

GUILDFORD BOROUGH COUNCIL EXECUTIVE WORKSHOP

28 March 2025

Community Governance Review – Possible Guildford Town Council

Facilitated discussion on the topic:

What are the relative benefits of carrying out a Community Governance Review (re: parishing the unparished Guildford town area) before or after Local Government Reorganisation?

EXECUTIVE BRIEFING TO SUPPORT THE CGR DISCUSSION

Subject: Possible Establishment of a Guildford Town Council

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1. Introduction and Purpose of Briefing Paper

- 1.1 In response to a request from the Leader, this Paper has been prepared to assist Executive members' understanding of how a Town Council for the currently unparished area comprising the Guildford town wards could be established in terms of process and procedure, including statutory consultation requirements and the timescales involved, together with an estimate of the costs and implications involved.
- 1.2 At the Executive Briefing in January when this was initially considered, it was felt that Executive members should discuss the matter privately and request any further information from officers to assist their deliberations.
- 1.3 This briefing paper has therefore been updated to include additional information on the range of services normally provided by town councils, issues for consideration including the timing of a possible Community Governance Review (CGR)¹, and information on precepts.

¹ the statutory process for establishing new town and parish councils or making changes that affect existing town and parish councils

2. What is the difference between a town and a parish council?

- 2.1 Town and parish councils are the first tier of local government and are statutory bodies. They serve electorates and are independently elected and raise their own precept. Both town and parish councils have the same powers and can provide the same services. The only difference is that a town council has determined that it should be known as a town council, instead of a parish council, and has a town mayor.

3. What services do parish and town councils provide?

- 3.1 Parish and town councils, in areas where they exist, look out for the well-being of a local community and can opt to provide certain localised functions. Their work falls into three main categories:
- representing the local community
 - delivering services to meet local needs
 - striving to improve quality of life in the parish/town
- 3.2 A list of potential powers or duties of parish and town councils is set out in **Appendix 1** to this paper. It should be noted that, unlike principal councils, parish and town councils have very few statutory duties. In some cases, services can be provided on behalf of other tiers of local government, with their agreement.

4. Should Guildford have a Town Council?

- 4.1 There has been some speculation in the local media over the past few weeks as to whether Guildford should have a town council, which has coincided with the coverage on Local Government Reorganisation (LGR) in Surrey.
- 4.2 To establish a town council for Guildford, it would be necessary to conduct a Community Governance Review (CGR). A CGR of this magnitude would be a complex, time consuming and costly process.
- 4.3 A CGR can be triggered either by the Council itself by resolution, or by the local community through the submission of a community governance petition. The minimum number of signatures from local government electors within the Guildford town area required to

trigger a CGR in this case would, if one were to be submitted today, be in the region of 3,900 (specifically 7.5% of those electors).

- 4.4 A new town council could cover all the existing unparished borough wards within the town. An alternative proposal, recently outlined by the Guildford Residents Association, is a town council for the town centre area and two new parish councils for the outlying unparished areas of the town. These suggestions could be tested in a CGR to see the extent of whether there is an appetite for one proposal or the other, or neither.
- 4.5 Alternatively, the Council could legitimately decide not to conduct a CGR at this time and to leave it for the new unitary council (which would be the successor principal council with responsibility for CGRs) to deal with post reorganisation. Factors in such a decision could include the likely draw on officer resources at a time when LGR is likely to also require those same resources, political and/or partnership implications and potential complexities or sequencing issues relating to boundary or ward changes. There may also be issues – real or perceived – to do with GBC binding its successor council or even impacting on its financial situation by agreeing to divest certain assets, trusts, or services which would otherwise be in the ownership/responsibility of the successor unitary council.
- 4.6 For this reason, it is apparently common for councils approaching reorganisation to agree, via one of many ‘memoranda of understanding’, not to undertake parish-level CGRs during or immediately before the period of change. It is thought that Surrey County Council, which is a statutory consultee in the CGR process, may object to any proposal if a CGR was conducted within the next 12 months. This may also be true for other neighbouring District or Borough councils included in the area of a future unitary council.
- 4.7 It may be possible to include in any memorandum of understanding with relevant authorities involved in LGR, an ambition to undertake a Guildford town council CGR, and possibly other CGRs elsewhere, as a priority for the successor council.

5. Process and Procedure for a Community Governance Review

- 5.1 The Council has various duties and powers under the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) and relevant secondary legislation in respect of CGRs. The Council must also

have regard to statutory guidance, issued in 2010, by the former Department of Communities and Local Government and the Local Government Boundary Commission for England.

5.2 The 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
- is effective and convenient.

5.3 Government guidance emphasises that recommendations made in Community Governance Reviews ought to bring about improved community engagement, more cohesive communities, better local democracy, and result in more effective and convenient delivery of local services.

Terms of Reference

5.4 If the Council wishes to conduct a CGR (this would be a Full Council decision), or is compelled to upon receipt of a valid petition, Council will need to approve the terms of reference for such a review.

5.5 The terms of reference would need to include the following:

- details of the area under review (which would be the currently unparished Guildford town area) together with a map showing the area under review,
- whether a new town council for the area under review should be constituted (the town council would serve over 50,000 local government electors), with an indication that if there was a clear preference for the constitution of a new town council, and if GBC was so minded, a further consultation would take place on draft recommendations for its electoral arrangements, and
- details of the typical functions and services for which a town council would have responsibility, that it would be responsible for levying its own precept to pay for those functions/services, that the local electorate would elect town councillors to serve on the new town council, and that it would employ its own staff.

First Consultation

- 5.6 The approved terms of reference would form the basis of the first consultation with local government electors, businesses, Surrey County Council, and any other person or body whom the Council believes have an interest in the review. At the end of the period of the first consultation, the Council would review all responses.
- 5.7 If the outcome of the consultation was that there was no clear preference for the Council to constitute a new town council, the Council could agree to publish its final recommendation that no town council will be constituted.
- 5.8 If that were the case, a further CGR could be undertaken at a later date (two years following conclusion of the first CGR).

Second Consultation

- 5.9 If the outcome of the first consultation was that there was a clear preference for the Council to constitute a new town council, we would need to establish an Executive Working Group to draw up and to submit to Full Council for approval:
- (a) proposed electoral arrangements for the new town council, which would include the following:
- proposed name of the new town council,
 - details of the proposed wards for the new town council including their boundaries and names,
 - the proposed number of town councillors to be elected to each of those wards, and
 - the anticipated date of the first elections to the town council
- (b) a schedule of possible GBC assets and functions/services that could be transferred by agreement to the new town council following a reorganisation order.
- 5.10 These would form the basis of draft recommendations on which a second consultation would be conducted.
- 5.11 At the end of the period of the second consultation, the Council would review all responses and agree its final recommendations as to the constitution of a new town council, including electoral

arrangements, transfer of assets, functions/services, staffing matters, setting of initial precept, which would be incorporated into a Community Governance Reorganisation Order.

Timescales

- 5.12 Under the 2007 Act, the Council must conclude the CGR within a period of 12 months from the date the terms of reference were approved, or from the date of receipt of a valid petition.

Costs of conducting a CGR

- 5.13 We anticipate that just the cost of printing and postage for the two consultations indicated above would be in the region of £36,000. This is based on two separate mailings to all residential dwellings and business premises in the Guildford town area. This would generate the most responses. Alternatively, we could rely on publicity via press releases, social media and the website to ask for views, though this is not as effective or accessible as writing to each elector and establishment.
- 5.14 There would also be, as yet largely unquantifiable, staff costs involving democratic services, legal and communications teams. Given the CGR would need to be completed in a 12-month period additional temporary staff may be required. Section 7 outlines further potential costs and likely resource implications.
- 5.15 There is currently no budgetary provision for carrying out CGRs of this magnitude.

6. Some considerations:

- There has been mention of a 'democratic deficit' caused by LGR. While an additional parish does not increase the number of councillors making decisions for the local area at the unitary level, it would provide for localised community leadership and a voice for those living in the town. A town council would become a statutory consultee in planning and highways matters.
- In addition to the existing powers and responsibilities of a town/parish council, it is possible that GBC and/or the new unitary council may wish to create a new precepting authority so that the new tax dividend at parish level can allow the divestment of certain assets and responsibilities for providing certain local services in the town. Some town councils

elsewhere in the country manage parks, cemeteries, allotments, leisure centres, markets, theatres, community centres, museums, car parks, youth services, and town centres, which are paid for from a combination of precepts, fees and charges, and grants. However, levying new taxes has an implication for residents, especially those of less means, and commensurate political considerations. For the reason stated above, a shadow authority for the successor council is likely to prefer to conduct a CGR and to have control over any process of divesting assets and services to a new town council.

- It is also possible that the new unitary authority might create area committees - one of which would possibly be an area committee covering Guildford, which could be empowered to discharge certain executive functions.
- It is reasonably likely that a new unitary council may end up based in Guildford, or with a base in Guildford. However if it did not, there may be a stronger local perception that unitarisation had in some sense removed a local government presence, which a local town council might then address.
- Economic advantages — Parish councils may be able to attract funding and grants unavailable to larger councils. They can also promote local businesses through initiatives and events, boosting the local economy. On the other hand, a new council comes with significant new overhead costs which must be factored into any argument for efficiency.
- Continuity of the mayoralty – it is unknown what the name or style of the successor authority will be, and whether continuity of the existence of a ceremonial mayor based in Guildford may be able to be secured at unitary level. If it cannot, then residents – and outside commentators with a sympathy for historic tradition – may attach significant cultural value to enabling this at parish level.
- Additional council tax burden for residents in the town (see section 8 on Precepts below), whether or not they perceive it to be the price they have to pay for LGR.
- Meeting accommodation. The town council may have to compete with the unitary council for use of the Council Chamber if the unitary is based in Guildford or find alternative meeting space.

Members' views on any other considerations are welcomed.

7. Possible costs and issues associated with establishing a new town council

- 7.1 Should the Council, following a CGR, agree to the constitution of a new town council there would be considerable additional cost associated with the necessary arrangements.
- 7.2 By way of example, the establishment of Northampton Town Council (currently the largest town council in England), and other parish councils following a CGR in 2019-20, cost the then Northampton Borough Council in the region of £200,000.
- 7.3 It is worth noting that the rationale for establishing Northampton Town Council was that, at the time, the councils in Northamptonshire were being abolished following the financial collapse of Northamptonshire County Council in 2018, with two new unitaries being established. It was felt that the unparished Northampton town area and other unparished areas in the county required some form of representation within a wider unitary council structure.

Shadow Town Council

- 7.4 On the assumption that elections to any new town council should be held at the same time as other parish council elections (May 2027), any community governance reorganisation order would need to include provision for the appointment of a shadow town council, comprising the current borough councillors representing the town wards, with the necessary officer support.
- 7.5 A new town council would require its own office and meeting space. If GBC shared its meeting accommodation with a town council, we anticipate that there could be some difficulties accommodating both GBC/unitary council and town council meetings, assuming that any new unitary was based in Guildford, and unitary council and town council meetings were held in the evening.
- 7.6 We will undoubtedly require specialist advice, including specialist legal advice. The Society of Local Council Clerks (SLCC) has over 25 years of experience in guiding the creation of new parish councils under unitary structures. Their advisory service has first-hand experience with virtually all unitary creations in the last 20 years.

- 7.7 SLCC offer briefings to Executives, and senior managers, and have developed comprehensive top tips for creating effective new town councils, backed by powerful 'how to' knowledge. Additionally, they can arrange peer visits to showcase the best examples in the sector.
- 7.8 Expert guidance is crucial: SLCC recommend that we would require experienced guidance from the point at which a community governance reorganisation order was made to give effect to the proposals. This would mean “securing an interim chief officer who understands local councils inside and out and will drive progress and prevent delays. SLCC’s consultancy service, provides seasoned professionals who can support the shadow (town) council”.
- 7.9 Further costs associated with resource provision are discussed below in section 9.

8. Precepts

- 8.1 Average Band D Precept for parish and town councils in England for 2025-26 is £92.22. By comparison, the Band D precepts for the four town councils in Surrey for 2025-26 are as follows:

Farnham: £83.45
Godalming: £122.15
Haslemere: £58.26
Horley: £55.21

- 8.2 The 2025-26 Band D precepts for some of the larger parish councils in Guildford & Waverley include the following:

Ash: £78.52
Chiddingfold: £117.46
Cranleigh: £93.22
Effingham: £105.87
Normandy: £113.71
Ripley: £115.56
Shere: £108.27
Worplesdon: £103.34

- 8.3 The top 10 precepting town councils in England, including their respective precepts for 2025-26², are set out in the table below:

Falmouth:	£444.06
Truro:	£421.00
Bridgwater:	£410.00
Salisbury City Council:	£382.15
Taunton:	£325.55
Chippenham:	£321.28
Trowbridge:	£294.07
Cirencester:	£252.65
Dunstable:	£246.13
Central Swindon North:	£216.03

- 8.4 Given the size of Guildford as a town, and dependent upon the range of functions and services that a town council in Guildford might discharge, it is possible that that a Band D precept could be in excess of the Surrey average. It is also worth noting that increases in parish and town council precepts are not bound by the restrictions that apply to principal councils.

9. Resource Implications

- 9.1 If the Council were to conduct a CGR in respect of the unparished Guildford area to determine whether a new town council for Guildford should be established, we would require at least a budget of £36,000 for consultation, plus an estimated £50,000 for a temporary officer with relevant expertise to lead the process, plus an unknown amount for securing advisory services from an organisation like the Society of Local Council Clerks (see above), for which there is currently no provision. In addition, we would need to properly research and source the additional temporary staff resources required to conduct the CGR in terms of Democratic Services, Legal and Comms. As stated above, the cost of establishing Northampton Town Council and other parish councils in 2019-20, was in the region of £200,000.
- 9.2 To facilitate the statutory consultation process involved in a CGR, we may need to look at acquiring online consultation software;

² Precepts vary considerably among parish and town councils across England dependent on their size and responsibilities. Band D precepts range from a few pounds at the lower end of the spectrum in respect of very small parish councils to the levels outlined here.

examples include Inovem, Commonplace, and Citizenspace. We have not yet established cost estimates for this.

10. Recommendations or actions required

- 10.1 Executive members are asked to consider this updated Briefing Paper and to indicate their preferred way forwards with regard to this matter.