



It is not overly high minded to expect the application of fundamental principles to our local governance. Of these we have the right to expect the essentials of democracy, underpinned by the principle of governance by “consent of the governed”. A phrase which can be found in the 1776 US Declaration of Independence and is related to the thinking of John Locke, English Philosopher and Physician 1632 – 1704, one of the most influential of the Enlightenment thinkers.

It may be nearly impossible in practice but, with those principles in mind, we are under an “obligation” to exercise our public duty of oversight over Parish Councils which are unnatural in structure under the principles of democracy, as they are independent Legal Entities, not part of a hierarchy, not under any jurisdiction other than the Laws of Parliament – but reporting to us, the electorate whose power rests only on electoral cycles as a means to resist or replace governance that becomes tyrannical.

They can have a Constitution which would include a set of guiding principles but in this case they consider that a set of policies serves the purpose, including their own procedural rules such as Terms of Reference and Codes of Conduct. It can be said that this provides greater flexibility to adapt to change, but there would also be benefits from the strength of a Constitution, which would include a set of long term guiding principles, requiring democratic approval of the electorate, in best practice.

Dissent is the expression of disagreement or opposition to a prevailing idea, policy or authority. In the UK, it is widely considered as respectable and a vital part of a functioning democracy – there is debate on how far this should go in the right to protest, but the legitimacy of dissent is supported by historical tradition, the role of opposition in our governance and legal protections of freedom of speech.

“Home made” Parish Procedural Rules cannot override a Councillors fundamental duty to represent their electors and act in the public interest. Whilst Councils can and must set rules to ensure orderly meetings they are subject to the broader legal framework of Local Government. Any rule or action that attempts to improperly silence, or limit, dissent or to prevent a Councillor from fulfilling their democratic function, is likely to be unlawful.

It's not just theory that (ideally in a contest), we elect the Councillors to represent us, in Council. We choose them on the basis of our expectations of them and their claims, a “mandate”. They “report” to us, but in practice our knowledge may be limited to the mostly “good news” announcements made. But, as the actions of the



Council are those agreed when they are “in Council”, they will normally be as reported in the “open”, “non-confidential” parts, of “minutes” of those meetings, as provided by the Clerk. We may not (formally) know about other discussions or communications outside of those meetings.

Regular “surgeries” with open discussions, directly between Councillors and their electorate, are seen as best practice in every respect.

It is with these cautionary notes that any review of actions taken or not taken will have limitations imposed on them. But, it is the duty and in the best interest of Councils to make best efforts to manage their affairs with the entirely proper public expectation of openness and transparency, with very limited exceptions. On that basis it must be acceptable to comment on matters of concern such as the example chosen, which may run counter to the principles, as follows:

Following the May 2023 local elections I had reasonable expectations of never again attending Full Parish Council meetings. My interests would be well served by the expected monthly meetings of our Windlesham Village Committee and quarterly “surgeries” – face to face “open” meetings with our elected representatives.

This was on the basis of the “deal”, which was finally agreed by a motion, carried by the council on 15th March 2021 (11 in favour 3 against (Cllrs Goodman, Jennings–Evans and White)). A “deal” which was putting into effect an agreement to “pause”- not to continue - the CGR process, which had been triggered by my 2019 Petition. This was after its initial phase (only) and was following a meeting of the “parties” who were engaged, with SHBC on 18th March 2020.

There was to be an interim period, with full implementation following the May 2023 Local Elections. It had been promoted by then Leader of the Council, Cllr Alan McClafferty. Parish had agreed to a compromise “new way of working” with greater devolution to village committee’s with only a “thin veneer” of administration.

At a further meeting of the council two days later, 20th March 2020, it was agreed that a “working party” of Cllrs. Stacey, Malcaus- Cooper and Gordon, together with co-opted members from “community groups”, would produce the Terms of Reference which became the basis of the motion carried.

This compromise had the effect of not continuing the CGR process into the second phase with detailed examination, the actual review and recommendations to be put for consultation.

It did have a beneficial benefit of agreeing to a Windlesham North parish ward, separating it from Bagshot which, whilst appealing, still left Windlesham democratically disadvantaged.

At the 2018 Annual Parish Meeting, I had appropriately described the changes resulting from the SHBC Boundary Review, announced in December 2017, as “disenfranchisement”. [Earlier Blogs titled “Consulted or Insulted” in parts 1 & 2 can still be seen on windlesham.life and are a detailed report on the “gerrymandering”,



misinformation and concealment which “corrupted” the otherwise robust LGBC process to specific advantage and against the interest of this village, by members of the then majority party. This experience led, inevitably to “mistrust”.]

Under the agreement, interim arrangements were put in place, with full implementation to be following the May 2023 Local Elections. Unsurprisingly to some extent, but with some specifics, especially to my knowledge and recorded in minutes of the period, there were “personnel” issues for the Windlesham Village committee of 5. There were 2 members who had significant family matters to deal with and one member who “decided” not to attend beyond the first meeting. Adjustments had to be made by the committee and the Clerk during that period

From a very simple public perception, without getting into the details developed, by excellent cooperation and effort by members of the “working party”, the agreed changes from May 2023 were to be clearly seen as reflected in Village Committee meetings to be monthly and Full Council only quarterly.

I can find nothing on record, with members of the “community group” who had been part of the “working party” or in our 5 independent’s campaign leaflet (2 for North and 3 for South Windlesham) which expected anything other than those agreed arrangements.

And, that was the basis on which they were elected (by the ballot box) – by consent. This being in contrast to the other two villages where members were “elected” by no contest = no specific consent.

But, at the first meeting of the new Council, on 16th May 2023, our newly elected representatives were “ambushed” into signing their obligatory “Declaration of Acceptance of Office”, by agreeing to new ToR’s for the village committees to be “reviewed” and to be adopted unanimously – together with existing Standing Orders - in a “Catch 22” situation, without real choice.

The position had been reversed from the “thin veneer” to a much denser arrangement, with administration now by Full Council meetings 10 times a year and Village Committees only quarterly. Expenditure was to be controlled by Full Council for over £15,000, with “duly delegated committees” from £5,000 to £15,000. To be clear, this is being about general control of the projects at these levels. This highly significant reversal of the agreement had been accomplished by a change to the ToR’s, without discussion or explanation, leaving distrust and proper concerns about the lack of process.

In minutes of the next Full Council, 27th June 2023, there is a motion from the Windlesham Village Committee about ToR’s implementation being against the “spirit and intent” of the agreement. It was resolved to form a “working party” of 2 from each village + the Chair + Vice Chair to review and report back in the September. At the September meeting (26th) it is reported that “members have been unable to agree a date to convene a working party” but “had resolved to defer this item until after the precept has been set”. In subsequent meetings through to 27th February



2024 there is no reference to this item – was that a can “kicked down the road” or was it “knocked into the long grass” on what was a fundamental issue ?

Presumably connected, next we can see in the meeting 26th March 2024 that “Windlesham Village Cllrs along with 3 Borough Cllrs have requested a CGR” and that the Chair expressed regret that the “request had been made without knowledge of the Council” and that it was not up for discussion at that meeting but that an EGM will be arranged.

[Note: SHBC do not have jurisdiction over the independent Parish Council but under delegated authority are empowered to conduct a CGR when subject to a valid petition, as we did in 2019, or by a decision to initiate by the Chief Executive, which may be at the request of a Borough Cllr and would then need support by the SHBC in council – this suggests that the request was actually made by a Borough Cllr and supported by others, a perhaps significant difference to the minutes. Noted also that the Chair (Cllr Turner at the time) – whose duty is merely to chair the meetings – inappropriately expressed a personal opinion and refused any discussion at that point – it’s not clear whether the comment implied offence and its nature, but there would be an EGM – in common justice the “defendant” must be made aware of the “crime” if that is the way it was seen. There was apparently no attempt at understanding, it should not have been a surprise at the reason for action taken, considering the agreed motion 9 months earlier and there was no attempt at dispute resolution – its clear from following meetings that the first resort was to disciplinary and legal measures.]

The EGM on 16th April 2024 is as follows in full detail except for some compression or elimination of irrelevant detail;

QUOTE

Bagshot Cllrs:		Lightwater Cllrs:		Windlesham Cllrs:	
Bakar	P	Harris	P	Hardless	RA
Du Cann	P	Hartshorn	A	Lewis	A
Gordon -		Jennings-Evans	P	Marr	A
Hills	P	Malcaus Cooper	P	McGrath	A
Willgoss	P	Turner	P	Richardson	P
White	P	Stevens	P		
		D Jennings-Evans	A		

In attendance: Jo Whitfield –Clerk to the Council
Sarah Wakefield – Assistant Clerk
Cllr Hoad – Surrey Heath Borough Council
Helen Hansen-Hjul – Windlesham Resident

P =present. A=apologies. PA=part of the meeting. RA=remote attendance. - =no information. It is to be noted that Councillors attending remotely are not eligible to vote.



Cllr Turner took the Chair

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C/23/220. Apologies for absence were received and accepted from Cllrs Lewis, Marr, McGrath, Hartshorn, and D Jennings-Evans. Cllrs Hardless was in remote attendance.

C/23/221 Declarations of interest. Cllrs Richardson and Cllr Hardless declared a non-pecuniary in item 6 on the agenda due to being predetermined on the matter of the CGR request. Cllr Richardson stated that she would recuse herself from any discussion or voting at any point during the meeting. Cllr Hardless was in remote attendance and, therefore was unable to vote.

Cllr Turner acknowledged that his Windlesham colleagues had recently noted that they were unhappy with his role and approach. Consequently, he sought the opinion of those present, inquiring whether they were content for him to continue chairing the meeting or if they would prefer the Vice Chair to assume the role.

Cllr Hills proposed, and it was agreed unanimously that Cllr Turner would continue in the Chair. Finally, Cllr Turner requested that during the discussions Members remained calm and were civil and respectful to each other.

C/23/222 Public question time.

Q: Helen Hansen-Hjul asked the Council to explain reasons according to schedule 12A of the LGA 1972 as to why the only substantive agenda item was to be discussed in the confidential part of the meeting.

A: The Clerk explained that the decision stemmed from the inclusion of legal advice, which may lead to discussions involving individuals. Moreover, depending on the trajectory of discussions, it was possible that this could form the early stage of a challenge or dispute.

C/23/223 To agree exclusion of the press and public. To agree that the following items be dealt with after the public, including the press, have been excluded under S1(2) of the Public Bodies (Admission to Meetings) Act 1960:

C/23/225 To consider a motion from Cllr Turner for Members to discuss all aspects of the recent request to SHBC to carry out a second Community Governance Review. The aim of the review would be to separate Windlesham North and South Wards from the existing Parish.

Council Councillors Willgoss, Malcaus, and Harris expressed their preference for discussing as much information as possible in the open meeting, acknowledging the constraints that sometimes prevent this from happening.

Cllr Malcaus Cooper also noted that the current CGR request has been very emotive highlighting the necessity for the Council to understand the implications and consider how they move forward. Additionally, she pointed out that some complex issues would need to be resolved should the CGR and possible de-grouping go ahead. Cllr Malcaus Cooper also stated that she would like to see the Council communicate with residents as soon as possible to explain the process.



Councillor Turner acknowledged that he was still awaiting information from SHBC following a FOI request and expressed his view that it was premature to come to any conclusions without having sight of this information.

Cllr Harris proposed, Cllr Hills seconded, and it was agreed unanimously that all items would remain in the confidential part of the meeting for the discussion. However, resolutions where possible will be recorded in the open minutes.

Prior to the start of the confidential discussion, Cllr Malcaus Cooper stated that she had no intention of falling out with anybody. Specifically with her fellow councillors. She emphasised the importance of disagreeing agreeably and maintaining a respectful approach to differing perspectives.

Cllr Richardson also made a statement informing Members that throughout the planning of the CGR request, the WVC Councillors had consistently focused on general concerns without ever naming individuals or specific issues. She emphasized that her primary motivation for becoming a councillor was to advocate for the residents. She added that any potential disagreement with Windlesham Parish Council would only arise if she found it challenging to fulfil this representation role effectively, concluding that she would always choose residents first.

Cllr Richardson and Cllr Hardless recused themselves.

C/23/224 Exclusion of the press and public. Agreed the following items be dealt with after the public, including the press, have been excluded under S1(2) of the Public Bodies (Admission to Meetings) Act 1960:

C/23/225 To consider a motion from Cllr Turner for Members to discuss all aspects of the recent request to SHBC to carry out a second Community Governance Review. The aim of the review would be to separate Windlesham North and South Wards from the existing Parish Council. Members were presented with a timeline and all available information relating to the CGR request, including guidance on Community Governance Reviews. Following a lengthy discussion the following resolutions were made:

Please note that at 21:55 Council agreed to suspend Standing Orders to continue the discussion.

Cllr Harris proposed, Cllr Hills seconded, and it was agreed unanimously to delegate authority to the Clerk in conjunction with the Chair and Vice Chair to obtain advice on the initiation of the CGR and if accepted by SHBC, all other aspects of the CGR process, including legal advice if necessary.

It was also resolved that if required, any associated costs up to £40k will be funded from the general reserve.

Cllr Jennings-Evans proposed, Cllr Harris seconded, and it was resolved that subject to any advice obtained the Council delegated authority to the Clerk in conjunction with the Chair and Vice Chair to write to SHBC regarding the handling of this matter.

Cllr Turner proposed, Cllr Willgoss seconded, and it was resolved unanimously to delegate authority to the Clerk, in conjunction with the Chair of the Communications Committee and the Communications Officer to publish a communication regarding the CGR process.

Cllr Turner proposed, Cllr Willgoss seconded, and it was resolved unanimously to delegate authority to the Clerk, and the following nominated Councillors to hold discussions with SHBC.



The nominated Councillors are as follows: Cllr Turner, Cllr Jennings-Evans, Cllr Harris, and Cllr Willgoss, with any other Bagshot or Lightwater Councillor acting as a substitute if required.

It was also resolved that Cllr Turner will respond to the Leader of the Council regarding his previous communication.

Cllr Turner proposed Cllr Malcaus Cooper seconded and it was unanimously resolved to form a working party to carry out an impact risk assessment to identify, analyse and evaluate potential impact or consequences that could arise should a CGR be initiated.

It was also resolved that the working party would consist of all Members of the Lightwater and Bagshot Committees.

UNQUOTE

What can be seen is that, of the WVC, only Cllr Richardson is present. Cllr Hardless is in Remote attendance. The other three are absent. The Borough Cllrs. who were responsible for the CGR request were not present. A “Star Chamber” situation it appears – from the minutes, we don’t know how Cllr Richardson felt but, if she felt “bullied” then she was, by definition.

There have clearly been issues about the Chairmanship of Cllr Turner in relation to WVC members. They were resolved for the moment.

Both Cllrs Richardson & Hardless declared, openly and honestly, as predetermined on the CGR request. It is incredible that there was, apparently, no one present who was predetermined in favour of the existing arrangements – or just against CGR’s in principle as well illustrated during the limited progress of the previous CGR.

There was the public question and answer given that the substance of the meeting had to be in confidential based on “legal advice”. May be in similar vein that Cllr Turner (Chair) was again directly involved as “waiting info from SHBC” on a FoI request.

Cllr Richardson “hit all the right notes” in saying that her “primary motivation for becoming a Cllr was to advocate for residents” and that any potential disagreements would only arise “if she found it challenging to fulfil this representation role effectively” concluding that “she would always choose residents first”.

Cllrs Richardson & Hardless recused themselves from the meeting as the “in confidentiality” then commenced. The minutes only tell us of the resolutions passed.

Broadly: to obtain advice on all aspects of the CGR process, including legal.

To allocate £40,000 from the General Reserve for any costs.

Nomination of Cllrs Turner, Jennings-Evans, Harris & Willgoss (3 from Lightwater, 1 from Bagshot and none from Windlesham).

Cllr Turner in contact with Leader of SHBC in continuing communications

A Working Party to be formed for risk assessment, to evaluate impact and contingencies if the CGR was initiated = members from Bagshot and Lightwater only.



It is entirely clear that Windlesham Village was disenfranchised to the extent that their elected representatives were disallowed from participation in a matter of great importance to them. But it's clear from observation that the threat of unspecified legal action with unspecified sanctions on individuals without other than family resources, had a chilling effect on their ability to fulfil their representative role.

The next substantive discussion on the subject was 23rd July 2024 where there is reference to the CGR "working party" in liaison with the SHBC Head of Legal to review the ToR's. which were amended to include Contracts and assets including land. There was a working party update from which WVC members were recused due to established predetermination. Contacts with SHBC on the process, including to have advance sight of the "paper" being presented to Council for consideration. Nothing said about this advantage being extended to the other party. In relation to the SHBC Head of Legal, we have no evidence on how the advice was sought or of the advice given – other than claims made suggesting agreements to an unknown question – unknown to the WVC or presumably to the Borough Cllrs involved ?

The same tactic as referenced at the last meeting about communication by Cllr Turner with Leaser of the Council where agreement may be implied, without evidence of what was contained in the correspondence.

On 24th September 2024 a CGR "working party" update by Cllr Turner which made reference to the online survey which was to test opinions before proceeding – complaint in the PC review that the survey did not limit individual responses. But the result was positive to the extent that SHBC decided to proceed with an outcome planned to be in Jan/Feb 2026.

Objections to outside surveys are routine. WPC surveys usually gaining very limited responses.

On 17th February 2025 we find that consideration is being given to representation at the SHBC meeting 19th February which would also reflect on issues arising from the "Local Government Organisation" into UA's.

A "comment" I made to the meeting 25th February, on the SHBC decision to defer the CGR, was a request stressing the need for openness and resolution of underlying issues "concerns have been raised about restrictions placed on WVC representatives, their impact on democratic representation and potential reputational damage to the council". It urged the council to address these matters transparently and promptly as the UA changes progress.

I believe that democracy is best served by a first tier of governance, Parish Councils serving the various communities to which people can relate and, as included in my comments to the Council meeting 29th July 2025, that with regard to the principles of subsidiarity, functions which can be performed locally should be, by decentralising decision making to the lowest competent level – as opposed to bloated centralised organisations.



This is a history of how not to get things done, without consideration and trust. Distrust can be seen from this and the previous history where governance is not by “consent” in the ballot box by the resulting majority with questionable legitimacy. Ill feelings are created, for example, by inflammatory comments made by Lightwater Members, with support from Bagshot members, on social media, concerning reallocation of CIL funds arising out of housing developments in Windlesham – funds which will not be sufficient to meet the very evident and well known needs of Windlesham. I use the word inflammatory advisedly in relation to those in the front line of development impact.

Democracy depends on engagement on a near personal level. We will only get democracy for all three villages by their separation, but with future working together by reasoned choice and the positive development of trust. There is no “consent” to the SALC proposals being promoted and being considered by WPC for “bigger is better” nor is there any evidence to support the notion if applied to Parish Councils – it can be agreed that the future will be by cooperation of the willing over a wider area not by autocratic imposition.

Standard note – these are opinions based on the publicised facts, if you have an opinion or comment to make please contact

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E&OE

