

# **COUNCIL**

# **12 OCTOBER 2022**





4 October 2022

**Unless a majority of the Council resolve to extend the meeting before 10.00 pm it will automatically end at 10.00 pm in accordance with Council Procedure Rule 17.2.**

**NOTE: There will be limited public access to observe the meeting. Those wishing to do so must reserve a seat by completing a [Registration Form](#) by 4pm on the working day prior to the meeting. Access is also available via a live stream through the [Mid Sussex District Council's YouTube channel](#).**

To all Members of the Council,

You are hereby summoned to attend a meeting of the **MID SUSSEX DISTRICT COUNCIL** to be held in the **COUNCIL CHAMBER** on **WEDNESDAY, 12TH OCTOBER, 2022 at 7.00 pm** to transact the following business:

Yours sincerely,

KATHRYN HALL  
Chief Executive

**Pages**

1. Opening Prayer.
2. To receive questions from members of the public pursuant to Council Procedure Rule 9.
3. To Confirm Minutes of the Extraordinary Meeting of Council held on 10 August 2022. **5 - 10**
4. To receive declarations of Interest from Members in respect of any matter on the Agenda.
5. To consider any items that the Chairman of the Council agrees to take as urgent business.
6. Chairman's Announcements.
7. Report of the Returning Officer as to the Person Elected as District Councillor for the Ward of Bolney on 15 September 2022. **11 - 12**

*Working together for a better Mid Sussex*



8.	Appointment of Senior Officers.	<b>13 - 18</b>
9.	Community Governance Review - Final Recommendations for Burgess Hill Town Council (BHTC) and Ansty and Staplefield Parish Council.	<b>19 - 26</b>
10.	Community Governance Review - Final Recommendations for East Grinstead Town Council (EGTC).	<b>27 - 32</b>
11.	Community Governance Review - Final Recommendations for Hurstpierpoint and Sayers Common Parish Council.	<b>33 - 38</b>
12.	Community Governance Review - Final Recommendations for Worth Parish Council (WPC).	<b>39 - 44</b>
13.	Recommendations from Cabinet held on 26 September 2022.	<b>45 - 46</b>
14.	To receive the Leader's Report.	
15.	Report of Cabinet Members, including questions pursuant to Council Procedure Rule 10.1.	
16.	Questions from Members pursuant to Council Procedure Rule 10.2.	

To: **Members of Council:** Councillors M Belsey (Chairman), P Coote (Vice-Chair), K Adams, G Allen, J Ash-Edwards, R Bates, J Belsey, A Bennett, L Bennett, A Boutrup, P Bradbury, P Brown, H Brunsdon, R Cartwright, P Chapman, R Clarke, E Coe-Gunnell White, M Cornish, R Cromie, J Dabell, R de Mierre, B Dempsey, J Edwards, S Ellis, R Eggleston, A Eves, B Forbes, L Gibbs, I Gibson, S Hatton, J Henwood, S Hicks, S Hillier, T Hussain, R Jackson, J Knight, C Laband, Andrew Lea, Anthea Lea, G Marsh, J Mockford, A Peacock, C Phillips, M Pulfer, R Salisbury, S Smith, A Sparasci, L Stockwell, D Sweatman, C Trumble, N Walker, R Webb, N Webster and R Whittaker

**Minutes of a meeting of Council  
held on Wednesday, 10th August, 2022  
from 7.00 pm - 8.02 pm**

**Present:** M Belsey (Chairman)  
P Coote (Vice-Chair)

G Allen	J Edwards	G Marsh
J Ash-Edwards	S Ellis	J Mockford
R Bates	R Eggleston	A Peacock
J Belsey	A Eves	C Phillips
A Boutrup	B Forbes	M Pulfer
P Brown	L Gibbs	R Salisbury
R Cartwright	I Gibson	S Smith
P Chapman	S Hatton	D Sweatman
R Clarke	J Henwood	C Trumble
E Coe-	S Hicks	N Walker
Gunnell White	T Hussain	R Webb
M Cornish	R Jackson	R Whittaker
J Dabell	J Knight	
R de Mierre	Andrew Lea	
B Dempsey		

**Absent:** Councillors A Bennett, L Bennett, P Bradbury, H Brunsdon,  
R Cromie, S Hillier, C Laband, Anthea Lea, A Sparasci,  
L Stockwell and N Webster

The Chairman noted there was no live stream of the meeting due to technical issues.

**1. OPENING PRAYER**

The opening prayer was read by the Vice-Chairman.

**2. TO RECEIVE QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE 9.**

None.

**3. TO CONFIRM MINUTES OF THE MEETING OF COUNCIL HELD ON 29 JUNE 2022.**

The minutes of the meeting of Council held on 29 June were agreed as a correct record of the meeting.

**4. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.**

Councillor Gibson declared a personal interest in item 7 as he is a West Sussex County Councillor for Imberhone Division. Cllr Eggleston declared a personal interest in item 7 as he is the signatory to the letter of claim.

**5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN OF THE COUNCIL AGREES TO TAKE AS URGENT BUSINESS.**

None.

**6. CHAIRMAN'S ANNOUNCEMENTS.**

The Chairman highlighted the Chairman's Charity Fundraising Music Night taking place on October 20<sup>th</sup> inviting all Members to help support the Kangaroos Fun Disability Clubs charity.

**7. SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT.**

The Cabinet Member for Planning moved the item noting the document was being brought back to the Council for reaffirmation due to a technical matter. He advised that a resident had enquired whether the Members had been directed to read the papers relating to the recommendation on the Sites Allocation Development Plan Document on 29 June 2022, and that the relevant papers were not physically appended to the Council papers for that meeting. He asked the Members to reaffirm the decision made by the Council on 29 June 2022 to adopt the Sites Allocation DPD. He highlighted that Members were directed to the Sites Allocation DPD Sustainability Appraisal incorporating the Strategic Environmental Assessment attached with the consultation response. This was seconded by Councillor Ash-Edwards.

Councillor Eggleston proposed an amendment to the recommendations due to the way the adoption took place. He highlighted that the Council had no powers to unadopt or change the Sites Allocation DPD, his amendment was to enable the Secretary of State to exercise his call-in powers regarding the Sites Allocation DPD. He advised if he had not submitted the letter of claim, a local resident would have. The amendment was seconded by Cllr Gibbs.

The amendment is as follows:

Council refers to the decision to adopt the Site Allocations Development Plan Document ("the Document") on 29<sup>th</sup> June 2022 and resolves that the Head of Regulatory Services writes to the Secretary of State for Levelling Up, Housing and Communities requesting that the Secretary exercises the powers available to him under s25 (a) of the Planning and Compulsory Purchase Act 2004 to revoke the Document and that the letter, with reasons for the revocation, be sent no later than Tuesday 16<sup>th</sup> August 2022.

Members discussed the location and types of houses being proposed in the district which did not meet the local need, the lack of freedom for local authorities to decide on housing policy within their districts, the benefits of a five-year housing supply and the cost to the taxpayer of houses being developed on appeal as a result of not having a five-year land supply.

A Member commented that they did not support the current District Plan as it did not deliver the sustainable development the district required.

A Member noted the amendment and comments made by Cllr Eggleston. They expressed concern that the amendment was not a proportionate response

considering the time taken to complete the Sites Allocation DPD. He was content with the level of debate on the report on 29 June 2022, noting there are some contentious sites.

A Member indicated that he had now read the sustainability appraisal twice and went on to note the risks of unwanted development if we did not have a five-year land supply. He stated that the amendment would be a disservice to the residents of Mid Sussex.

A Member highlighted that the Planning Inspector talked of sustainability in robust terms in his report and reminded Members of the Council motto: [insert motto here in Latin and in English]. In considering the report they must act for the benefit of the whole district, and without a five-year land supply the Council has little control over future development in the district.

A Member expressed concern that there had been a breakdown in the trust of residents in the Council and the district planning process. The amendment provides an opportunity to think again and a chance to restore trust in the site selection and planning process.

Several Members noted that the 2021 Environment Act has imposed new conditions and reviewing the Sites Allocation DPD alongside the current review of the District Plan gives the Council an opportunity to review all the sites against the Act.

Discussion was also held on environmental concerns including the environmental impact assessments of some sites, the importance of the 2021 Environment Act, the financial impact of restarting the process for the Sites Allocation DPD, the increased weight to biodiversity due to the 2021 Environment Act, the time frame for construction to commence on some sites. The impact of developments within the AONB if the Council does not reaffirm the decision taken on 29 June 2022. It was noted that many residents of the district are unhappy with developments in their locality.

Several Members highlighted that the merits of sites will be discussed as planning applications are received. They also noted the time it had taken to bring forward the Site Allocation DPD and the provision of housing within the whole district must be considered.

The Leader, Councillor Ash-Edwards, advised that the amendment was not about the Site Allocation DPD but was about revoking the District Plan. He highlighted paragraph 21 of the report, the court case between Flaxby Park Ltd and Harrogate BC [2020], the judge deemed there had been no error in law and it was not appropriate to quash the plan; the proposed amendment was therefore disproportionate. He noted that a number of Council's have adopted their Plan's without meeting the requirements outlined in the Flaxby Park case. The DPD was required to have control over future developments within the district and to avoid the expense of appeals which are funded by taxpayers. He did not support the amendment.

In response to Councillor Eggleston's point of order Tom Clark, Solicitor to the Council advised that he had moved the amendment motion and there would be no other opportunity for him to speak.

The Cabinet Member for Planning advised that the Council was committed to the Site Allocation DPD in the District Plan. The Planning Inspector tasked the Council to

produce the document within two years. The DPD had been inspected, found to be sound and has become an adopted policy of the Council. If the DPD had not been adopted the Council would not be policy compliant with DP4 of their own District Plan, exposing residents to all 275 sites and uncertainty with future developments. Not adopting the DPD would put at risk the development of the Science and Technology Park along with potentially 2,500 jobs. This amendment is wholly disproportionate.

In seconding the motion to amend, Councillor Gibbs thanked the Members for their time and the discussion over the lawfulness of the decision made on 29 June 2022. The issue was the sustainability appraisal was included only as a link within the paper copy on the agenda and this could be deemed unlawful. He noted that the Planning inspector was content but believed the Council must be transparent, and he supported the amendment.

The Chairman took Members to a vote on the tabled amendment. A recorded vote was requested and taken, and the amendment was lost with 18 in favour, 23 against and there was 1 abstention.

	For	Against	Abstain		For	Against	Abstain
Allen, G.	✓			Gibbs, L.	✓		
Ash-Edwards, J.		✓		Gibson, I.	✓		
Bates, R.	✓			Hatton, S	✓		
Belsey, J.		✓		Henwood, J.	✓		
Belsey, M.		✓		Hicks, S.	✓		
Boutrup, A.		✓		Hussain, T	✓		
Brown, P.	✓			Jackson, R.	✓		
Cartwright, R.	✓			Knight, J.		✓	
Chapman, P.			✓	Lea, Andrew		✓	
Clarke, R.		✓		Marsh, G.		✓	
Coe-Gunnell White, E.		✓		Mockford, J.	✓		
Coote, P.		✓		Peacock, A.		✓	
Cornish, M.	✓			Phillips, C.	✓		
Dabell, J.		✓		Pulfer, M.		✓	
de Mierre, R.		✓		Salisbury, R.		✓	
Dempsey, B.	✓			Smith, S.		✓	
Edwards, J.	✓			Sweatman, D.		✓	
Eggleston, R.	✓			Trumble, C.		✓	
Ellis, S.		✓		Walker, N.		✓	
Eves, A.	✓			Webb, R.		✓	
Forbes, B.		✓		Whittaker, R.		✓	

Members discussed the substantive recommendations noting the consequences of not having a five-year land supply, the importance of treating the sites in the Sites Allocation DPD the same way the sites in the revised District Plan are treated and the importance of having a plan that was fit for purpose.



In conclusion, seconding the original motion Councillor Ash-Edwards highlighted that revoking the Sites Allocation DPD would end the District Plan. The sustainability appraisal had been summarised in the report and was considered as part of the recommendations the Council agreed on 29 June 2022. He noted that diligent Councillors will have read the sustainability appraisal ahead of the meeting in June. The Planning Inspector was clear that the sustainability appraisal meets the requirements, and advice received from the Council's QC states Members were asked to adopt the DPD having considered the sustainability response. He reiterated that the Sites Allocation DPD is a requirement of District Plan, a five-year land supply is necessary, and helps to secure the Science and Technology Park.

The Chairman took Members to a vote on the recommendations as contained in the report. A recorded vote was requested and taken, and the recommendation was approved with 23 in favour, 7 against and there were 12 abstentions.

	For	Against	Abstain		For	Against	Abstain
Allen, G.			✓	Gibbs, L.			✓
Ash-Edwards, J.	✓			Gibson, I.		✓	
Bates, R.			✓	Hatton, S.			✓
Belsey, J.	✓			Henwood, J.			✓
Belsey, M.	✓			Hicks, S.			✓
Boutrup, A.	✓			Hussain, T.			✓
Brown, P.		✓		Jackson, R.			✓
Cartwright, R.			✓	Knight, J.	✓		
Chapman, P.			✓	Lea, Andrew	✓		
Clarke, R.	✓			Marsh, G.	✓		
Coe-Gunnell White, E.	✓			Mockford, J.		✓	
Coote, P.	✓			Peacock, A.	✓		
Cornish, M.		✓		Phillips, C.		✓	
Dabell, J.	✓			Pulfer, M.	✓		
de Mierre, R.	✓			Salisbury, R.	✓		
Dempsey, B.			✓	Smith, S.	✓		
Edwards, J.		✓		Sweatman, D.	✓		
Eggleston, R.			✓	Trumble, C.	✓		
Ellis, S.	✓			Walker, N.	✓		
Eves, A.		✓		Webb, R.	✓		
Forbes, B.	✓			Whittaker, R.	✓		

## RESOLVED

Council agreed to:

- (i) reaffirm the decision to adopt the Site Allocations Development Plan Document (the Sites DPD) taken on 29 June 2022 expressly in the light of the

Sustainability Appraisal work (including consultation responses) undertaken to support the preparation of the Sites DPD.

The meeting finished at 8.02 pm

Chairman

## REPORT OF THE RETURNING OFFICER AS TO THE PERSON ELECTED AS DISTRICT COUNCILLOR FOR THE WARD OF BOLNEY ON 15 SEPTEMBER 2022

REPORT OF: Tom Clark, Head of Regulatory Services and Returning Officer  
Contact Officer: Lucinda Joyce, Senior Democratic Services Officer  
Email: [lucinda.joyce@midsussex.gov.uk](mailto:lucinda.joyce@midsussex.gov.uk) Tel: 01444 477225  
Wards Affected: Bolney  
Key Decision: No  
Report to: Council  
12 October 2022

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### Purpose of Report

1. To note the election of Councillor Kristy Adams as District Councillor for the Ward of Bolney.

### Summary

2. I, the Returning Officer, hereby declare the following person was elected as a Member of Mid Sussex District Council at the by election held on 15 September 2022.

WARD	PERSON ELECTED	DESCRIPTION	YEAR OF RETIREMENT
Bolney	Kristy Adams	Conservative	May 2023

### Recommendation

3. That Council notes the election of Councillor Kristy Adams as District Councillor for Bolney.
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### Financial and Risk Implications

4. None.

### Equality and Customer Service Implications

5. None.

### Sustainability Implications

6. None.

### Background Papers

7. None.

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## APPOINTMENT OF SENIOR OFFICERS

REPORT OF: Chief Executive  
Contact Officer: Kathryn Hall, Chief Executive  
[kathryn.hall@midsussex.gov.uk](mailto:kathryn.hall@midsussex.gov.uk) 01444 477498  
Wards Affected: All  
Key Decision: N/A  
Report to: Council  
12 October 2022

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### Purpose of Report

1. The purpose of this report is to seek Council's approval for the appointment of key statutory and senior roles, as required by the Constitution. They are; Rachel Jarvis as the Council's Section 151 Officer; Geoff Wild as the Council's Interim Monitoring Officer; Kathryn Hall as the Council's Returning Officer and Electoral Registration Officer; and Louise Duffield as the Director Resources and Organisational Development.

### Recommendations

2. **Council is recommended to agree the appointment of:**
    - (a) **Rachel Jarvis as the Council's Section 151 Officer;**
    - (b) **Geoff Wild as the Council's Interim Monitoring Officer;**
    - (c) **Kathryn Hall as the Council's Returning Officer and Electoral Registration Officer;**
    - (d) **Louise Duffield to the Director Resources and Organisational Development post.**
- 

### Background

3. As Members are aware the current Monitoring Officer, Returning Officer and Electoral Registration Officer, Tom Clark is retiring at the end of October 2022.
4. As part of the restructure of the Council's senior officer tiers, recruitment to several new posts has taken place over the summer. This report updates Members on this process and requests Council's support for key appointments.
5. Details of the new structure can be found at Appendix 1.

### Appointment of S151 Officer

6. The Local Government Act 1972 requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its financial affairs. This role is commonly referred to as the Section 151 officer. The term S151 Officer has been used as a short form of expression to refer to the role and duties of the 'Responsible Financial Officer' as defined by The Chartered Institute of Public Finance and Accountancy (CIPFA).
7. Section 113 of the Local Government Finance Act 1988 requires that the officer appointed as the Chief Finance Officer (CFO) must be a member of a specified accountancy body (a body that is a member of the Consultative Council of Accountancy Bodies or the Chartered Institute of Management Accountants).

8. The role of a CFO lies at the heart of any effective and well governed organisation. The over-riding duty of this officer is to fulfil the statutory responsibilities attached to the position in a manner that enhances the overall reputation of the Council. The CFO has a statutory duty under Section 151 of the Local Government Act 1972 to ensure that there are proper arrangements in place to administer the Council's financial affairs. Section 114 of the Local Government Finance Act 1988 requires the S151 Officer to report to the full Council, the Chief Executive and the External Auditor if the authority or one of its officers:
  - (a) has made, or is about to make, a decision which involves incurring unlawful expenditure
  - (b) has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
  - (c) is about to make an unlawful entry in the authority's accounts.
9. In May 2022 the Council appointed Stephen Fitzgerald as an interim CFO until such time as a permanent appointment could be made. Following a recruitment process over the summer, Rachel Jarvis is recommended to be appointed as a permanent s151 Officer.
10. Rachel Jarvis is a full member of the Chartered Institute of Public Finance & Accountancy (CIPFA), with a wealth of experience in local government. She joins the Council from East Sussex County Council where she was Head of Finance and deputy S151 officer. Rachel will be returning to Mid Sussex, where she started her career as a trainee.
11. A handover with Stephen Fitzgerald (the current interim S151 officer) is in process. Members are requested to agree Rachel Jarvis' appointment, effective from 21 November 2022.

### **Appointment of Monitoring Officer**

12. The Council is required to designate one of its officers as the Monitoring Officer (MO) pursuant to Section 5 of the Local Government and Housing Act 1989, with sufficient resources to carry out that role. The Monitoring Officer is required to bring to the attention of Council any action of the Council or its Committees which has given rise to or is likely to give rise to contravention of any enactment, rule of law or maladministration. The officer acts as the lead officer on all Standards matters.
13. As Tom Clark is retiring, recruitment to the new role of Assistant Director Legal and Democratic Services (which will also be the Council's MO) took place successfully over the summer. However, at the time of writing, final arrangements for this appointment are yet to be concluded (including a start date), so we are not able to report details at this stage.
14. To cover the period from Tom Clark's retirement and the new substantive postholder arriving, a very experienced interim Monitoring Officer has been recruited. Geoff Wild has a great deal of legal and MO experience and will support the Council after Tom Clark leaves and until the new postholder has joined and a good handover had been achieved.
15. Geoff served Kent County Council for many years as Director of Governance and Law. He was the founder and Chief Executive of Invicta Law and has undertaken interim roles at many councils nationally.

16. Consequently, it is recommended that Geoff Wild be appointed as the interim Monitoring Officer from 1 November 2022.
17. Once the arrangements for the substantive postholder and MO are finalised, Council will be asked to confirm this statutory appointment (likely to be at its meeting in November).

### **Returning Officer (RO) and Electoral Registration Officer (ERO)**

18. For all elections in the Mid Sussex District, the Council is required to appoint a person to be the Returning Officer for elections and someone to ensure there is an accurate electoral register for such elections.
19. Because of the timing of the arrival of the new Assistant Director Legal and Democratic Services (outlined above) it may be challenging to expect the new postholder to fulfil this role immediately (given the Council has elections in May 2023).
20. Therefore, to support the new appointee and offer continuity, it is recommended that pursuant to the Representation of the People Act 1983, the Council appoints Kathryn Hall, Chief Executive to be the Returning Officer for the Mid Sussex District Council area and the Electoral Registration Officer for the same area, with effect from 1 November 2022.
21. As Councillors are aware, the Chief Executive has a good deal of election experience. Appointing her to this role, should enable the new Assistant Director to shadow her and work alongside the Council's excellent Elections Team until ready to assume the RO and ERO roles.

### **Appointment of Director of Resources and Organisational Development**

22. The Director Resources and Organisational Development is a new post and a member of the Management Team. It was created when the senior officer restructure reduced the number of senior officers from 5 to 4 (including the Chief Executive).
23. Following a recruitment process over the summer, it is recommended that Louise Duffield be appointed as the Director Resources and Organisational Development.
24. Louise joins the Council from the London Borough of Waltham Forest where she was Director of Customer Service and Business Support. Prior to this she was Head of Operations for Children in Need.
25. This role is not statutory, but Council's approval is required by the Pay Policy.

### **Policy and Legal Context**

26. There is a legal requirement on the Council to designate three "Statutory Officers". These are the Head of Paid Service (Chief Executive), the Monitoring Officer and the Section 151 Officer / Chief Finance Officer.
27. It is a statutory requirement for local authorities to have statutory officers in place, in order to ensure that their necessary roles and functions are delivered effectively.
28. The Section 151 Officer has statutory duties and responsibilities relating to the Council's financial strategy and the arrangements for effective governance.

29. The Monitoring Officer is responsible for ensuring the actions of the Council are lawful and through the Standards Committee work with elected members to ensure high levels of probity and adherence to the adopted member Code of Conduct.
30. The Returning Officer is responsible for the delivery of elections in the Mid Sussex District and the Electoral Registration Officer is responsible for ensuring there is an up to date and accurate electoral register to be used in those elections.
31. The Director role is brought to Council for agreement in accordance with the Pay Policy adopted in June 2022 for the municipal year 2022/23.

#### **Financial Implications**

32. The financial implications associated with agreeing the recommendations can be covered within the existing revenue budget for 2022/23.

#### **Risk Management Implications**

33. None.

#### **Equality and Customer Service Implications**

34. None.

#### **Other Material Implications**

35. None.

#### **Sustainability Implications**

36. None



# High level structure (& key contacts)

Effective from November 2022 (and subject to Council approval)

**Chief Executive**  
*Kathryn Hall*  
 Kathryn.Hall@midsussex.gov.uk

**Deputy Chief Executive**  
*Judy Holmes*  
 Judy.Holmes@midsussex.gov.uk

**Director**  
**People and Commercial Services**  
*Simon Hughes*  
 Simon.Hughes@midsussex.gov.uk

**Assistant Director**  
**Planning and Sustainable Economy**  
*Sally Blomfield*  
 Sally.Blomfield@midsussex.gov.uk

**Assistant Director**  
**Communities**  
*Appointment made.*  
*Starting January 2023*  
*(subject to contract)*

**Assistant Director**  
**Commercial Services and Contracts**  
*Rob Anderton*  
 Robert.Anderton@midsussex.gov.uk

**Assistant Director**  
**Digital and People Services**  
*Simon Jones*  
 Simon.Jones@midsussex.gov.uk

The bulk of the Council's workforce sits within two directorates of frontline services

Internal support services (as shown below) support the Council's work.

*Rachel Jarvis*  
 Rachel.Jarvis@midsussex.gov.uk

**Assistant Director Corporate Resources (s151 officer)**

*Laleh Williams*  
 Laleh.Williams@midsussex.gov.uk

**Assistant Director Organisational Development**

**Director**  
**Resources and Organisational Development**  
*Louise Duffield*  
 Louise.Duffield@midsussex.gov.uk

*Geoff Wild (Interim)*  
 Geoff.Wild@midsussex.gov.uk

**Assistant Director Legal and Democratic Services (Corporate Solicitor / Monitoring Officer)**

*Substantive postholder appointed.*  
*Start date tbc (subject to contract)*

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## Community Governance Review – Final Recommendations for Burgess Hill Town Council (BHTC) and Ansty and Staplefield Parish Council.

REPORT OF: Head of Regulatory Services  
Contact Officer: Terry Stanley, Head of Democratic Services & Elections  
Email: [terry.stanley@midsussex.gov.uk](mailto:terry.stanley@midsussex.gov.uk) Tel: 01444 477415  
Wards Affected: All Burgess Hill Wards & Cuckfield  
Key Decision: No  
Report to: Council  
12 October 2022

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### Purpose of Report

1. Following completion of two public consultations, and two examinations by the Scrutiny Committee for Community Leisure & Parking (and its predecessor), to present to Council the Final Recommendations of the principal electoral authority.

### Recommendations

2. **Council is recommended to:**
  - (i) **To approve the principal electoral authority's final recommendations for Burgess Hill Town Council and Ansty & Staplefield Parish Council as set out at paragraphs 19 – 27 of this report and decide the names for the two wards added to Burgess Hill to the north and west of the existing boundaries**

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### Background

3. This Community Governance Review (CGR) was initiated following a valid petition submitted by the requisite number of local registered electors, pursuant to the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007.
4. The petition required this Council to review the extent of the electoral wards of the Burgess Hill Town Council considering the Local Government Boundary Commission's (LGBCE) creation of two new parish wards, Northern Arc East, and Northern Arc West. The petition organiser is publicly promoted and is Burgess Hill Town Council (BHTC).
5. Owing to potential consequential impacts for a neighbouring parish council and because that parish council also disagreed with the LGBCE's revisions to their Councillor numbers, it was also resolved that we would review those matters for Ansty & Staplefield Parish Council (ASPC).
6. At its meeting of 25 May 2022, the Committee advised upon and accepted the Terms of Reference and Guidance for Respondents relating to the CGR. The first public consultation opened on 25 April 2022 and closed on 3 June 2022.
7. Our Guidance for Respondents required consultees, particularly at the first stage, to make qualitative submissions to address the themes explained within the Terms of Reference and/or other matters that we are able consider. We did not consider brief submissions that gave no explanation for support or for opposition to a particular proposition, or that provided nothing for us to consider.

8. The scrutiny committee considered the public responses to the first consultation and the resulting draft recommendations at its meeting of 22 June 2022. The second public consultation opened on 1 July 2022 and closed on 12 August 2022.
9. The second public consultation was specifically regarding the draft recommendations that resulted from the first public consultation, and submissions were mostly confined to those, unless suggesting an entirely different proposition.

### Public Engagement

10. At both stages of the Review each eligible elector was sent a letter or an email explaining the considerations of the CGR, and signposting to the consultation material published at the Council's website. This explained how to contribute to the Review. The letter also provided electors with their unique Elector Number, to be quoted with their submission to enable our electoral services team to verify that all individual responses came from registered local government electors of the BHTC and the ASPC areas.

### Timetable

11. Key stages of the Review were as follows:

Action	Date	Outline of Action
<b>Public Consultation 1</b> Publication of the Review Terms of Reference	25 April 2022	First six-week public & stakeholder consultation
Public Consultation ends	3 June 2022	All representations are examined & considered
Draft proposals considered by Scrutiny Committee (Customer Services & Service Delivery)	22 June 2022	Any additional recommendations of the Scrutiny Committee are recorded and added to the draft proposals
<b>Public Consultation 2</b>	1 July 2022	Second six-week public & stakeholder consultation
Public Consultation ends	12 August 2022	All representations are examined & considered
Final recommendations considered by Scrutiny Committee (Community, Leisure & Parking)	28 September 2022	Scrutiny Committee will consider the CGR final recommendations and make recommendations to Full Council
Final recommendations (as amended, if applicable) are recommended to Full Council for adoption.	12 October 2022	Council is recommended to approve.

## Conclusions

12. Taking the first and second public consultations into account, there is clear support among residents, elected representatives, and other stakeholders for the incorporation of the newly created parish wards of Northern Arc East and Northern Arc West into the administrative area of Burgess Hill. Ansty & Staplefield Parish Council accepts that the Northern Arc was always envisaged to be in Burgess Hill.
13. The case made for better and more localised naming of the two new parish electoral wards is persuasive. Electoral ward names are a matter for the principal electoral authority. There is no statutory reason to use the naming adopted by Homes England.
14. There is much support for the merger of the newly created small wards into a larger Victoria Ward. The case for an additional Councillor in the enlarged Victoria Ward is sound and our final recommendations reflect this.
15. In the case of Norman parish ward, we cannot achieve coincidence with the new district ward of Burgess Hill Meeds and Hammonds because the current county division boundary runs along the parish ward boundary of Norman and St. Johns parish wards. This electoral administration anomaly is acceptable and can be managed until such time as County Council electoral divisions are reviewed again.
16. The objection of the County Council to a proposed request of LGBCE to consider related alteration of the Burgess Hill North and Cuckfield & Lucastes electoral divisions is fully understood, and your officers consider that it is not essential to make such request at present. This electoral administration anomaly is acceptable and can be managed until such time as County Council electoral divisions are reviewed again.
17. ASPC's support for the draft recommendations relating to that parish council is noted and we confirm these as the final recommendations.
18. This Review has evaluated and carefully considered all valid submissions received. Having regard to these, the final recommendations of the principal electoral authority are as follows:

## Final Recommendations for Burgess Hill Town Council

19. The northern exterior boundary of the Burgess Hill Town Council area should be extended to include the LGBCE's newly created parish wards of Northern Arc East and Northern Arc West.  
  
These newly created parish wards should be renamed as follows:
20. Northern Arc East Ward should be named St. Pauls, however the Scrutiny Committee resolved to recommend to Council a different name, that of Burgess Hill Brookleigh East.
21. Northern Arc West Ward should be named Bedelands, however the Scrutiny Committee resolved to recommend to Council a different name, that of Burgess Hill Brookleigh West.
22. The Burgess Hill Town Council should be comprised of 10 Wards represented by 20 Councillors.
23. The Town Council Ward names and Councillor numbers should be as follows:

Town Ward	Electorate June 2022 *	Forecast Electorate 2027	Town Councillor No.
Burgess Hill Leylands	4142	5105	3
Burgess Hill St. Andrews	4934	5682	3
Burgess Hill Franklands	4206	4606	3
Burgess Hill Meeds & Hammonds	2786	3212	2
Burgess Hill Victoria	3624	3942	3
Burgess Hill Dunstall	2079	3223	2
Burgess Hill Gatehouse	1823	1881	1
Burgess Hill St. Johns	1110	1532	1
	<b>Forecast Electorate May</b>		
Burgess Hill Brookleigh East	510	1700	1
Burgess Hill Brookleigh West	340	1360	1
* Updated to June 2022 electorate			20

24. The newly created Parish wards of Victoria East and Hammonds North should be part of the Victoria parish ward. Similarly, the parish ward of Norman should also be part of Victoria Ward parish ward. We can do this because these smaller wards lay wholly within the County division of Burgess Hill North.
25. The principal electoral authority cannot alter the County Division boundary which runs along the current exterior northern boundary. Noting the view of WSCC, your officers will not request that the LG BCE considers this related alteration. The resulting electoral anomaly at County Council elections is manageable and shall be accepted.

### Final Recommendations for Ansty & Staplefield Parish Council

26. The Ansty & Staplefield Parish Council should be comprised of 5 wards represented by 12 Councillors.
27. The Parish Council Ward names and Councillor numbers should be as follows:

Parish Ward	Electorate April 2022	2023 Parish Councillor No.
Ansty	773	5
Rocky Lane North	789	2
Rocky Lane South	108	1
Staplefield	375	3
Brook Street & Borde Hill	189	1
		12

### Policy Context

28. The petition process allows for local views to be considered when considering community representation at Parish level.

## **Other Options Considered**

29. At the first public consultation a few contributions discussed the small number of electors that might be in the new Northern Arc parish wards at time of the 2023 elections, but we note that this would be true wherever those new parish wards are situated at that time. According to the forecast build rates that situation would not persist for very long.
30. It is also not usual or advisable to defer governance matters to a late stage of build out as that can result in electors having to vote in areas that they don't identify with and where democratic accountability does not appear relevant.
31. In your Officer's view it is right that prospective owners and occupiers of properties in the Northern Arc should have clarity as to local administrative and governance arrangements, so that they may know this when choosing it as a place to live.
32. A democratic engagement argument that was presented about new residents determining their sense of community, possibly desiring their own separate parish council, and deciding on electoral arrangements is not persuasive owing to paragraphs 29 - 31. Once residents have settled in the Northern Arc, if they were to strongly identify with a different area, it would be open to them to petition the principal electoral authority for a CGR at any time, and to contribute to future LGBCE Electoral Reviews.

## **Financial Implications**

33. There is a slight loss of precept for Ansty & Staplefield Parish Council and a slight gain of precept for Burgess Hill Town Council as of today.

## **Risk Management Implications**

34. Legal precedent establishes that where a principal electoral authority declines or fails to implement the findings of CGR public consultations, the risk of an adverse outcome at any Judicial Review is considerably increased. Your Officers advise that the findings of the public consultations should be the basis for our final recommendations.

## **Equality and Customer Service Implications**

35. All stakeholders and registered electors were consulted in two public consultations.

## **Other Material Implications**

36. At the conclusion of any CGR and subject to adoption by Council, the Council's Legal Services Division would be required to make Community Governance Orders, if there is to be a change. Therefore, a Community Governance Order will be required.

## **Sustainability Implications**

37. 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**

[CGR webpage where all reference documents, scrutiny committee reports and the complete set of submissions for both public consultation stages are published.](#)

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

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Appendix 1 - CGR Final Recommendations – BHTC Ward Map





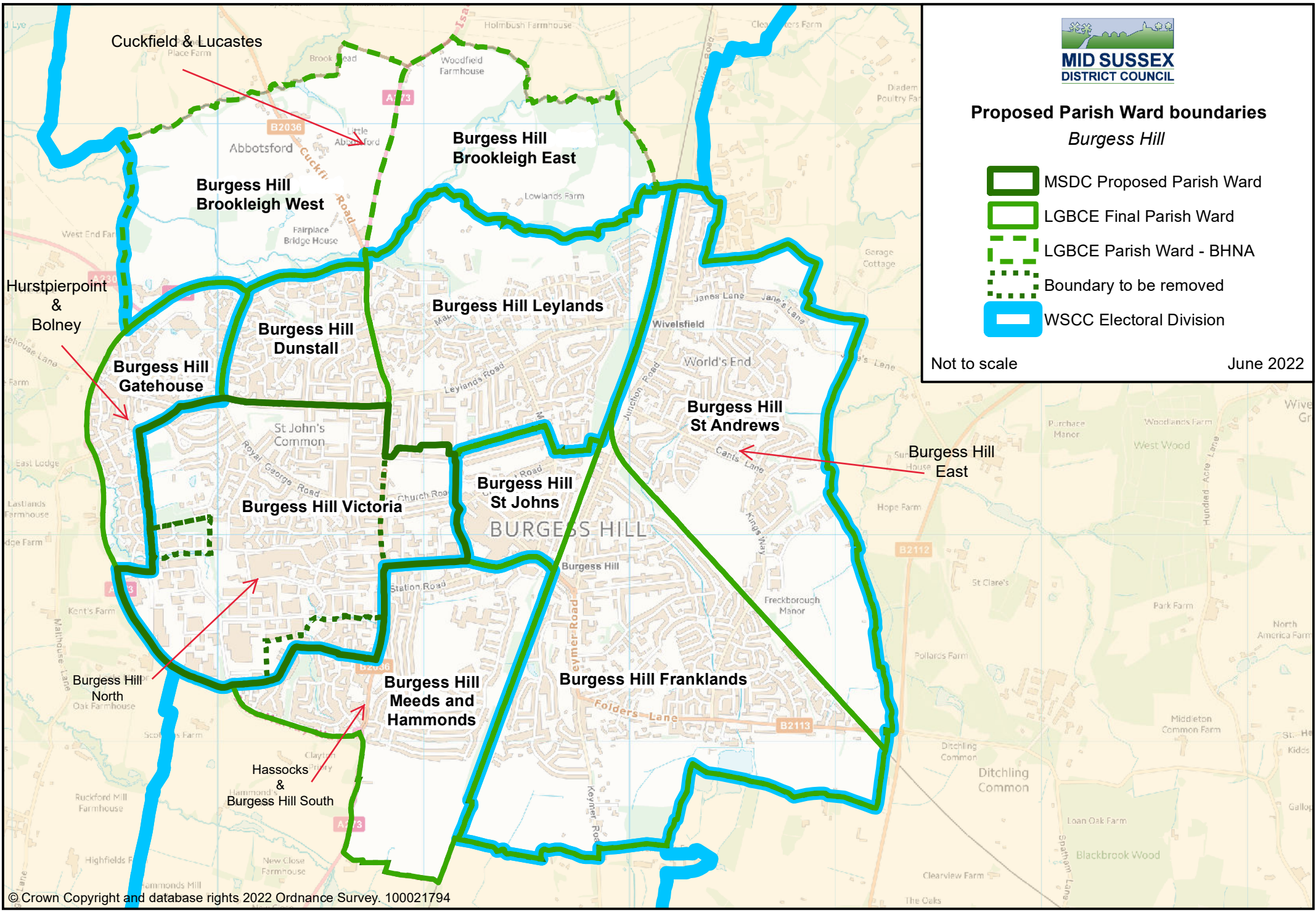
Proposed Parish Ward boundaries

*Burgess Hill*

-  MSDC Proposed Parish Ward
-  LGBCE Final Parish Ward
-  LGBCE Parish Ward - BHNA
-  Boundary to be removed
-  WSCC Electoral Division

Not to scale

June 2022



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## Community Governance Review - Final Recommendations for East Grinstead Town Council (EGTC)

REPORT OF: Head of Regulatory Services  
Contact Officer: Terry Stanley, Head of Democratic Services & Elections  
Email: [terry.stanley@midsussex.gov.uk](mailto:terry.stanley@midsussex.gov.uk) Tel: 01444 477415  
Wards Affected: All East Grinstead Wards  
Key Decision: No  
Report to: Council  
12 October 2022

---

### Purpose of Report

1. Following completion of two public consultations, and two examinations by the Scrutiny Committee for Community Leisure & Parking (and its predecessor), to present to Council the Final Recommendations of the principal electoral authority.

### Recommendations

2. **Council is recommended to:**
    - (i) **To approve the principal electoral authority's final recommendations for East Grinstead Town Council as set out at paragraphs 16 – 20 of this report.**
- 

### Background

3. This Community Governance Review (CGR) was initiated following a request from East Grinstead Town Council (EGTC), pursuant to the provisions of the Local Government and Public Involvement in Health Act 2007.
4. The request was that this Council consider the extent of the electoral wards of the EGTC following the Local Government Boundary Commission's (LGBCE) creation of new parish wards, and to align as far as possible the town council wards with the district council wards, and to achieve a reduction in Councillor numbers from 19 to 16 Councillors.
5. At its meeting of 23 March 2022, the Committee advised upon and accepted the Terms of Reference and Guidance for Respondents relating to the CGR. The first public consultation opened on 25 April 2022 and closed on 3 June 2022.
6. Our Guidance for Respondents required consultees to make qualitative submissions that should address the themes explained within the Terms of Reference and/or other matters that we are able consider. We did not consider unduly brief submissions which gave no explanation for their support or their opposition for a particular proposition, or that provided nothing for us to consider.
7. The scrutiny committee considered the public responses to the first consultation and the resulting draft recommendations at its meeting of 22 June 2022. The second public consultation opened on 1<sup>st</sup> July 2022 and closed on 12<sup>th</sup> August 2022.
8. The second public consultation was specifically regarding our draft recommendations that resulted from the first public consultation, and submissions were mostly confined to those, unless suggesting an entirely different proposition.

## Public Engagement

9. At both stages of the Review each eligible elector was sent a letter or an email explaining the considerations of the CGR, and signposting to the consultation material published at the Council's website. This explained how to contribute to the Review. The communication also provided electors with their unique Elector Number, to be quoted with their submission to enable our electoral services team to verify that all individual responses came from registered local government electors of the of the EGTC area.

## Timetable

10. Key stages of the Review were as follows:

Action	Date	Outline of Action
<b>Public Consultation 1</b> Publication of the Review Terms of Reference	25 April 2022	First six-week public & stakeholder consultation
Public Consultation ends	3 June 2022	All representations are examined & considered
Draft proposals considered by Scrutiny Committee (Customer Services & Service Delivery)	22 June 2022	Any additional recommendations of the Scrutiny Committee are recorded and added to the draft proposals
<b>Public Consultation 2</b>	1 July 2022	Second six-week public & stakeholder consultation
Public Consultation ends	12 August 2022	All representations are examined & considered
Final recommendations considered by Scrutiny Committee (Community, Leisure & Parking)	28 September 2022	Scrutiny Committee will consider the CGR final recommendations and make recommendations to Full Council
Final recommendations (as amended, if applicable) are recommended to Full Council for adoption.	12 October 2022	Council is recommended to approve.

## Conclusions

11. Following the first stage consultation, EGTC supported the draft recommendations.
12. Taking the first and second public consultations into account there is clear support among residents, elected representatives, and other stakeholders for a reduced Council size and for aligning parish warding as closely as possible to the new district wards.
13. Unfortunately, we cannot replicate the new district wards precisely as part of this Review because we must have regard to County division boundaries. Parish wards must lay wholly within a single County division and cannot cross such a boundary.

14. Three alternative proposals from electors were interesting but in one case did not consider the constraints of the county division boundaries, another sought a better electorate to Councillor ratio but recognised this could not be achieved given the request from the EGTC to reduce from 19 to 16 and other constraints, and the third proposed cutting the number of Town Councillors in each Ward to provide a council size of 9.
15. This Review has evaluated and carefully considered all valid submissions received. Having regard to these the final recommendations of the principal electoral authority are as follows:

### **Final Recommendations for East Grinstead Town Council**

16. The new parish ward created by the LGBCE of Ashplats North should be retained as it is divided from Ashplats South by a County electoral division boundary.
17. The new parish ward of Ashplats South should be joined with Herontye to form a new parish ward named Herontye & Ashplats South.
18. The new parish ward of Sackville should be incorporated into Baldwins ward. We can do this because these two areas lay wholly within a County division. The merger also compensates for the loss of the parts of Baldwins ward south of the London Road (the current BD2 polling district), which following the LGBCE's Electoral Review of Mid Sussex District Council are now situated within Imberhorne ward.
19. The Town North and Town South parish wards should be retained as these too are divided by a County electoral division boundary.
20. The East Grinstead Town Council should be comprised of 7 Wards represented by 16 Councillors.

The Town Council Ward names and Councillor numbers should be as follows:

<b>Town Ward</b>	<b>Electorate June 2022</b>	<b>Forecast Electorate 2027</b>	<b>2023 Town Councillor No.</b>
Ashplats North	4086	4305	3
Baldwins	3276	3479	2
Herontye & Ashplats South	5054	5764	3
Imberhorne	4304	5157	3
East Grinstead South	1152	1238	1
Town North	1013	1048	1
Town South	3541	3748	3
			16

### **Policy Context**

21. The CGR process allows for local views to be considered when considering community representation at Parish level.

### **Other Options Considered**

22. None



### **Financial Implications**

23. The reduction in Council Size will derive cost savings.

### **Risk Management Implications**

24. Legal precedent establishes that where a principal electoral authority declines or fails to implement the findings of CGR public consultations, the risk of an adverse outcome at any Judicial Review is considerably increased. Your Officers advise that the findings of the public consultation should be the basis for our final recommendations.

### **Equality and Customer Service Implications**

25. All stakeholders and registered electors were consulted in two public consultations.

### **Other Material Implications**

26. At the conclusion of any CGR and subject to adoption by Council, the Council's Legal Services Division would be required to make Community Governance Orders, if there is to be a change. Therefore, a Community Governance Order will be required.

### **Sustainability Implications**

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

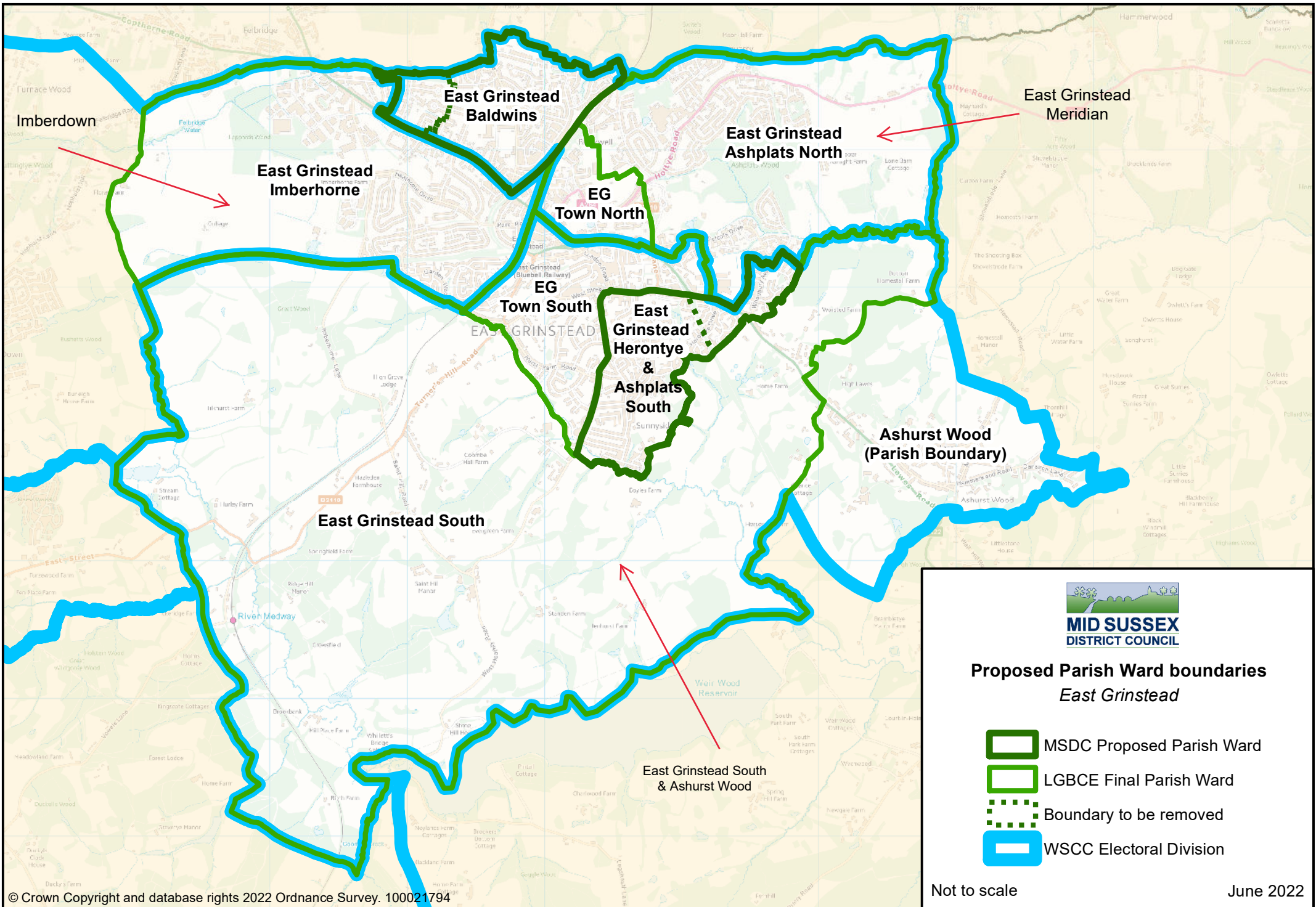
### **Background Papers**

[CGR webpage where all reference documents, scrutiny committee reports and the complete set of submissions for both public consultation stages are published.](#)





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

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Appendix 1 - CGR Final Recommendations – EGTC Ward Map



**Proposed Parish Ward boundaries**  
*East Grinstead*

-  MSDC Proposed Parish Ward
-  LGBCE Final Parish Ward
-  Boundary to be removed
-  WSCC Electoral Division

Not to scale

June 2022

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## Community Governance Review – Final Recommendations for Hurstpierpoint and Sayers Common Parish Council.

REPORT OF: Head of Regulatory Services  
Contact Officer: Terry Stanley, Head of Democratic Services & Elections  
Email: [terry.stanley@midsussex.gov.uk](mailto:terry.stanley@midsussex.gov.uk) Tel: 01444 477415  
Wards Affected: Hurstpierpoint & Downs  
Key Decision: No  
Report to: Council  
12 October 2022

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### Purpose of Report

1. Following completion of two public consultations, and two examinations by the Scrutiny Committee for Community Leisure & Parking (and its predecessor), to present to Council the Final Recommendations of the principal electoral authority.

### Recommendations

2. **Council is recommended to:**
    - (i) **To approve the principal electoral authority's final recommendations for Hurstpierpoint & Sayers Common Parish Council as set out at paragraphs 23 – 26 of this report to make no changes to the Governance arrangements for Hurstpierpoint & Sayers Common Parish at this time.**
- 

### Background

3. This Community Governance Review (CGR) was initiated following a valid petition submitted by the requisite number of local registered electors, pursuant to the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007.
4. The petition called upon this Council to constitute a new Parish Council for the existing Sayers Common parish ward, to be styled as Sayers Common Parish Council. The names of the petition organisers are publicly promoted, and they are: Sayers Common Village Society (SCVS) and Mr. Seth Jee.
5. At its meeting of 2 February 2022, the Committee advised upon and accepted the Terms of Reference and Guidance for Respondents relating to the CGR. The first public consultation opened on 14 February 2022 and closed on 15 April 2022.
6. Our Guidance for Respondents required consultees, particularly at the first stage, to make qualitative submissions to address the themes explained within the Terms of Reference and/or other matters that we are able consider. We did not consider brief submissions that gave no explanation for support or for opposition to a particular proposition, or that provided nothing for us to consider.
7. The scrutiny committee considered the public responses to the first consultation and the resulting draft recommendations at its meeting of 25 May 2022. The second public consultation opened on 6 June 2022 and closed on 1 August 2022.

8. The second public consultation was specifically regarding our draft recommendations that resulted from the first public consultation, and submissions were mostly confined to those, unless suggesting an entirely different proposition.

### Public Engagement relating to the second public consultation

9. At both stages of the Review each eligible elector was sent a letter or an email explaining the considerations of the CGR, and signposting to the consultation material published at the Council’s website. This explained how to contribute to the Review. The letter also provided electors with their unique Elector Number, to be quoted with their submission to enable our electoral services team to verify that all individual responses came from registered local government electors of the Hurstpierpoint and Sayers Common Parish Council area.

### Timetable

10. Key stages of the Review were as follows:

Action	Date	Outline of Action
<b>Public Consultation 1</b> Publication of the Review Terms of Reference	14 February 2022	First two-month public & stakeholder consultation
Public Consultation ends	15 April 2022	All representations are examined & considered
Draft proposals considered by Scrutiny Committee (Customer Services & Service Delivery)	25 May 2022	Any additional recommendations of the Scrutiny Committee are recorded and added to the draft proposals
<b>Public Consultation 2</b>	6 June 2022	Second two-month public & stakeholder consultation
Public Consultation ends	1 August 2022	All representations are examined & considered
Final recommendations considered by Scrutiny Committee (Community, Leisure & Parking)	28 September 2022	Scrutiny Committee will consider the CGR final recommendations and make recommendations to Full Council
Final recommendations (as amended, if applicable) are recommended to Full Council for adoption.	12 October 2022	Council is recommended to approve.

### Conclusions

11. The Sayers Common Village Society (SCVS) and others appear to understand that support for a separate parish council for Sayers Common comes from those living west of the A23, rather than the entire Sayers Common parish ward, and therefore any such parish council would be for the village of Sayers Common.

12. We understand opinion expressed by some stakeholders that future governance arrangements need to consider the man-made constructs of the A23 and A2300 carriageways, and we note the views of the parish council and district ward members as to with where residents in the Goddards Green area identify, and where they look to for services and amenity.
13. Many respondents noted that early proposals for potential developments to the north and between Sayers Common and Albourne, indicated that a change to governance arrangements for Sayers Common, appears premature.
14. We note the views of several respondents about future housing development in the area and suggestions that the timelines for the MSDC 'District Plan Review 2038' are key to shaping the area and therefore, future governance arrangements.
15. It is acknowledged that developments may not have been materially delivered by 2025 and several respondents questioned whether they would be delivered within the coming decade.
16. The SCVS agrees that there is currently no certainty about the DP Review 2038 additional housing allocations in Sayers Common Village, but they believe there will be that certainty by 2025 and a further community governance review should be undertaken then. Any resulting new Parish would exist from 2027 when the Parish may have the benefit of additional precepts from the new housing. SCVS considers that these additional precepts do improve the viability of a new Parish Council.
17. The principal electoral authority notes that the draft budget supplied by SCVS does explain possible local taxation considerations and expenditure, together with comparisons drawn with other parish councils of a similar size.
18. We note that the new adjacent district wards of 'Downlands Villages' and 'Cuckfield, Bolney and Ansty' created by the LGBCE Electoral Review of MSDC have now the benefit of parliamentary approval and shall take effect in May 2023.
19. There was consensus regarding our findings that in recent years it has proved challenging to attract sufficient elected representatives for Sayers Common from within the parish ward, as it has at times also in Hurstpierpoint parish ward.
20. An evolving sense of distinct community identity in Sayers Common was evident, and it is believed that this may continue to grow over time.
21. Because of our findings detailed within the final recommendation's scrutiny committee report (paras 22 - 25) the principal electoral authority considers that a further CGR in 2029 is likely to be more appropriate given the time it takes to allocate sites and determine planning applications, building to commence, and homes to be occupied. We can, however, consider a review in 2025 if these matters have proceeded at unusual pace.
22. Taking the first and second public consultations fully into account, this Review has concluded that the final recommendations of the principal electoral authority are as follows:

### **Final Recommendations for Hurstpierpoint & Sayers Common Parish Council**

23. The current governance arrangements for the parish of Hurstpierpoint & Sayers Common are suitable and should continue.

24. This Authority (MSDC) should consider afresh a CGR in 2029 dependent on the progress of any permitted developments affecting Sayers Common and surrounding areas, or later if envisaged developments do not materialise and a consequential rising electorate forecast is not realised.
25. Any future CGR should consider a wider area within the two newly designated adjacent district wards: 'Downlands Villages' and 'Cuckfield, Bolney and Ansty' given that housing development, and electorate rises in these areas may require a wider area to be reviewed.
26. The existing Parish Council size is 15 comprised of 13 Councillors for the Hurstpierpoint Ward and 2 Councillors for the Sayers Common Ward. The current electorate of Hurstpierpoint Parish Ward is 4879 and of Sayers Common Parish Ward is 866. Your officers do not recommend any change to the parish wards or Councillor numbers at the present time.

### **Policy Context**

27. The petition process allows for local views to be considered when considering community representation at Parish Level.

### **Other Options Considered**

28. Your officers considered creating a new parish ward for Goddards Green to meet the identity and amenity considerations which have been mentioned by one elector, the parish Council, and some elected representatives. Whilst a new parish ward would reflect the physical construct of the A23 there would be fewer than 300 electors. The A2300 is a strong physical boundary and this would need to be considered in the context of a future CGR of an expanded area, that was not a subject of this Review.

### **Financial Implications**

29. None.

### **Risk Management Implications**

30. The present parish arrangement has led to sound community governance and there is every reason to expect this should continue, with the existing parish council continuing high quality engagement with all residents of the parish.

### **Equality and Customer Service Implications**

31. All stakeholders and registered electors were consulted at two significant periods of public consultation.

### **Other Material Implications**

32. At the conclusion of any CGR and following adoption in Council, the Council's Legal Services Division would be required to make Community Governance Orders, if there is to be a change. Considering the final recommendations this will not prove necessary.

### **Sustainability Implications**

33. 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**

[CGR webpage where all reference documents, scrutiny committee reports and the complete set of submissions for both public consultation stages are published.](#)

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

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## Community Governance Review – Final Recommendations for Worth Parish Council (WPC).

REPORT OF: Head of Regulatory Services  
Contact Officer: Terry Stanley, Head of Democratic Services & Elections  
Email: [terry.stanley@midsussex.gov.uk](mailto:terry.stanley@midsussex.gov.uk) Tel: 01444 477415  
Wards Affected: Cophorne & Worth  
Key Decision: No  
Report to: Council  
12 October 2022

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### Purpose of Report

1. Following completion of two public consultations, and two examinations by the Scrutiny Committee for Community Leisure & Parking (and its predecessor), to present to Council the Final Recommendations of the principal electoral authority.

### Recommendations

2. **Council is recommended to:**
    - (i) **To approve the principal electoral authority's final recommendations for Worth Parish Council as set out at paragraphs 25 – 31 of this report to make no changes to the Governance arrangements for the Worth Parish at this time.**
- 

### Background

3. This Community Governance Review (CGR) was initiated following a valid petition submitted by the requisite number of local registered electors, pursuant to the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007.
4. The petition called upon this Council to constitute a new Parish Council for the existing Crawley Down parish ward, to be styled as Crawley Down Village Council. The names of the petition organisers are publicly promoted, and they are: Alex Cruickshank, Ian Gibson, Sally Gibson, John Hitchcock and John Plank.
5. At its meeting of 2 February 2022, the scrutiny committee advised upon the Terms of Reference and Guidance for Respondents relating to the CGR. The first public consultation opened on 14 February 2022 and closed on 15 April 2022.
6. Our Guidance for Respondents required consultees, particularly at the first stage, to make qualitative submissions that should address the themes explained within the Terms of Reference and/or other matters that we are able consider. We did not consider brief submissions that gave no explanation for support or for opposition to a particular proposition, or that provided nothing for us to consider.
7. The scrutiny committee considered the public responses to the first consultation and the resulting draft recommendations at its meeting of 25 May 2022. At this stage the cost of dividing WPC assets, staff, and liabilities together with the ongoing cost of two parish councils instead of one, were of major public concern. The second public consultation opened on 13 June 2022 and closed on 15 August 2022.

8. The original close date for the second public consultation was 1 August. When it became clear that the appointed auditor's financial assessment report would not be published by WPC until 22 July, your officers extended the public consultation to close 15 August to allow a reasonable period for residents to consider it and respond.
9. The second public consultation was specifically regarding our draft recommendations that resulted from the first public consultation, and submissions were mostly confined to those, unless suggesting an entirely different proposition.

### Public Engagement relating to the second public consultation

10. At both stages of the Review each eligible elector was sent a letter or an email explaining the considerations of the CGR, and signposting to the consultation material published at the Council's website. This explained how to contribute to the Review. The communication also provided electors with their unique Elector Number, to be quoted with their submission to enable our electoral services team to verify that all individual responses came from registered local government electors of the WPC area.
11. When your officers extended the second public consultation to 15 August as explained at paragraph 8 of this report, each eligible elector was sent a further letter or an email to give notice of the extension, the reason for it and signposting to the auditor's financial assessment report, published at MSDC's and WPC's websites.

### Timetable

12. Key stages of the Review were as follows:

Action	Date	Outline of Action
<b>Public Consultation 1</b> Publication of the Review Terms of Reference	14 February 2022	First two-month public & stakeholder consultation
Public Consultation ends	15 April 2022	All representations are examined & considered
Draft proposals considered by Scrutiny Committee (Customer Services & Service Delivery)	25 May 2022	Any additional recommendations of the Scrutiny Committee are recorded and added to the draft proposals
<b>Public Consultation 2</b>	13 June 2022	Second two-month public & stakeholder consultation
Public Consultation ends	15 August 2022	All representations are examined & considered
Final recommendations considered by Scrutiny Committee (Community, Leisure & Parking)	28 September 2022	Scrutiny Committee will consider the CGR final recommendations and make recommendations to Full Council
Final recommendations (as amended, if applicable) are recommended to Full Council for adoption.	12 October 2022	Council is recommended to approve.



## Cost of division and annual ongoing costs

13. Following the first public consultation where the cost of division and the ongoing cost of two separate parish councils were of considerable public concern, our draft recommendations on these matters were as follows:
- (a) At an early stage of the second public consultation WPC and the petitioners should supply to this Review their assessment of these division costs with evidential annotations for each cost, so that MSDC may see how they have been arrived at.
  - (b) The indicative annual budget proposed by 'The Local Councillors and Residents Supporting the Creation of a Crawley Down Village Council' it seems, is disputed by WPC. MSDC wishes to see an adjusted and agreed version as soon as possible.
14. The Petitioners supplied detailed financial analysis on both matters to this Review and by direct emails to the scrutiny committee on 6 June, 19 July, and 22 July 2022.
15. The WPC commissioned and supplied to this Review the financial assessment report of Mulberry & Co, and further information has been published at its website. The Chairman of WPC, Cllr. Dorey wrote directly to the scrutiny committee on 25 July 2022.
16. There is much detail in both submissions and several revisions have occurred so for Council's convenience your officers summarise the latest indications as follows:

	Petitioners	Auditor's Report	WPC
Estimated Cost of Division.	c.£32k	c.£50 – 60k	c.£91k
Combined annual cost of x2 parish councils instead of x1 (Estimates).	c.£40k	c.£51.5	c.£60k
Source:	Petitioner's Submission	Auditors Report	WPC website

17. The Petitioners extended their analysis to include the difference if WPC were to make the same improvements in services that the Petitioners propose (i.e. open an office in Crawley Down and hold meetings there). Based on equivalent level of service, their estimated increased in annual operating costs of two councils over one is £3,252.
18. The above are not absolute figures but are the best estimates that the parties can provide given that there are too many variable outcomes depending on for example whether a division would result in any staff redundancies which at this stage, without the benefit of staff consultation, cannot be known. Most participants and stakeholders agree that this is a key unknown factor, though the petitioners do not consider that redundancies are inevitable. There are also cost details within the proposed budgets that remain disputed but the gap between them has narrowed to the extent that they can be seen as acceptable.

## Conclusions

19. Wherever on this spectrum of estimates the actual costs would turn out to be, having regard to both public consultations and considering all submissions, your officers consider at this time of cost-of-living crisis, electors in Worth Parish as a whole do not currently support a division of WPC and the creation of a new parish council for Crawley Down and for Copthorne. There are however a significant number of electors in Crawley Down who say the additional costs are value for money to get a separate parish council for Crawley Down.
20. Your officers must have regard to the interests, and priorities of both Copthorne and Crawley Down, and we do not consider that the proposition together with the costs to the public purse, would serve the interests of both communities at this time.
21. This Review, however, does fully acknowledge and respect the strong sense of community identity felt in Crawley Down, together with the aspirations of many for tailored governance arrangements that might provide for a more localised sense of scrutiny, accountability, and potentially enhanced local democracy.
22. The local debate is polarised, and although those in favour make an understandable community identity case, the methods employed have resembled an election campaign rather than a CGR and this has not had a positive impact on community cohesion.
23. Your officers acknowledge that this view will disappoint the petitioners and supporters of a separate parish council for Crawley Down now, but we observe that local government elections in May 2023 might provide an opportunity for those in Crawley Down who strongly support this aim, to seek election to the WPC on such a platform.
24. This Review has evaluated and carefully considered all valid submissions received. Having regard to these it is considered that the final recommendations of the principal electoral authority should be as follows:

## Final Recommendations for Worth Parish Council

25. The case made for division of assets and liabilities at reasonable cost is not acceptable. At this time of price inflation and cost-of-living crisis, many electors are not agreeable to this.
26. **Improved Community Engagement** - The WPC governance review working party, area focussed committees and subsequent changes are noted. WPC should carefully consider ongoing elector concerns relating to the accessibility of Council meetings and perhaps consider alternating these between The Parish Hub and the Haven Centre, given that virtual/hybrid meetings legislation is not coming forward at this time.
27. **Better Local Democracy** - The WPC could seek to encourage more local people to stand for election both in Copthorne and in Crawley Down. It may help to produce a 'Becoming a Councillor' brochure that explains the duties and rewarding nature of the role, and to publish this at the Parish Council's website. Councillors, other activists, and stakeholders should also encourage greater levels of candidate nomination in 2023 such that elections are contested in both areas.
28. **Effective and Convenient Delivery of Local Services and Local Government** - The current governance arrangements for the Worth Parish Council should continue, and this authority (MSDC) should consider afresh a CGR in 2025 or 2029 dependent on the progress of any permitted developments affecting Copthorne West and surrounding areas.

29. The existing Parish Council size is 17 comprised of 9 Councillors for the Crawley Down Ward and 8 Councillors for the Copthorne Ward. The current electorate of Crawley Down Parish Ward is 4547 and of Copthorne Parish Ward is 4066. We are therefore not recommending any change to Councillor numbers for either ward.
30. The name of the Parish Council should remain, Worth Parish Council, a) because it is an understandable and established descriptor of the two areas together 2) given public concern about costs, renaming, and rebranding the parish council at this time may seem indulgent, particularly whilst there is the prospect of a future CGR.
31. **Reflecting the Identities and Interests of the Community** – Residents of Crawley Down and their elected representatives could consider setting up a Community Forum as a step towards a longer-term aim. A Community Forum can be set up by the principal council or created by residents to act as a mechanism to give the community a say on principal council matters or local issues. They increase participation and consultation, aiming to influence decision making, rather than having powers to implement services. They vary in size, purpose, and impact, but membership usually consists of people working or living in a specific area. Some forums also include ward councillors, and representatives from the council and relevant stakeholders can attend meetings. If this is of interest to local people, MSDC's Community Engagement team could be approached to assist with this project.

### **Policy Context**

32. The petition process allows for local views to be considered when considering community representation at Parish level.

### **Other Options Considered**

33. Renaming the existing parish council to Crawley Down & Copthorne Parish Council was considered. Some public respondents indicated that this would not be acceptable unless the villages appeared in the name alphabetically i.e: the other way around, whilst others have strongly opposed potential loss of the Worth Parish name.

### **Financial Implications**

34. None.

### **Risk Management Implications**

35. The present parish arrangement has in the main led to sound community governance and there is every reason to expect this should continue, with the existing parish council making further governance improvements wherever these are possible.

### **Equality and Customer Service Implications**

36. All stakeholders and registered electors were consulted in two public consultations.

### **Other Material Implications**

37. At the conclusion of any CGR and following adoption in Council, the Council's Legal Services Division would be required to make Community Governance Orders, if there is to be a change. Considering the final recommendations this will not prove necessary.

## **Sustainability Implications**

38. 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**

[CGR webpage where all reference documents, scrutiny committee reports and the complete set of submissions for both public consultation stages are published.](#)

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

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## RECOMMENDATIONS FROM CABINET – 26 SEPTEMBER 2022

### BUDGET MANAGEMENT 2022/23 – PROGRESS REPORT APRIL TO JULY 2022

1. The Cabinet considered the progress on the Revenue Budget, Capital Programme and Revenue Projects and Treasury Management for 2022/23.

#### Summary

2. The forecast revenue outturn position for 2022/23 at the end of July is showing a projected net overspend of £701,000 against the original budget. The last report to Cabinet on 18 July 2022 highlighted the forthcoming challenges facing the Council in relation to both rising energy costs and inflation on the Council's budget for 2022/23.
3. As previously explained, although modest inflationary increases were budgeted in the Corporate Plan and Budget report approved at Council in March 2022, prices have risen sharply since the start of the year. The Consumer Price Index (CPI) rose to 10.1% by the end of July. As a result, further work to quantify the projected inflationary pressures for the year has now been undertaken showing these are currently predicted to be circ. £762,000. These are partly offset by the net on-going 2021/22 savings previously reported to Members in the last Budget Management Report. Appendix A of the Cabinet report provides further detail.
4. However, Members can be assured that officers will continue to closely monitor the overall position for the Council as the year progresses and will be working to mitigate the projected overspend in 2022/23.

#### Recommendations

5. That Council Approve:
  - (i) that **£150,000 grant income from WSCC in respect of a payment for Ukraine Support be transferred to Specific Reserve as detailed in paragraph 27 of the Cabinet report;**
  - (ii) that **£20,000 grant income relating to Neighbourhood Planning be transferred to Specific Reserve as detailed in paragraph 28 of the Cabinet report;**
  - (iii) that **£445 grant income for new burdens relating to Council Tax Submissions be transferred to Specific Reserve as detailed in paragraph 29 of the Cabinet report;**
  - (iv) that **£16,335 grant income relating to Housing Benefit Award Accuracy Initiative be transferred to Specific Reserves as detailed in paragraph 30 of the Cabinet report;**
  - (v) that **£62,857 grant income from WSCC relating to Employment Projects Coordinator be transferred to Specific Reserve as detailed in paragraph 31 of the Cabinet report;**
  - (vi) the variations to the Capital Programme contained in paragraph 35 of the Cabinet report in accordance with the Council's Financial Procedure rule B3.

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