

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

REPORT OF: Head of Regulatory Services
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Wards Affected: All Burgess Hill Wards & Cuckfield
Key Decision: No
Report to: Scrutiny Committee for Community, Leisure & Parking
14 September 2022

Purpose of Report

1. Following completion of the second of two public consultations, to summarise for the committee the findings of the second consultation.
2. To consult the Committee regarding our final recommendations.

Recommendations

3. **The Committee is recommended to:**
 - (i) **Note the findings of the second public consultation.**
 - (ii) **To provide advice upon, and further to that advice, to accept the principal electoral authority's final recommendations for Burgess Hill Town Council and Ansty & Staplefield Parish Council.**
 - (iii) **To note that in the light of the consultation responses received through each stage of the Community Governance Review, the final recommendations shall proceed to Council for final decision on 28 September 2022.**

Background

4. The committee will recall that 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.
5. The petition called upon this Council to review the extent of the electoral wards of the Burgess Hill Town Council considering LGBCE's 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).
6. Owing to potential consequential impacts for a neighbouring parish council and because that parish council also disagrees with the LGBCEs revisions to their Councillor numbers, it was also resolved that we would review those matters for Ansty & Staplefield Parish Council (ASPC).
7. 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.

8. Members will recall from our Guidance for Respondents, that the first stage of this CGR 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 could not consider submissions that merely expressed support or opposition for a particular proposition, or that provided nothing for us to consider.
9. The 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.
10. The second public consultation was specifically regarding our draft recommendations that resulted from the first public consultation, so we anticipated that submissions would mostly be confined to those, unless suggesting an entirely different proposition.

Public Engagement

11. Each eligible elector was sent a letter or an email explaining the draft recommendations arising from the first stage of the CGR, 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.
12. Although a qualitative Review, for the Committee's contextual information, at this second stage we received 82 acceptable submissions. A further 7 responses were rejected because they referred to matters that are unrelated to the CGR.
13. Of the 82 accepted submissions, 73 were from residents of Burgess Hill, and 1 was from a resident of Ansty & Staplefield. There were 5 Councillor responses and the remaining 3 were from BHTC, ASPC and WSCC.
14. Of the accepted submissions, all support the extent of the Review considerations for Burgess Hill, specifically that the Northern Arc is and should be part of Burgess Hill. An appreciable number wished to amend our draft recommendation relating to BHTC Councillor numbers and this is explained at paragraphs 18 and 19 of this report.

Draft Recommendations

15. The draft recommendations of the principal electoral authority were as follows:
 - (a) 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.
 - (b) The Burgess Hill Town Council should be comprised of 10 Wards represented by 19 Councillors.
 - (c) The Town Council Ward names and Councillor numbers should be as follows:

Town Ward	Electorate June 2022 *	Forecast Electorate 2027	Town Councillor No.
Leylands	4142	5105	3
St. Andrews	4934	5682	3
Franklands	4206	4606	3
Meeds & Hammonds	2786	3212	2
Victoria	3624	3942	2
Dunstall	2079	3223	2
Gatehouse	1823	1881	1
St. Johns	1110	1532	1
	Forecast Electorate May		
Northern Arc East	340	1360	1
Northern Arc West	510	1700	1
			19

* Updated to June 2022 electorate

- (d) The LGBCE had to create the new parish wards of Northern Arc East and Northern Arc West. They could not simply add them to the Leylands and Dunstall parish wards because they are not able to alter the exterior Town boundary. The principal electoral authority can alter the exterior Town boundary and based upon the first public consultation we should do so.
- (e) The principal electoral authority cannot alter the County Division boundary which runs along the current exterior northern boundary, though we can and most likely will request that the LGBCE considers this related alteration. This would enable a future possibility to consider bringing Northern Arc East into Leylands ward and Northern Arc West into Dunstall ward.
- (f) The newly created Parish wards of Victoria East and Hammonds North are small. We consider that they should be part of Victoria parish ward. Similarly, the parish ward of Norman has 485 electors currently, forecast to be 521 by 2027. We consider that this too should be part of Victoria Ward parish ward. We can do this because these smaller wards lay wholly within the County division of Burgess North.
- (g) 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

Draft Recommendations for Ansty & Staplefield Parish Council

- (a) To reflect the range of responsibilities in this large rural area, the Ansty & Staplefield Parish Council should be comprised of 5 wards represented by 12 Councillors.

(b) 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

Second Public Consultation Findings

16. Your Officers evaluated all eligible submissions that were received during the second public consultation, and we present the findings below:
17. **Relating to Burgess Hill Town Council** – All 74 resident submissions, including 1 from a resident of Ansty & Staplefield, supported the draft recommendations either wholly or partly.
18. An appreciable number of residents wished to amend our draft recommendation relating to BHTC Councillor numbers. These submissions agreed with our proposal to incorporate the newly created Parish wards of Victoria East and Hammonds North into Victoria Ward together with the existing small parish ward of Norman. Many of these submissions suggested that sites allocated in the Site Allocations DPD for Victoria Ward would, if delivered, make this area comparable with Burgess Hill Franklands Ward and they therefore wished to see an increase from 2 to 3 regarding the number of Councillors that should represent the enlarged Victoria Ward.
19. District Ward Members, Cllrs. Eggleston, Hicks and Henwood wrote in support of the draft recommendations, and they also made the case for increasing from 2 to 3 the number of Councillors to represent the enlarged Victoria Ward. These submissions also referred to a recent Homes England decision (for its purposes), to rename the Northern Arc as Brookleigh. Cllr. Eggleston suggested that relating to electoral wards that name does not have resonance and identity. He offered instead for Northern Arc East the name Bedelands and for Northern Arc West the name St. Pauls. Your officers note these suggestions were also offered within several resident's submissions.
20. The County Councillor for Burgess Hill North electoral division, Cllr. Condie wrote strongly in support of the draft recommendations report that was considered by the committee on 22nd June and he is pleased to support the resolution to incorporate the two new Northern Arc parish wards into the administrative area of BHTC.
21. The County Councillor for Burgess Hill East electoral division, Cllr. Cherry wrote in support of the draft recommendations to incorporate the new neighbourhoods being created in the Northern Arc and the proposed merger of the small wards of Norman, Hammonds North, and Victoria West within a larger Victoria Ward. Cllr. Cherry acknowledged that MSDC cannot alter County division boundaries but said he would support any request by MSDC to LGBCE to consider County divisional changes. His belief is that the absorption of the Northern Arc wards within the existing division of

Burgess Hill North would be within WSCC's tolerance for the number of electors in that division as would the resulting reduction in size to Cuckfield and Lucastes.

22. WSCC however, provided an engaging analysis, which is recommended reading, only related to our suggestion of requesting that LGBCE consider elated alteration of the County division boundary. The County Council is concerned that Burgess Hill North division with the Northern Arc incorporated would create a potential +26% electorate variation to the desired average which is close to LGBCE's 30% threshold that could trigger an Electoral Review of West Sussex County Council.
23. The second stage BHTC submission advised that the full council had considered our draft recommendations and it had resolved, as follows:

In response to the Community Governance Review consultation the Town Council resolved that 20 Councillors should represent Burgess Hill in the future increasing the number of Town Councillors representing Victoria ward from 2 to 3, and leaving the rest as proposed by MSDC.

24. BHTC's Chief Executive Officer also confirmed a view among Town Councillors that the suggested names for the two new Northern Arc wards should be considered and they suggested Bedelands and St. Pauls would be more suitable than Brookleigh.
25. **Relating to Ansty & Staplefield Parish Council** – The Parish Council's second stage submission welcomes our draft recommendations which from May 2023 would provide 12 Councillors across 5 wards in their geographically extensive parish.
26. The full set of accepted submissions is published and represents a background paper, for committee members to peruse. [A link is provided at the end of this report.](#)

Conclusions

27. 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.
28. The case for better and more localised naming of the two new parish electoral wards is persuasive and our final recommendations reflect this.
29. 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.
30. 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.
31. The objection of the County Council to a proposed request of LGBCE to consider elated 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.
32. ASPC's support for the draft recommendations relating to that parish council is noted and we confirm these as the final recommendations.

33. 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 Burgess Hill Town Council

34. 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.
35. These newly created parish wards should be renamed as follows: Northern Arc East Ward shall be named Bedelands Ward, and Northern Arc West Ward shall be named St. Pauls Ward.
36. The Burgess Hill Town Council should be comprised of 10 Wards represented by 20 Councillors.
37. The Town Council Ward names and Councillor numbers should be as follows:

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

38. 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. MSDC can do this because these smaller wards lay wholly within the County division of Burgess Hill North.
39. 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 LGBCE 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

40. The Ansty & Staplefield Parish Council should be comprised of 5 wards represented by 12 Councillors.

41. 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

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

Other Options Considered

43. 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.

44. 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.

45. 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.

46. The 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 43 - 45. Once residents have settled in the Northern Arc, if they were to feel strongly that they 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

47. 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

48. 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

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

Other Material Implications

50. 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 likely be required.

Sustainability Implications

51. A key aim of any Community Governance Review is to align 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.](#)

[Link to second public consultation responses](#)

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