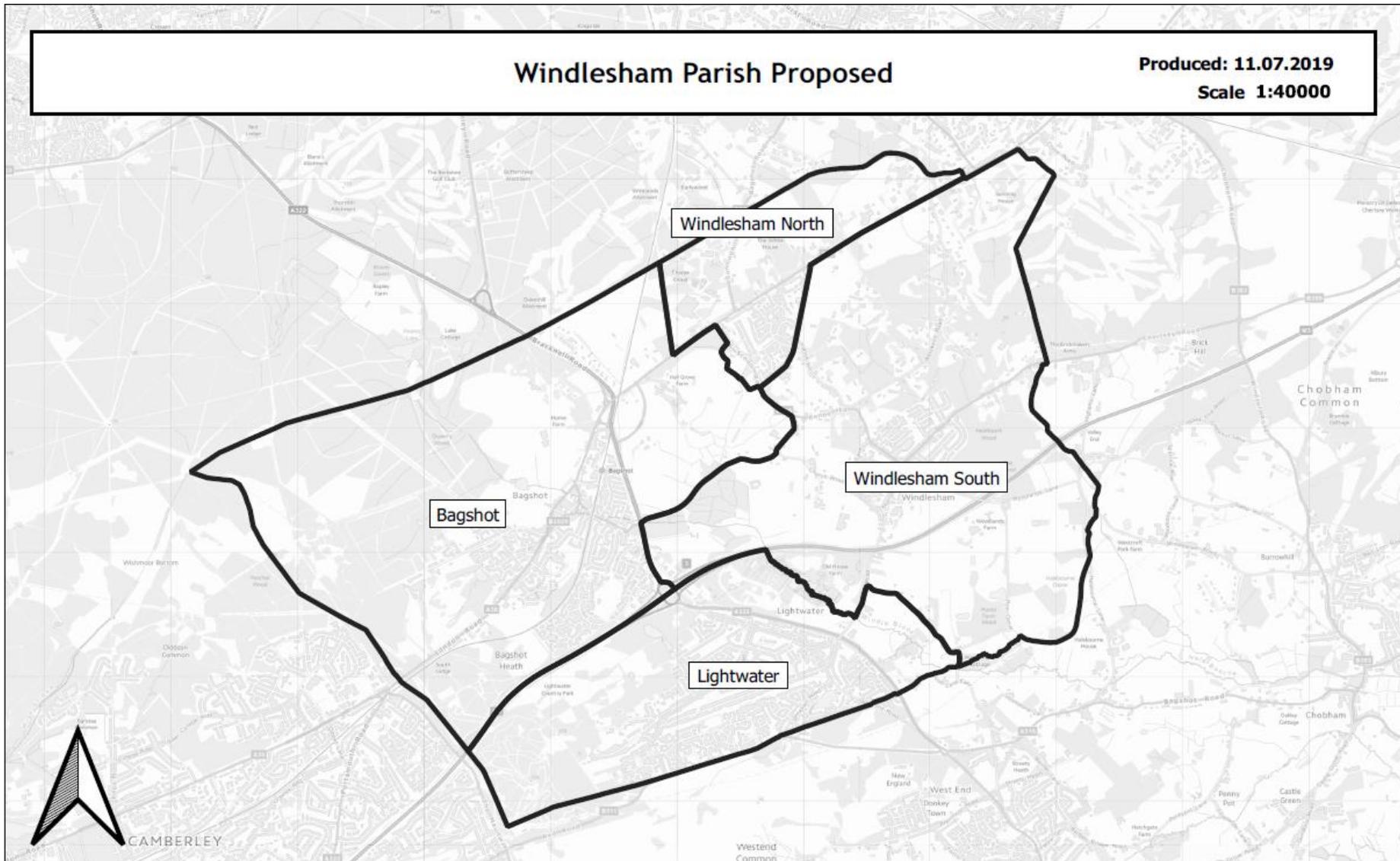
Stage	Action	Timeline	Outline of Action
1	Report to full Council	24 July 2019	Council determines terms of reference of community governance review
2	Publish terms of reference	5 August 2019	Council publishes terms of reference and notifies stakeholders of the commencement of the review.
3	Initial consultation 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 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.
7	Further consultation period - draft recommendations	9 March 2020 to 31 May 2020 (12 weeks)	Further consultation letters to: <ul style="list-style-type: none"> • every household in Windlesham parish • Surrey County Council

			<ul style="list-style-type: none"> • 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
8	Consider responses to further consultation	1 June 2020 to 6 July 2020	Consider further submissions and prepare final recommendations for report to Council
9	Report to full Council	July 2020	Council to receive details of outcome of further consultation and consider final recommendations
10	Publish final recommendations	31 July 2020	Publish final recommendations

Annex B - Map of the Proposed new parish of Windlesham



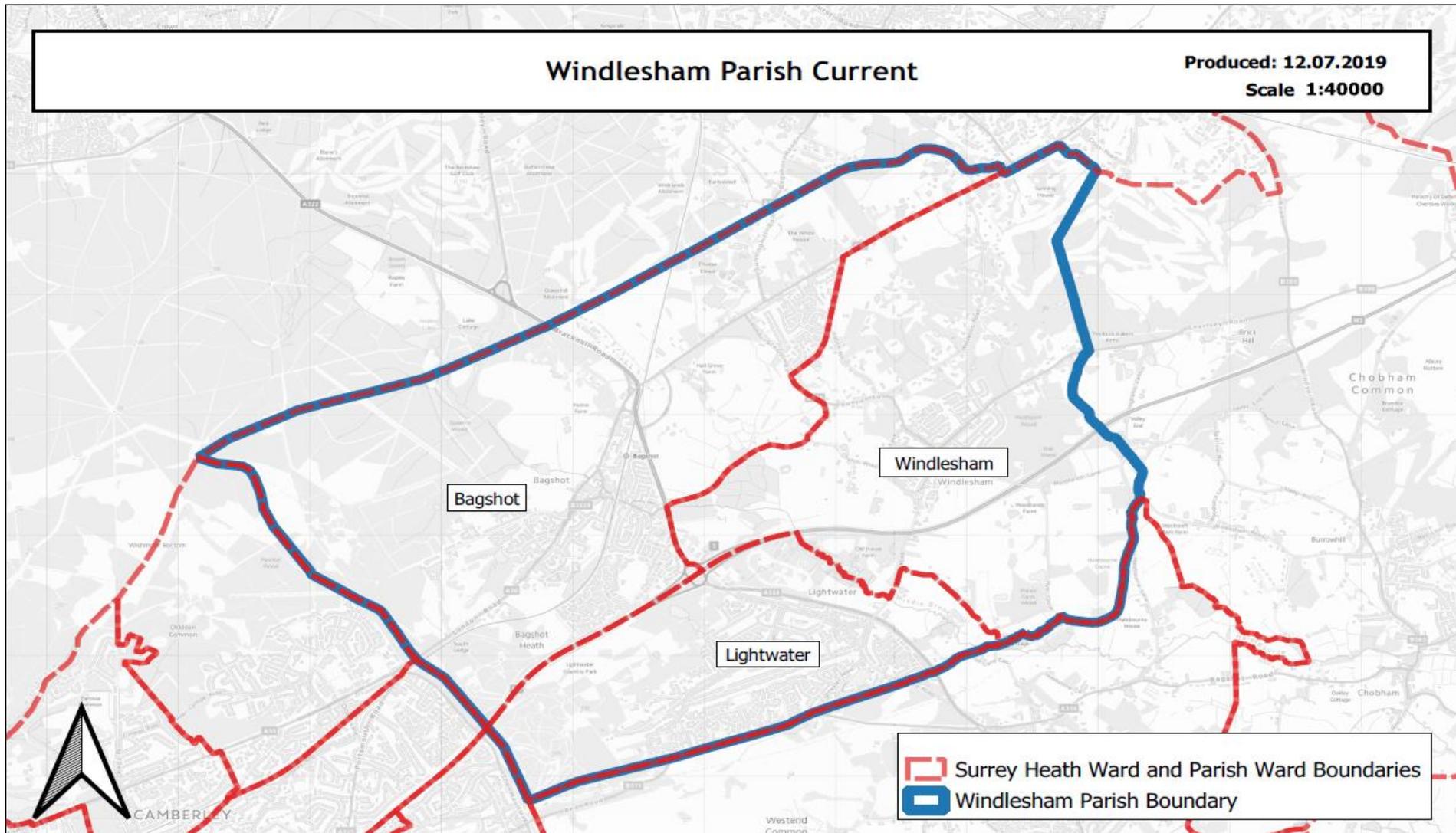
Annex C - Map of the proposed boundary for Windlesham North ward of Windlesham Parish



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Annex D - Map of Windlesham Parish's current arrangements



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Electoral Equality - ratio of councillors to electorate

	Ward/ village	No. of cllrs	Electorate (July 19)	Ratio
Option 2 - reinstating 6 councillors per village				
	Bagshot	6	4592	765
	Lightwater	6	5428	905
	Windlesham North	2	1048	524
	Windlesham South	4	2442	611
			Average:	751
Option 3 - new ward in Windlesham North				
	Bagshot	6	4592	765
	Lightwater	7	5428	775
	Windlesham North	2	1048	524
	Windlesham South	3	2442	814
			Average:	720
Option 4 - no change				
	Bagshot	8	5640	705
	Lightwater	7	5428	775
	Windlesham	3	2442	814
			Average:	765