

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 current arrangement for your representation at a local level is through Hurstpierpoint & Sayers Common Parish Council. The parish area includes Goddards Green and for a population of 5797, the Parish Council has 15 parish councillors. There are two wards within the parish namely Sayers Common with 2 ward councillors and Hurstpierpoint with 13 ward councillors.

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 includes suggested themes to be covered by qualitative submissions, and that guidance is Appendix 1 to this document. A map showing the current parish area and wards is Appendix 2 to this document.

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) 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 this 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 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
Public Consultation 1	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)	25 May 2022	Any additional recommendations of the Scrutiny Committee are recorded and added to the draft proposals.
Draft proposals re-published if the Scrutiny Committee proposes any amendments	3 June 2022	Council publishes draft proposals
Public Consultation 2	6 June 2022	Further two-month consultation period.
Public Consultation ends	1 August 2022	All representations are examined & considered
Final recommendations [Review ends]	6 September 2022	Published at the MSDC website
Final recommendations considered by MSDC Scrutiny Committee (Community, Leisure and Parking)	14 September 2022	Scrutiny Committee will 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.	28 September 2022	Full Council considers and determines the extent to which the Council shall give effect to the recommendations
Order made	By 31 October 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:

Electors	Councillors	Electors	Councillors
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 187-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 do so here: www.midsussex.gov.uk/cgr-form

Or via e-mail: communitygovernancereviews@midsussex.gov.uk

Alternatively, submissions may be sent by post using the reply envelope supplied, or to:

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

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.

Guidance: Responding to a Community Governance Review - APPENDIX 1

This guidance refers to Community Governance Reviews conducted within the administrative area of the Mid Sussex District Council and explains how you may respond to a Review.

What is a Community Governance Review?

Please see the Terms of Reference (1.1) which precede this guidance.

Who can participate by submitting a written response to the Review?

Any registered local government elector for the area being reviewed may submit their views in writing for the principal authority, Mid Sussex District Council, carefully to consider.

What if I am not a registered local government elector?

You must be a registered local government elector for us to validate any submission you make. If you have received confirmation that you are registered to vote at local government elections in the area under Review, then you are a registered local government elector.

If you are not registered and believe you are eligible to register to vote, you should apply immediately. Applying takes just a few minutes, by visiting: www.gov.uk/register-to-vote

Exceptions are when views are submitted by local businesses, associations, educational establishments, faith, and other community groups. We will otherwise validate these.

How can I participate in the Review?

All responses must be written, qualitative submissions which as a minimum consider the Terms of Reference for the Review and address the themes outlined below in 'What should be covered within my response?'.

The best and most cost-effective way to respond is online: www.midsussex.gov.uk/cgr-form

Alternatively, you may send your written submission via email to:

communitygovernancereviews@midsussex.gov.uk entitled: 'CGR response for Area Name'

If you do not have internet access, you may send a typed submission using the reply-paid envelope we have supplied. This is better than sending a handwritten letter.

What should be covered within my response?

Considering the Terms of Reference, we want your views of what the Community Governance arrangements for your area should be. In support of your proposition, you need concisely to explain how it might derive the following benefits:

- Improved community engagement
- Enhanced community cohesion
- Better local democracy
- More effective and convenient delivery of local services and local government

You should also explain how your proposition:

- Reflects the identities and interests of the community

As local petitioners have proposed a new, separate civil parish for Sayers Common you may wish in addition, within your submission to address the following suggested considerations:

1. *What do you consider to be your community identity?*

Please provide evidence for your answer

2. *How should the civil parishes in your area be defined in future?*

Please provide reasons for your answer

3. *Considering your proposal(s), what would be the advantages and disadvantages of these?*

4. *If a separate civil parish council is not formed as proposed in the petition calling for this Community Governance Review, what do you think the impact might be?*

Please fully explain / evidence your answer

Can I just write to say that I support or do not support a particular outcome?

No. Because a petition was submitted, Mid Sussex District Council must conduct a Community Governance Review. Such a Review is a qualitative examination of a range of issues as explained within the Public Notice, the Terms of Reference, and this guidance.

It is not a poll of any kind, and the numbers of submissions for each proposition will have no effect upon the outcome. The decision of this authority will depend wholly on the quality of the propositions and the evidence offered in support of them.

Accordingly, we will reject any written submission that merely expresses support or opposition for a particular outcome or is so brief that it is uncertain or provides nothing for us to consider.

How will I know that my views have been received and considered?

All online and email submissions will be acknowledged. Depending on the volumes received, it may not be possible to acknowledge all those received by post, but we will try do so.

All qualitative submissions will be carefully considered and when we publish our draft recommendations all such responses will be published together with respondent's names at the council's website. Other personal information such as address, and contact details will be redacted in accordance with general data protection regulations.

We will not publish any submissions that are rejected for undue brevity, or which are wholly uncertain. At a Community Governance Review such data is meaningless.

When and how will participants know the outcome of the Review?

The Review timetable at section 3 of the Terms of Reference sets out when each stage of the review will happen. When we publish draft recommendations and later the final recommendations, we will at the same time write to all those who contributed to that stage of the Community Governance Review.

The timetable also shows when these matters are due to be considered by a Scrutiny Committee and by a meeting of the full Council. Agendas and papers for all the Council's formal meetings are available via the MSDC website and all such meetings are webcast.

APPENDIX 2

This map shows the Parish Council area boundary and the two wards it is currently comprised of.

