

# Community Governance Review 2021-22

## Local Government and Public Involvement in Health Act 2007

### Terms of Reference

#### 1. Introduction

##### 1.1 What is a community governance review?

A community governance review is a review of the whole or part of the Principal Council's area to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style of new parishes;
- the electoral arrangements for parishes (the ordinary year of election council size; the number of councillors to be elected to council and parish warding); and,
- grouping parishes under a common parish council or de-grouping parishes.

A community governance review is required to consider:

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

If the Council (MSDC) is satisfied that the recommendations from a community governance review would ensure that community governance within the area under review will reflect the identities and interests of the community in that area; and is effective and convenient, the Council (MSDC) makes a community governance order.

##### 1.2 Scope of the review

The review, which is being undertaken in response to a petition received from electors, will consider whether a new parish and parish council should be created for Sayers Common Guidance for respondents will include a few suggested themes to be covered by qualitative submissions. The proposed themes are listed at Appendix 1.

If a split is resolved, it would result in two newly named Councils:

- Hurstpierpoint Parish Council
- Sayers Common Parish Council

If a split is not resolved, the name of the existing Parish Council would remain unchanged.

The review will also consider the electoral arrangements for any new parish council. This includes:

- (a) The name of any new parish
- (b) Ordinary year of election – the year in which ordinary elections will be held
- (c) Council size – the number of councillors to be elected to the parish council(s)
- (d) Parish warding – whether the parish(es) should be divided into wards for the purpose of electing councillors. This includes considering the number and

boundaries of any such wards, the number of councillors to be elected for any such ward and the name of any such ward

Other related matters which may arise during the review in response to representations received will be considered as appropriate.

## 2. Consultation

### 2.1 How the Council proposes to conduct consultations during the Review

Before making any recommendations or publishing final proposals, the Council must consult local government electors for the Hurstpierpoint & Sayers Common Parish Council area under review and any other person or body (including a local authority) which appears to the Council to have an interest in the review. The Council will therefore:

- publish a notice and the Terms of Reference (ToR) on the council's website ([www.midsussex.gov.uk](http://www.midsussex.gov.uk)) and arrange for copies to be available for public inspection at Mid Sussex District Council, Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS during normal office hours;
- send a copy of the notice and the ToR to the Hurstpierpoint & Sayers Common Parish Council, Mid Sussex Association of Local Councils, Ward Members, Members of West Sussex County Council whose electoral divisions encompass the area concerned and the MP for the Arundel & South Downs constituency.
- write to all households in the Hurstpierpoint & Sayers Common area
- publicise the review and the notice in the council's residents' magazine, and
- send a copy of the notice and the Community Governance Review (CGR) ToR to the Local Government Boundary Commission for England (LGBCE) and to the relevant officers of West Sussex County Council.

Before making any recommendations, the Council will take account of any representations received. The Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the community governance review are informed of the recommendations and the reasons behind them.

The Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

## 3. Timetable for the community governance review

- 3.1 The Council must complete a community governance review within twelve months from the day on which the Council publishes the terms of reference. A community governance review is concluded on the day on which the Council publishes the recommendations made by the community governance review.

The table below sets out the timetable for the review.

Action	Date	Outline of Action
Start Date	14 February 2022	Council publishes the terms of reference
<b>Public Consultation 1</b>	14 February 2022	Two-month consultation period starting with publication of the Review Terms of Reference.
Public Consultation ends	15 April 2022	All representations are examined & considered
Draft proposals considered by MSDC Scrutiny Committee (Customer Services & Service Delivery)	(TBC) May 2022	Any additional recommendations of the Scrutiny Committee are added to the published draft proposals
Draft proposals published	27 May 2022	Council publishes draft proposals
<b>Public Consultation 2</b>	(TBC) June 2022	Further two-month consultation period.
Public Consultation ends	(TBC) August 2022	All representations are examined & considered
Final recommendations are published <b>[Review ends]</b>	(TBC) September 2022	Results of consultation considered by the relevant Scrutiny Committee (date TBC) who shall consider the extent to which the Council should give effect to the recommendations and make recommendations to Full Council
Final recommendations (as amended, if applicable) are recommended to Full Council for adoption.	(TBC) October 2022	Full Council considers and determines the extent to which the Council shall give effect to the recommendations
Order made	By 25 November 2022	Council publishes Community Governance Order
Order takes effect	May 2023	Next scheduled local government elections

## 4. Background information

4.1 The Local Government Act 1972 provides that any parish council must have at least five councillors. No maximum number is prescribed.

4.2 When considering the number of councillors to be elected for a parish the Council must have regard to the number of local government electors for the parish and any change to that number that is likely to occur within five years of the date on which these terms of reference are published.

4.3 Joint guidance issued by the Department of Communities and Local Government and the Local Government Boundary Commission for England in 2010 provides further information on community governance reviews and the factors influencing size and membership of parish councils. On size, the guidance says:

**154.** In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between five and eight councillors; those between 501 and 2,500 had six to 12 councillors; and those between 2,501 and 10,000 had nine to 16 councillors. Most parish councils with a population of between 10,001 and 20,000 had between 13 and 27 councillors, while almost all councils representing a population of over 20,000 had between 13 and 31 councillors.

**155.** The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be seven and the maximum 25.

**156.** In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.

**157.** Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size."

4.4 The National Association of Local Council's Circular 1126 recommends:

<b>Electors</b>	<b>Councillors</b>	<b>Electors</b>	<b>Councillors</b>
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	45,000	25
9,000	16		

4.5 The electoral cycle for parish councils is for elections every four years.

## 5. The Petition

5.1 The Petition is lodged in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007, Section 80 and prevails upon Mid Sussex District Council as the Principal Authority, to conduct a Community Governance Review.

5.2 The Petition has been validated as having been duly signed by 348 registered electors of the Sayers Common Electoral ward. This exceeds the 250-signature requirement.

5.3 The Petition calls for consideration of a distinct parish council for Sayers Common and proposes that any new parish council should be named 'Sayers Common Parish Council'. The full petition wording will be stated within the Public Notice of Community the Governance Review.

## 6. Making representations

6.1 If you wish to make written representations on the community governance review please send to:

Community Governance Review  
 Electoral Services  
 Mid Sussex District Council  
 Oaklands, Oaklands Road  
 Haywards Heath  
 West Sussex  
 RH16 1SS

Or via e-mail: [elections@midsussex.gov.uk](mailto:elections@midsussex.gov.uk)

6.2 Should you require any further information regarding the review, please contact Terry Stanley, Business Unit Leader – Democratic Services, at the email / postal address above or by phone (01444) 477415.

## APPENDIX 1

Guidance for respondents will include a few suggested themes to be covered in qualitative written submissions. The proposed themes are currently as follows:

1. Do you believe that Sayers Common has a separate community identity?
  - a. Yes / No / Don't Know
  - b. If Yes or No, please give evidence to support your answer
  
2. Do you believe there should be a separate civil parish council for Sayers Common?
  - a. Yes / No / Don't Know
  - b. If Yes or No, please give evidence to support your answer
  
3. If a separate civil parish council is formed for Sayers Common, what do you think the impact for the remaining part of Hurstpierpoint Parish might be:
  - a. Good / Bad / Don't Know
  - b. Please fully explain / evidence your answer

**A Community Governance Review is a detailed qualitative review, it is not a poll. Accordingly, any brief communications simply offering support or objection to one proposition or another will be not be considered.**