

Community Governance Review – Final Recommendations for Burgess Hill Town Council (BHTC) and Ansty and 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: 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 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
Public Consultation 1 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
Public Consultation 2	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
	Forecast Electorate May		
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 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

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