

WAVERLEY BOROUGH COUNCIL

EXECUTIVE

5 APRIL 2022

Title:

**Community Governance Review of Towns and Parishes in the
Waverley Borough Council area**

Portfolio Holder: Cllr Paul Fellows, Leader for the Council

Head of Service: Robin Taylor, Head of Policy and Governance

Key decision: Yes

Access: Public

1. Purpose and summary

- 1.1 A Community Governance Review (CGR) looks at the governance arrangements of the towns and parishes in the area under review and seeks to ensure that these are reflective of the identities and interests of the community in that area.
- 1.2 At Full Council on 14 December 2021, the Council approved the commencement of a CGR and its terms of reference. The initial phase of the consultation has ended, and Officers have collated and started to evaluate responses.
- 1.3 The purpose of this report is to seek the Executive's approval of the selection criteria to be used to evaluate responses to the initial phase of the consultation, and to incorporate them in the draft recommendations for consideration during the second stage of the consultation between 3 May and 10 June.

2. Recommendation

- 2.1 That the Executive recommends to Full Council that:
 - (a) the method to evaluate the submissions made in the initial consultation period as set out in paragraph 4.4 are approved; and
 - (b) the submissions that are agreed to have merit are incorporated in the draft recommendations for consideration in the second stage of consultation between 3 May and 10 June.

3. Reason for the recommendation

To ensure that recommendations, which are to be developed from the responses to the initial phase of the CGR, are reflective of the identities and interests of the community in that area.

4. Background

- 4.1 A Community Governance Review is a legal process whereby the Council looks at the governance arrangements of parishes in the area under review – in this case the whole of Waverley Borough Council area. The initial phase of the consultation took place between 17 January and 25 February 2022.
- 4.2 Responses were received from nine parish councils and one individual. The detailed responses are attached at Annexe 1. Farnham Town Council had previously written to the Council requesting amendments and, although they did not submit a formal response to the CGR consultation, their proposals have been included for consideration.
- 4.3 Officers have approached the parish councils who have proposed amendments and the neighbouring councils affected by these suggested changes, to seek their views on the proposals. A table showing whether the affected parish council agree or object to each proposal is included in Annexe 2.

Evaluating responses

- 4.4 Each response submitted to the initial phase of the consultation will be evaluated by Officers on the following basis:
- Is there agreement between affected parishes?
 - Does the change have merit in making the areas concerned more logical for the residents?
 - Does the change require consent from the LGBCE?
 - What impact will the change have on the electorate?
 - Are there wider implications if the change is made?
 - Is there likely to be support from the wider community?

Proposals that meet the above criteria will be put forward as a recommendation in the second stage of consultation.

- 4.6 During the second stage of consultation, respondents will be invited to submit responses to the proposals that were submitted during the initial consultation. Respondents may also respond with additional changes which will be considered alongside submissions already made.

Impact of Local Government Boundary Review on the Community Governance Review

- 4.7 The Local Government Boundary Commission England (LGBCE) have conducted a review of the Borough wards throughout Waverley. Their final recommendations will be published on Tuesday 29 March 2022 and subsequently, an order will be made. A Statutory Instrument will be used to enact the Order, and this is likely to be

passed before parliament rises for the summer recess.

- 4.8 Once the order has been made, the final recommendations are protected and cannot be changed without consent from the LGBCE. However, consent may be granted if the Council requests an amendment following recommendations from the CGR. Authorisation of consent may be delegated to the Chief Executive of the LGBCE or considered by the Full Board.
- 4.9 Consent may be granted or denied by the LGBCE. If consent is granted, a new order will be made. If consent is denied, the boundaries and other matters will remain as previously set out in the original Order.

Provisional timescale of implementation of changes

4.7	Consideration of proposals submitted to second phase of consultation	After 10 June
	Prepare final recommendations for report to Full Council	9 July Full Council
	Publish final recommendations and send to LGBCE for consideration	August 2022
	LGBCE consider recommendations and consent granted or denied	Autumn 2022
	Polling place and polling district review conducted	Autumn 2022 – reported to Full Council on 13 December 2022
	Elections to be held including amended Borough wards and parishes	May 2023

5. Relationship to the Corporate Strategy and Service Plan

- 5.1 A CGR supports the strategic priority of local, open, participative government.

6. Implications of decision

6.1 Resource (Finance, procurement, staffing, IT)

The costs of the next stage of consultation will be met from within existing budgets. Resourcing will be met from within the current team resources.

6.2 Risk management

There was considered to be a potential risk if the decision by the LGBCE was delayed unduly and this had an impact on the 2023 election preparations. However, after further research, it seems that this is unlikely to be the case. The LGBCE have confirmed that they need to receive the relevant information from the Council by the end of September in order to complete the process in a timely fashion. The proposed timescale for the CGR meets this deadline as the final recommendations are to be presented to Full Council on 19 July 2022.

The CGR was embarked upon as a result of proposals from Farnham and

Godalming Town Councils during the Boundary Review relating to coterminosity of borough and town wards which could not be accommodated in that review. As part of the CGR, all town and parishes were asked if there were any amendments they would like to make to their councils and administrative areas and several parishes did ask for amendments to be made. There are reputational risks involved in refusing all amendments or not considering the proposals in good faith.

6.3 **Legal**

The Community Governance Review will be conducted as per the Department for Communities and Governance (DCLG) and Local Government Boundary Commission for England (LGBCE) guidance on Community Governance Reviews and in accordance with the Local Government and Public Involvement in Health Act 2007.

6.4 **Equality, diversity and inclusion**

The Council must ensure that all those entitled to participate in the consultation process can do so. A consideration for the Council when conducting a CGR is the impact on community cohesion.

6.5 **Climate emergency declaration**

There are no climate emergency impacts.

7. **Consultation and engagement**

7.1 There is a full communications plan including social media, website, press releases and direct mail to certain stakeholders including parish councils. The Terms of Reference provide for two consultation periods.

7.3 The terms of reference (Annexe 3) sets out the list of consultees the Council will inform during the consultation periods. It is proposed that in addition to the named consultees, each household affected by the proposals are sent a letter to inform the residents of the potential changes and information on how they can submit a response.

8. **Other options considered**

8.1 The Council may decide to proceed to the second stage of consultation without evaluation of the submissions to the initial stage of the consultation. Submissions to the initial phase and the second stage could be considered at the same time.

9. **Governance journey**

9.1 The Executive is asked to make a recommendation to Full Council.

Annexes:

Annexe 1 – Responses received to stage 1 consultation

Annexe 2 – Summary of responses to submissions to stage one of the consultation

Annexe 3 – Terms of Reference

Background Papers

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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Agreed and signed off by:

Legal Services: 25/03/22

Head of Finance: 24/03/22

Strategic Director: 25/03/22

Portfolio Holder: date