

Draft Terms of Reference for forthcoming Community Governance Reviews of Hurstpierpoint & Sayers Common and Worth Parish Councils, Haywards Heath Town Council, Burgess Hill Town Council and East Grinstead Town Council.

REPORT OF: Head of Regulatory Services
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Wards Affected: Copthorne & Worth, Hurstpierpoint & Downs, Burgess Hill Dunstall, Burgess Hill Leylands, Haywards Heath Franklands, Cuckfield, High Weald, and potentially all parish wards of East Grinstead Town Council
Key Decision: No
Report to: Scrutiny Committee for Customer Services & Service Delivery
2 February 2022

Purpose of Report

1. To update the Committee about plans for previously reported Community Governance Reviews (CGR) that this Council is petitioned to carry out relating to the Governance and Electoral arrangements for Hurstpierpoint & Sayers Common and Worth Parish Councils.
2. To notify the Committee that because of the Electoral Review of Mid Sussex District Council and the recommendations of the Local Government Boundary Commission (England) [LGBCE], it may prove necessary to conduct CGRs of Haywards Heath, Burgess Hill, and East Grinstead Town Councils.
3. To consult the Committee regarding the content of the draft Terms of Reference for all these CGRs.

Recommendations

4. **The Committee is recommended to:**
 - (i) **Agree each of the draft Terms of Reference and Guidance for Respondents which have been the subject of consultation with statutory consultees, and to accept proposed amendments.**
 - (ii) **To authorise the Head of Regulatory Services to make amendments to Terms of Reference if additional matters arise, and as otherwise may prove necessary during the period of the CGRs.**
 - (iii) **And to note that further reports will be provided as this Council's draft and final recommendations are available at later stages of the Reviews.**
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Background

5. As reported to this committee on 17 November 2021 two petitions were properly submitted by the requisite number of local government registered electors, and each petition was validated by our Electoral Services team.
6. Following further consultation with the parties to the Worth Parish Council CGR and the parties to the Hurstpierpoint & Sayers Common CGR, updated Terms of Reference are at Appendices A and B to this report. As agreed at the previous committee meeting these also now include our draft Guidance for Respondents.

7. Pursuant to an Electoral Review of Mid Sussex District Council the LGBCE published its draft recommendations on 31 August 2021. These reduce this Council's size to 48 Councillors and provides for new warding patterns that shall be effective at the local government elections due to be held in May 2023.

Terms of Reference and Draft Guidance Consultations

8. Since the last meeting of this committee, we have made the amendments and additions suggested by the committee and we have continued to engage with all parties to the two petitioned reviews. Further requested amendments are as follows:
9. On 25 November 2021 Hurstpierpoint & Sayers Common Parish Council resolved to ask MSDC to consider the following:
 - (a) addition of a brief contextual introductory paragraph at 1.2 of the draft ToR
 - (b) deletion of potential parish names in 1.2
 - (c) Reframing suggested themes in the Guidance for Respondents to make them more open.

Your officers have reflected these requests within the appended draft ToR and Guidance to Respondents, and the committee is recommended to agree them.

10. On 19 January 2022 Worth Parish Council asked MSDC to consider enclosing a single-sided information sheet within our notification of the CGR to registered electors. Your officers have agreed this (subject to the agreement of both parties) and will extend the same offer to the parties at the other petitioned CGR in Hurstpierpoint & Sayers Common.

Policy Context

11. The Petitions relating to Worth Parish Council and Hurstpierpoint & Sayers Common Parish Council were lodged in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007, Section 80, and prevail upon Mid Sussex District Council as the Principal Authority, to conduct CGRs in each of these areas.
12. When boundary changes occur, for example as result of an Electoral Review, it is advisable for a Principal Authority to Review all or part of its administrative area to ensure that parish and town council boundaries remain coincident with district ward boundaries for the effective and efficient administration of elections at all tiers of local government. The following CGRs are now necessary for such administrative reasons:

Haywards Heath Town Council

13. The LGBCE has created two new parish wards, Rocky Lane North and Rocky Lane South and positioned them within the district ward of Haywards Heath Ashenground. These wards are currently within the administrative area of Ansty & Staplefield parish. It is therefore proposed that the CGR considers moving these wards into the administrative area of Haywards Heath Town Council (see maps at the draft ToR).
14. The LGBCE has created a new parish ward named The Hollow at the northern tip of the Haywards Heath Franklands district ward. This collection of Closes is currently within the administrative area of Lindfield Rural parish. It is therefore proposed that the CGR considers moving this area into the administrative area of Haywards Heath Town Council (see maps at the draft ToR).

Burgess Hill Town Council

15. District-wide submissions to the LGBCE all proposed including the Northern Arc development within Burgess Hill even though it is currently physically located in the rural parish of Ansty & Staplefield in the existing Cuckfield ward. The LGBCE was persuaded that these developments would look to and identify with Burgess Hill, so they created two new parish wards, Northern Arc East in the district ward Burgess Hill Dunstall and Northern Arc West in the district ward Burgess Hill Leylands. It is therefore proposed that the CGR considers moving these new parish wards into the administrative area of Burgess Hill Town Council (see maps at Appendix B).

East Grinstead Town Council

16. East Grinstead Town Council wishes to reduce its number of Councillors from 19 to 16. The CGR will consider the merit of this proposal, in relation to effective and convenient local government. Officers will carefully examine the Final Recommendations of the LGBCE for this Town Council and if feasible will conduct a CGR to consult the electorate and other stakeholders as to how best it is achieved.

Other Options Considered

17. The Council must exercise this statutory duty. No other options are available.

Financial Implications

18. The costs involved with conducting Community Governance Reviews fall to the Principal Authority and are within existing Democratic Services budgetary provision.
19. Any costs and liabilities arising from separation of an existing parish Council to form a new one could have financial and legal implications for the existing and potentially any new parish council.

Risk Management Implications

20. As the conduct of Community Governance Reviews is a statutory duty for this Authority, the Reviews will be conducted according to government guidance, so the risk level is assessed to be low.

Equality and Customer Service Implications

21. Some local people will have already expressed views about what form of community governance they would like for their areas, and principal councils should tailor their terms of reference to reflect those views on a range of local issues. Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, better local democracy, and result in more effective and convenient delivery of local services. The Reviews incorporate two substantial public consultation periods, so that electors have opportunities to contribute.
22. The Terms of Reference describe how we will publicise and conduct the Reviews. The Review timetable is also included.
23. Within the draft Terms of Reference, we show as tracked changes the suggestions that your officers are minded to accept. There is consensus that the start of the Reviews should occur after the publication of the Local Government Boundary Commission's Final Recommendations for Mid Sussex District Council, due for publication at the Commission's website on 1 February 2022.

24. Any material differences between the LGBCEs draft and final recommendations will, with the Chairman's permission, be presented to the committee by the Business Unit Leader for Democratic Services.
25. It is possible that parties to any of the proposed CGRs will have submitted further comments by 28th January and if that is the case they will with the Chairman's permission, be presented to the committee by the Business Unit Leader for Democratic Services.

Other Material Implications

26. At the conclusion of these Reviews, the Council's Legal Services Division will be required to make Community Governance Orders, following adoption in Council.

Sustainability Implications

27. A key aim of any Community Governance Review is to alight upon suitable Governance and Electoral arrangements that are capable of enduring. There is little or no environmental impact.

Background Papers

[Government & Local Government Boundary Commission Guidance on Community Governance Reviews.](#)

[LGBCE Draft Recommendations for Mid Sussex District Council.](#)

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Draft Terms of Reference for Community Governance Reviews, Guidance for Respondents and maps for the following councils:

- Appendix A - Worth Parish Council
- Appendix B - Hurstpierpoint & Sayers Common Parish Council
- Appendix C - Haywards Heath Town Council
- Appendix D - Burgess Hill Town Council
- Appendix E - East Grinstead Town Council