

## **Draft Terms of Reference for a Community Governance Review of Burgess Hill Town Council and consequential impact for Ansty & Staplefield Parish Council.**

REPORT OF: Head of Regulatory Services  
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Wards Affected: All Burgess Hill Wards, and Cuckfield  
Key Decision: No  
Report to: Scrutiny Committee for Customer Services & Service Delivery  
25 May 2022

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### **Purpose of Report**

1. To update the Committee on a Community Governance Review (CGR) that this Council was petitioned by local government electors to conduct, relating to the Governance and Electoral arrangements for Burgess Hill Town Council.
2. To consult the Committee regarding the content of the Terms of Reference for this CGR.

### **Recommendations**

3. **The Committee is recommended to:**
    - (i) **Note and agree the Terms of Reference and Guidance for Respondents, which have been the subject of consultation with statutory consultees.**
    - (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 in consultation with the committee's Chairman, during the period of the CGRs.**
    - (iii) **And to note that a further report will be provided as this Council's draft and final recommendations are available at later stages of the Review.**
    - (iv) **To note the final decision will be taken by Council in the light of the consultation responses received through the Community Governance Review.**
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### **Background**

4. Following the publication of the Local Government Boundary Commission's (LGBCE) Final Recommendations for MSDC, which provided for the new parish wards of Northern Arc East and Northern West, the committee was consulted about the BHTC draft Terms of Reference on 23 February 2022. At that meeting the committee requested a deferral of one month to allow statutory consultees more time to provide their input.
5. The committee was again consulted about the BHTC draft Terms of Reference on 23 March 2022 and updated about the input of statutory consultees. At that meeting, on a tabled Motion by a Member, the committee advised officers to defer the proposed BHTC (and HHTC) CGRs until 2025, to allow potentially affected parish councils more time to prepare, and to allow more dwellings to be built and occupied within the Northern Arc strategic housing development.

6. However, on 19 April 2022, pursuant to the Local Government and Public Health Act 2007 a Petition calling for a CGR for BHTC, was delivered to the Council. The Petition wording is as follows:

We, the undersigned residents of Burgess Hill, request Mid Sussex District Council to undertake a Community Governance Review for Burgess Hill Town Council based on the extent of Burgess Hill determined by the local Government Boundary Commission final recommendations document published on 1st February 2022. The Review is to seek to match the Town Council wards with the District Council wards to simplify matters for electors and to seek to equalise the number of electors per Town Councillor by increasing the number of Town Councillors to up to 22 Councillors. In the event of a positive outcome of the Review to complete the redrawing of the boundary by May 2023.

7. To compel MSDC to conduct the CGR, legislation requires the petition to reach a threshold of 7.5% of registered electors in the BHTC electoral area, equating to 1857 electors based upon the April 2022 electoral register.
8. Our Electoral Services team had carefully validated the petition by 22 April 2022, and the result was as follows:

Summary	
Total No of Submissions	2700
Total No ACCEPTED	2437
Breakdown of Figures	
Type of Submission	No
ACCEPTED	2437
NOT REGISTERED	172
ILLEGIBLE	41
OUTSIDE OF AREA	32
DUPLICATE	18
Total No of Submissions	2700

The petition therefore met the required threshold and is valid. In these circumstances the Council must not only conduct the CGR, but also complete its statutory stages within 12 months.

9. Mid Sussex has scheduled local government elections (district and parish councils) on 4 May 2023 which uses an updated electoral register that must be available on 1<sup>st</sup> December 2022.
10. To meet this exacting timescale, it was therefore necessary to launch the CGR very swiftly during the week commencing 25 April 2022 and to align its stages with other existing CGRs.

### Terms of Reference and Guidance for Respondents

11. There was unfortunately no time available to consult the committee further about the Terms of Reference and Guidance for Respondents. Consequently, we consult the committee now, and your officers would warmly welcome any reflections or advice that Members wish to offer regarding these documents.

12. The Terms of Reference and Guidance for Respondents are appended to this report.
13. The whole suite of documents that residents and statutory consultees are asked to consider is available at our website, via the following links:

[Terms of Reference & Guidance for Respondents \(BHTC CGR\) \(356kB PDF\)](#)

[Public Notice of Community Governance Review \(BHTC CGR\) \(16kB PDF\)](#)

[Mid Sussex District Council Ward Map \(due to take effect in May 2023\) \(899kB PDF\)](#)

[Burgess Hill Town Council Ward Map \(due to take effect in May 2023\) \(922kB PDF\)](#)

14. Given the consequential impact for Ansty & Staplefield, that Parish Council and the residents of the parish are statutory consultees, in addition to the residents of Burgess Hill and the Burgess Hill Town Council.
15. Accordingly, our explanatory letter and public notice was dispatched to all registered electors of Burgess Hill and all registered electors of the Ansty & Staplefield parish.
16. Other statutory consultees have been invited to contribute their views to this CGR. They are: the Member of Parliament for the Mid Sussex Constituency, County Councillors, Officers of WSCC and MSDC Members representing the affected Wards.

### **Policy Context**

17. The Petition was 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 CGR.
18. 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.

### **Other Options Considered**

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

### **Financial Implications**

20. The costs involved with conducting Community Governance Reviews fall to the Principal Authority and are within existing Democratic Services budgetary provision.

### **Risk Management Implications**

21. 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**

22. Local people will have 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.
23. The Terms of Reference describe how we will publicise and conduct the Reviews. The Review timetable is also included.

## **Other Material Implications**

24. On 4<sup>th</sup> May the Business Unit Leader for Democratic Services met with Councillors of Ansty & Staplefield Parish Council, their Council Chairman, and the Parish Clerk. They acknowledged that the Northern Arc was always intended to be part of Burgess Hill. The parish council does not oppose that aspect but is instead minded to make a submission regarding the LGBCE's reductions to their Councillor numbers in Ansty Ward and Staplefield Ward, where the electorate is rising, not decreasing.
25. At the conclusion of this Review, the Council's Legal Services Division will be required to make Community Governance Orders, following adoption in Council.

## **Sustainability Implications**

26. 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.](#)

[Local Government Boundary Commission Final Recommendations for MSDC](#)

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Terms of Reference for Community Governance Review, and Guidance for Respondents for the following council:

- Appendix A - Burgess Hill Town Council