

Council Report

Ward(s) affected: Normandy

Report of the Director of Resources

Author: John Armstrong

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

Lead Councillor responsible: Matt Furniss

Tel: 07891 022206

Email: matt.furniss@guildford.gov.uk

Date: 7 February 2018

Community Governance Review: Normandy Parish

Executive Summary

On 10 October 2017, the Council agreed to undertake a Community Governance Review (CGR) of Normandy Parish because, on 14 July 2017, the Council received a valid community governance petition concerning the electoral arrangements of Normandy Parish Council. The wording of the petition was as follows:

“We the undersigned, being residents of Normandy, hereby petition Guildford Borough Council to conduct a Community Governance Review of Normandy Parish with a view to increasing the number of parish councillors from its present day level of seven Councillors to nine Councillors”.

Council agreed the terms of reference for the review and consequently, as required by legislation¹, a period of public consultation commenced seeking the views of local electors, businesses, community groups and those with an interest in the parish. The consultation period began on Friday 13 October and concluded on Friday 8 December 2017. This report includes details of the submissions received during the consultation period and sets out the other criteria required under legislation, which the Council should consider for the purpose of determining this CGR.

Recommendation to Council

- (1) To determine whether, taking account of the statutory considerations:
 - (a) The number of parish councillors to be elected to Normandy Parish Council should be increased from seven to nine with effect from May 2019; and
 - (b) the recommendation contained in the terms of reference for the review that

¹Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007

no other changes should be made to the electoral arrangements for Normandy Parish Council

should be approved.

- (2) If the Council determines that the number of parish councillors elected to Normandy Parish Council should be increased from seven to nine with effect from May 2019 and, subject to any other change to electoral arrangements that may be approved, then to agree:
- (i) that the Democratic Services Manager be authorised to make a community governance reorganisation order under Section 86 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) to give effect to the proposed increase and such other change as may be approved in respect of this community governance review, together with all necessary incidental, consequential, transitional or supplementary provisions as may be required to give full effect to the order; and
 - (ii) to inform, as soon as practicable after the community governance reorganisation order has been made, the appropriate authorities as set out in paragraph 10.5 (ii) of this report.

Reason for Recommendation:

To address the community governance petition received in respect of this matter with a view to ensuring that community governance within the area under review is:

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

1. Purpose of Report

- 1.1 This report sets out what the Council must consider in order to determine an outcome for the Normandy Parish CGR. First, the report records the views and submissions from local people received during the eight-week period of consultation concerning the petition request for an increase in the number of elected parish councillors from the present number of seven to nine and also any changes to the existing electoral arrangements². Second, this report will set out the other criteria that the Council must consider when determining a CGR, notably, that the Council’s recommendations should provide effective and convenient governance and reflect the interests of the local community. Finally, the report includes a set of recommendations and options in order that Council may determine the CGR in accordance with the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) and government guidance.

2. Strategic Priorities

- 2.1 Although legislation requires the Council to undertake a community governance review, this work is consistent with our desire to be open and accountable to our

² see paragraph 3.6 below for explanation of “electoral arrangements”

residents, to deliver improvements and enable change across the Borough. In addition, the review supports the Council's specific corporate priorities to seek to improve communication and engagement with residents and to establish strong relationships with parish councils and residents' associations.

3. Background

Community Governance Reviews

3.1 A CGR is a review of one or more areas of the borough to look at 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

3.2 In determining a CGR, the Council must have regard to the following criteria,

- the need to secure that community governance in the area under review:
 - (a) reflects the identities and interests of the community in that area, and
 - (b) is effective and convenient.
- to take into account any representations received in connection with the review.

3.3 A CGR must also take into account a number of influential factors including:

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

Community Governance Petition

3.4 On 14 July 2017, the Council received a letter from Normandy Parish Council together with a community governance petition confirmed as having 189 valid signatures, which was sufficient to trigger a CGR.

3.5 The petition concerned the electoral arrangements of the Parish and stated:

"We the undersigned, being residents of Normandy, hereby petition Guildford Borough Council to conduct a Community Governance Review of Normandy Parish with a view to increasing the number of parish councillors from its present day level of seven Councillors to nine Councillors".

3.6 In addition to the number of councillors to be elected to the parish council, which was the subject of the petitioners' request, the legislation also requires the

Council to make recommendations on other related “electoral arrangements” for Normandy Parish Council at the same time, as follows:

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

Parish Council Electoral Arrangements

- 3.7 The Local Government Act 1972 specifies that each parish council must have at least five councillors, but there is no upper limit. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors. Making provision for the usual fluctuations in the electorate size, Normandy Parish electorate is around 2,500.
- 3.8 The Borough Council holds records of parish elections held in Normandy dating back to, and including, 2007. Those records evidence that parish elections held in Normandy were contested in 2007 and 2011 and in two by-elections in 2008 and 2009. However, the most recent parish council election, held in 2015, was uncontested. In 2015, five councillors were elected, two of those subsequently resigned. There have been no by-elections since 2015. Presently, three members of the parish council have been elected and four members have been co-opted making up the balance of seven.
- 3.9 The Standing Orders for Normandy Parish Council state that three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council. If the number of councillors were to increase to nine, the quorum would remain the same.

Parish Warding

- 3.10 Parish warding must be considered as part of a CGR. Parish warding is the division of a parish into wards for the purpose of electing councillors. This includes the number and boundaries of any wards, the number of councillors to be elected for any ward and the names of wards. In considering whether a parish should be divided into wards, the 2007 Act requires that consideration be given to:
- (a) whether the number, or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
 - (b) whether it is desirable that any area or areas of the parish should be separately represented.

- 3.11 The electorate of Normandy parish is spread over the hamlets of Christmas Pie, Wyke, Flexford, Pinewood and Willey Green. However, the Parish Council has requested there should be no imposition of any parish ward boundaries as a part of this review.
- 3.12 In 2017, the size of the electorate in the Borough was recorded at 101,911³. Of those, 51,433 live in parished areas. There are 183 parish council seats across the Borough and the average ratio for parish councillor to elector is 1:281. The electorate size in Normandy is 2,459 giving a ratio of 1:351. If the number of parish councillors were increased to nine, the ratio would be 1:273 and closer to the borough average.

4. Consultations

- 4.1 In arriving at its recommendations in a CGR, the Council must take into account the views of local people. The 2007 Act requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in it.
- 4.2 In carrying out the consultation with local electors and those with an interest in the Parish, officers:
- (a) Created a bespoke page on the Borough Council's website, which set out the terms of reference for the review and included the facility to respond to the consultation by completing an online form⁴.
 - (b) Used social media to alert residents and partner agencies and those following the Council of the consultation.
 - (c) Delivered a press release to local newspaper editors.
 - (d) Written directly to local businesses (those known to the council from Business Rate receipts).
 - (e) Engaged with Normandy Parish Council, including a feature on their website setting out the terms of reference for the review and submission of an advert in the parish newsletter, 'The Villager', which is delivered to all households in the parish.
 - (f) With the assistance of Normandy Parish Council, advertised the consultation on the parish council noticeboards
 - (g) Written to Surrey County Council, Surrey County Councillor Keith Witham, Jonathan Lord MP, local clubs, groups and societies
 - (h) Canvassed the views of the local Borough Councillor.

Copies of consultation documents can be found at **Appendix 1**

- 4.3 The responses to the consultation have all been in favour of an increase in the number of parish councillors from seven to nine and a very small minority support changes to other electoral arrangements. The comments received can be viewed at **Appendix 2**.

³ Guildford Borough Council, Electoral Services, Canvass return 2017

⁴ <https://www.guildford.gov.uk/comgovrev>

Comments from the local Councillors

- 4.4 Borough Ward Councillor David Bilbe has commented:

“I support the proposed increase in the number of elected members serving on Normandy Parish Council from seven to nine. The parish council delivers many important social and community activities alongside the statutory duties, with much more planned for the future. It is good that the parish has recognised the need for a greater number of councillors to enable them to achieve these ambitions and very encouraging that local people wish to get involved in this way.”

- 4.5 Surrey County Councillor Keith Witham has commented:

“I understand that the proposal will involve no additional cost to the parish precept, and that the purpose is to increase the help available to the parish council when organising community events, all of which is done by volunteers, including the parish councillors. Two additional councillors will increase the practical support that the parish is able draw on for such events and other parish activities in Normandy”.

Surrey County Council had no further comment.

Comments from the local Member of Parliament

- 4.6 Jonathan Lord MP for Woking has commented:

“An increase from 7 Councillors to 9 will, I think, enable the Parish Council to be more effective in its work on behalf of local residents and the village as a whole.”

5. Equality and Diversity Implications

- 5.1 Public authorities are required to have due regard to the aims of the Public Sector Equality Duty (Equality Act 2010) when making decisions and setting policies.
- 5.2 No Equalities Impact Assessment has been undertaken with regard to this CGR as officers believe that increasing the number of parish councillors would not have any direct relevant equality and diversity implications.

6. Financial Implications

- 6.1 The Council has no designated budget for community governance reviews. The only costs associated with this review have been in terms of officer time, and this has been undertaken from within existing staff resources.

7. Legal Implications

- 7.1 The Council, as principal authority in this case, had a duty to conduct a CGR having received of a valid community governance petition.

- 7.2 In determining the outcome of this CGR, the Council has a duty to consider the community governance criteria as set out in this report.
- 7.3 Should the Council resolve to increase the number of parish councillors in Normandy Parish or to amend any of the other electoral arrangements included in this review, a Community Governance Reorganisation Order will be drawn up and circulated as set out in the 'Conclusions' section of this report.

8. Human Resource Implications

- 8.1 Committee Services officers have conducted the review within existing staff resources.

9. Summary of Options

Number of parish councillors on Normandy Parish Council

- 9.1 To agree to increase the number of parish councillors to be elected to Normandy Parish Council from seven to nine

or

- 9.2 To agree to leave the parish council membership as it is, at seven members.

Other electoral arrangements

- 9.3 To consider:

- (a) whether there should be any change to the year in which elections to the parish council are held (currently every four years with next elections due in May 2019); and
- (b) whether Normandy Parish Council should be divided into wards for the purpose of electing parish councillors and, if so, the name, number and boundaries of any such wards, and the number of parish councillors to be elected for such wards.

- 9.4 In relation to (a) in paragraph 9.3 above, officers recommend that no change be made as parish elections currently take place at the same time as borough council elections and elections to other parish councils in the borough. Any change to this would incur higher costs.

- 9.5 In relation to (b) in paragraph 9.3 above, officers recommend that no change be made as the introduction of warding was not requested by the parish council or the petitioners and none of those responding to the consultation requested any such change.

- 9.6 If the increase in the number of parish councillors is agreed, the new arrangements would take effect from the next local elections in May 2019.

10 Conclusion

- 10.1 Normandy Parish Council has stated that increasing the number of elected parish councillors from seven to nine will provide greater capacity to run both existing services and activities, together with projects that are planned for the future. Some of those activities are not statutory functions, and arguably, the assistance of additional volunteers might be sufficient for them to be realised. However, in consideration of the importance of community leadership and effective and efficient governance, an increase in the number of elected members would deliver a stronger message of commitment and choice if community leaders were elected, rather than acting as volunteers.
- 10.2 In Normandy, the majority of the parish council is currently co-opted rather than elected. There has not been a contested election in the Parish since 2011. It is better for democracy if councillors are elected rather than relying on co-option, so they can be confident that the council is the community's choice of representatives⁵. It could be argued that there has been insufficient evidence of an interest within the local community to stand for election to the Parish Council and therefore no need to increase the number of seats. However, Normandy Parish Council has said presently there is much interest across the parish amongst individuals wishing to stand for election.
- 10.3 Other than increasing the number of councillors, no evidence has been received of a desire or a need to alter the existing electoral arrangements arising from the consultation. In terms of parish warding, there are small pockets of population across the parish based upon old hamlets. The Normandy village sign reflects those place names as Christmas Pie, Flexford, Pinewood, Willey Green, and Wyke. However, two public houses, a post office and a village store, all of which have now closed⁶ leave one village hall, a primary school and two churches as the main community hubs for the village. There would no longer appear to be evidence of a strong sense of place in those hamlets, nor that governance would become more effective and efficient, to justify dividing the Parish into separate wards.
- 10.4 If the number of parish councillors were increased, the council size ratio for the Parish would be brought closer to the Borough average, which would be desirable for effective and efficient governance.
- 10.5 Should the Council support the increase in the number of elected parish councillors for the Parish of Normandy:
- (i) A Community Governance Reorganisation Order will be made in accordance with the requirements of Section 86 of the 2007 Act.
 - (ii) Following the making of the Order, the following bodies will be informed and supplied with copies of it:
 - the Secretary of State for Communities and Local Government

⁵ NALC, 'Good Councillors Guide', 4th Ed., 2013, page 11.

⁶ Normandy Historians website

- the Electoral Commission
- the Office of National Statistics
- the Director General of the Ordnance Survey
- Surrey County Council
- Normandy Parish Council

(iii) The electoral register will be updated in time for the next ordinary elections of parish councillors in May 2019.

10.6 Whatever the Council's decision on the outcome of the review, it is a requirement that the outcome must be publicised. Therefore, the Council's final decision, reasons for that decision, relevant maps and copies of any reorganisation order (if appropriate) will be made available through the following publicly accessible places:

- the Guildford Borough Council website
- the Guildford Borough Council offices
- Parish Council website

We will also issue a press release setting out details of the Council's decision in relation to this matter.

11 Background Papers

- "Guidance on Community Governance Reviews" – DCLG and Local Government Boundary Commission for England (March 2010)
- Guildford Borough Council, report to Council, Community Governance Review: Normandy Parish, 10 October 2017, report and appendices (Terms of Reference).
- Election (and by-election) results for Normandy Parish Council 2007, (2008), (2009), 2011, and 2015.

12 Appendices

Appendix 1: Copies of the documents used during the consultation period to engage with local people.

Appendix 2: The responses received during the consultation period.