

## COMMUNITY GOVERNANCE REVIEW

### Executive Summary

At its meeting on 10 September, the Executive considered a report outlining potential local government reorganisation in Surrey, which would result in the abolition of the two tier system, to be replaced with a unitary structure of local governance.

Unlike many other authorities in Surrey, the Borough of Woking does not have any community governance, in the form of parish councils, which could have a wider role in the event that district authorities are abolished and replaced with larger unitary authorities.

This report sets out proposals for plans to be drafted for community governance in Woking, which would be formally considered as part of a Community Governance Review if plans for unitary authorities in Surrey are agreed.

It is intended that the pre-review work will be carried out prior to the elections in May 2021, to ensure that if any unitary plans are agreed, the Community Governance Review can be started in a timely manner.

### Recommendations

The Council is requested to:

#### RESOLVE That

- (i) preparatory work be carried out to form the basis of draft proposals for community governance structures in Woking;
- (ii) the draft proposals arising from (i) above form the basis of a Community Governance Review if proposals for unitary authorities across Surrey are agreed; and
- (ii) the Elections and Electoral Registration Review Panel be responsible for overseeing all work in relation to the pre-Review scoping exercise and the conduct of the Community Governance Review.

The Council has the authority to determine the recommendations set out above.

**Background Papers:** None.

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### 1.0 Introduction

- 1.1 At its meeting on 10 September, the Executive considered a report outlining potential local government reorganisation in Surrey, which would result in the abolition of the two tier system, to be replaced with a unitary structure of local governance.
- 1.2 The Borough of Woking does not have any other forms of local representation, such as parish councils, which would contribute to more effective 'place-making' and local representation, in the event of a new unitary structure being introduced. As such, the Executive agreed that proposals should be drawn up for a Borough-wide Community Governance Review (CGR), with a view to creating a 'Town Council' and or a core Town Council and some Parish Councils in the Borough, which would enable residents of the Borough to maintain a voice in shaping their future at a local level.
- 1.3 As the options for unitary Council arrangements are still being explored, it is not proposed to conduct the CGR at present. Rather, this paper proposes initial scoping work to identify what, if any, community governance structures could be explored through a CGR, if proposals are published which would lead to the abolition of Woking Borough Council.

### 2.0 Community Governance Reviews

- 2.1 Woking Borough Council has the power to carry out a Community Governance Review (CGR) under the Local Government and Public Involvement in Health Act 2007. The aim of the conducting a Review is to ensure that the arrangements for the community governance across the district reflect 'the identities and interests of the community in the area' and are 'effective and convenient'.
- 2.2 Furthermore, it is good practice to review community governance arrangements every 10-15 years.
- 2.3 As well as considering the creation of parish councils, Community Governance Reviews are also consider the electoral arrangements for the parish council, such as the number of Councillors and warding arrangements (if any) within the parish, and also the style of parish to be introduced, which enables an area to be known as a town, community, neighbourhood or village, rather than a parish.
- 2.4 Any recommendations made by the review must adhere to the legal minimum number of parish councillors for any parish council, which is five. There is no legal maximum number of parish councillors.
- 2.5 Where there are existing local forums, such as residents associations or neighbourhood forums, these could form the foundations for a democratically elected parish.

### 3.0 Pre- Governance Review Preparations

- 3.1 For parish council governance to be effective, there must be support within the local community, which will enable the parish/town council to be well managed and represent local views. This will in turn enable the parish/town councillors to work with partner authorities to deliver services for residents more effectively.
- 3.2 The challenge is to ensure strong and accountable tier of government, to ensure role in 'place-shaping' is maintained, without appearing to replacing like for like.
- 3.3 Woking is one of few district Councils in Surrey that has no parish or town councils. Byfleet Parish Council was abolished in 2010. It is proposed therefore that prior to starting the formal CGR process, work should be undertaken to investigate the options

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available for community governance in the Borough. Initially this will consist of working with local Councillors, to ascertain their views on what parish arrangements in Woking could look like.

- 3.4 Additionally, research with a sample of residents from across Woking will be conducted to ascertain the level of enthusiasm and support to introduce a new tier of governance in the Borough.
- 3.5 This initial scoping work will be carried out by external contractors and will look at:
  - Support for a town/parish council if WBC is abolished under unitary plans
  - What size/areas for parishing would be preferable
- 3.6 This results of the research will contribute to the initial proposals for consultation.
- 3.7 It is proposed that the Elections and Electoral Registration Review Panel (EEERP) be given oversight of the CGR process, including the initial scoping work, and to agree the draft proposals prior to the formal commencement of the CGR.
- 3.8 Once agreed, the initial proposals will set out the different proposals for areas to be parished, what style of parish they would take (for example, Town Council), the proposed number of Councillors, and any ward arrangements.

### **4.0 Conducting a Community Governance Review**

- 4.1 At this stage, it is not proposed to conduct the CGR, on the basis that no plans for unitary authorities in Surrey have been agreed. However, if this changes, this will be a trigger to commence the CGR.
- 4.2 In conducting a CGR, the Council will be required to publish the Terms of Reference (ToR) for the review. Once published, the review will be deemed to have started. A draft Terms of Reference for the CGR is set out at Appendix 1.
- 4.3 The review must be concluded within 12 months of the start of the review.
- 4.4 There will be two phases of consultation in Woking. The initial phase will ask for comments on draft proposals and also invite alternative suggestions for parish arrangements across the Borough.
- 4.5 All responses received during this period of consultation will be used to draft recommendations for new parishing arrangements for the Borough. The EEERP will consider the responses and review the draft recommendations.
- 4.6 A second phase of consultation on these draft recommendations will be held and comments or proposed alternatives to the areas, will be invited.
- 4.7 All comments and proposals received will be considered by the EEERP and a final set of recommendations will be submitted for consideration by the Council.
- 4.8 The final recommendations made at the end of the review will seek to ensure that community governance across the Borough:
  - (a) Reflects the identities and interests of the community in that area; and
  - (b) Is effective and convenient

### **5.0 Timescales**

- 5.1 When conducting CGRs there should be 'reasonable' 'reasonable' periods for consultation, and also the consideration of the evidence received. To enable the public

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sufficient time to consider the draft proposals, it is suggested that there should be an eight week consultation period in the first instance. Once the results of the initial consultation have been considered, there should be a further eight week consultation on the draft recommendations.

- 5.2 The CGR should commence ideally after local elections in May. This will ensure sufficient time can be dedicated to the review, whilst not coinciding with the conduct of the local elections.
- 5.3 Any new arrangements should be adopted to come into effect in the next round of parish Council elections, currently scheduled for May 2023.

### 6.0 Who will be consulted?

- 6.1 The Council is required to consult with local government electors living in the Woking Borough as well as any other individuals and organisations who 'appear to have an interest in the review'.
- 6.2 Key stakeholders, such as all locally elected representatives (County Councillors and the MP for Woking) will be consulted directly.
- 6.3 The Council must take into account all representations that it receives during the review's periods of consultation and will make all representations available for public viewing.

### 7.0 Implications

#### Financial

- 7.1 The cost of the initial scoping exercise will be in the region of £3,000 - £5,000.
- 7.2 Other costs of conducting the CGR will be met from existing budgets.

#### Human Resource/Training and Development

- 7.3 The initial scoping work will be carried out by external contractors, to enable Electoral Services staff to focus on the preparations for the elections in May 2021.

#### Community Safety

- 7.4 There are no community safety implications arising from this report.

#### Risk Management

- 7.5 Carrying out this preparatory work will enable a CGR to be conducted swiftly, ensuring that effective local structures are in place for community representation, in the event that Woking Borough Council is abolished.

#### Sustainability

- 7.6 There are no sustainability implications arising from this report.

#### Equalities

- 7.7 Giving residents the opportunity to shape community governance in Woking, will ensure they have a similar level of representation to other parts of Surrey.

### Safeguarding

7.8 There are no safeguarding implications arising from this report.

### **8.0 Conclusions**

8.1 Reviewing the community governance structure in Woking will ensure residents are given every opportunity to have a local voice, in the event that the Borough becomes part of a bigger, unitary authority.

8.2 Pre-review scoping work will ensure that the Council will be able to put forward relevant and effective proposals during a Community Governance Review.

REPORT ENDS

**Woking Community Governance Review**

**DRAFT Terms of Reference**

**1. Introduction**

- 1.1 Woking Borough Council is carrying out a Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007.
- 2.1 The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered when drawing up these terms of reference.

**2. What is a Community Governance Review**

- 2.1 A CGR provides an opportunity to put in place strong, clearly defined boundaries, which reflect local identities and facilitate effective and convenient local government. It can take place for the whole or part of the Borough to consider one or more of the following:
- (a) Creating, merging, altering or abolishing parishes;
  - (b) The naming of parishes and the style of new parishes;
  - (c) The electoral arrangements for parishes including:
    - the ordinary year of election;
    - the number of councillors to be elected; and
    - the warding (if any) of the parish
  - (d) Grouping parishes under a common parish council or de-grouping parishes
- 2.2 The Council is required to ensure that community governance within the area under review will be:
- (a) Reflective of the identities and interests of the community in that area; and
  - (b) Is effective and convenient
- 2.3 In doing so, the community governance review is required to take into account:
- (a) The impact of community governance arrangements on community cohesion; and
  - (b) The size, population and boundaries of a local community or parish

**3.0 Why undertake a Community Governance Review**

- 3.1 There are currently no Parish Councils in the Borough of Woking. The Council wishes to undertake a CGR for the whole of the Borough in response to proposals to abolish the two tier system of local governance and form larger, unitary local authorities across Surrey.
- 3.2 Government guidance states that it is good practice to conduct a full CGR at least every 10 to 15 years. The Council therefore wishes to review the parishing arrangements in the Borough, with a view to establishing parish arrangements in Woking.

### 4.0 Who will undertake the Review?

- 4.1 As the relevant principal authority, Woking Borough Council is responsible for conducting any CGR within its electoral area. The Council will oversee the review and produce draft and final recommendations; Full Council will approve the final recommendations before a Community Governance Order (Order) is made.

### 5.0 Areas under review

- 5.1 The whole of the Woking Borough area will be included in the CGR.

### 6.0 Consultation

- 6.1 The Council is required to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account. The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at all stages of the consultation.
- 6.2 Before making any recommendations or publishing final proposals, a full consultation process will form part of the review to take full account of the views of local people and other stakeholders. The Council will comply with the statutory consultative requirements by:
- (a) consulting local government electors for the area under review;
  - (b) consulting any other person or body which appears to the Council to have an interest in the review;
  - (c) notifying and consulting Surrey County Council; and
  - (d) taking into account any representations received in connection with the review.
- 6.3 The Council will publicise the review by displaying a notice at the Council Offices and on the Council's website. The Council will also write to any other community or resident groups of which the Council is aware, District Councillors and the relevant County Councillors, the MP and Surrey County Council.
- 6.4 Information about each stage of the review will be published on the Council's website with key documents available at:
- Woking Borough Council
  - Woking Library
  - Byfleet Library
  - West Byfleet Library

**7.0 Indicative timetable for the Community Governance Review**

<b>Details</b>	<b>Timescales</b>
Commencement of CGR – Terms of Reference published	To be agreed
Initial consultation stage	8 weeks from publication of ToR published
Draft recommendations prepared	6-8 weeks
Draft recommendations published	To be agreed
Consultation on draft recommendations	8 weeks from publication of draft recommendations
Final recommendations prepared	6-8 weeks
Final Recommendations considered and approved by full Council	Within 12 months of publication of Terms of Reference
Community Governance Order(s) made	Following approval by the Council
New community governance arrangements come into force	To be agreed