

Title of Report: **Community Governance Review 2022/23**
Report to: **Audit, Finance and Governance Committee**
Date: **27th July 2022**

Purpose of Report

To recommend that

- 1) the Council undertakes Community Governance Reviews (CGRs) in respect of 1) Westham Parish 2) Willingdon and Jevington Parish and 3) Framfield Parish, as set out below and in accordance with statutory requirements;
- 2) the Terms of Reference for the conduct of these Community Governance Reviews, be considered by members;
- 3) an independent specialist organisation is brought in to conduct a consultative ballot in respect of the Westham parish proposals (if deemed appropriate);
- 4) Members' consideration be given to the request received from the Parish Council and electors in Ninfield parish seeking a review of the Wealden District Council (WDC) boundary with Rother District Council, insofar as it affects Ninfield parish;
- 5) Members' consideration be given to the specific proposals submitted by Willingdon & Jevington Parish Council concerning the Principal Area boundary between Wealden District and Eastbourne Borough councils; and
- 6) Subject to Members' views in respect of items 4) and 5) above, the proposals and relevant Principal Council's responses be considered as part of the CGR consultation and reported to a future meeting for further consideration.

Recommendations

The Audit, Finance and Governance Committee is recommended:

- a. To agree that the Council undertakes a Community Governance Review in respect of Westham, Willingdon and Jevington and Framfield parishes;
- b. To agree the Terms of Reference for the Review, as set out in Appendix A;
- c. To approve the commissioning of a consultative ballot in respect of the Westham CGR as set out below;
- d. To determine the Council's initial position in respect of the request from the Parish Council and electors in Ninfield parish that the parish be incorporated into Rother District; and
- e. To determine the Council's initial position in respect of the proposals received from Willingdon and Jevington Parish Council concerning the boundary between WDC and EBC as set out below.

Reasons

To comply with the Council's statutory duty to consider and, if appropriate, carry out a Community Governance Review upon receipt of a valid petition or otherwise valid

request. Furthermore, to consider and, subject thereto, to refer any Principal Area boundary review proposals to the Local Government Boundary Commission for England.

Introduction

1. Further to the decision made on 20th January 2020 (Minute Ref: 20/8), a Project Manager has been appointed to carry out a Community Governance Review (CGR) in respect of Westham parish, following receipt of a petition (submitted on 17th October 2019) which has been checked and validated by officers (22nd October 2019).
2. The legislative provisions for the establishment and review of parish councils are largely contained in Part 4 of the Local Government and Public Involvement in Health Act 2007. A key feature of this legislation is to give 'principal' councils (such as Wealden) the statutory responsibility for making parish orders following completion of a CGR.
3. Since the Committee decision in January 2020, a request for a CGR has been received (on 1 March 2022) from Willingdon and Jevington Parish Council, relating to specific governance and boundary changes affecting that parish. Officers have reviewed the request and consider that it is appropriate and timely to conduct this Review in parallel with the CGR for Westham and during the same project timeframe. The Parish Council's request also proposes boundary changes between Wealden District and Eastbourne Borough which would need the agreement of both councils and, subject thereto, be referred for determination to the Local Government Boundary Commission for England.
4. In addition, the Council has recently received (on 9th June 2022) a request from Framfield Parish Council to carry out a CGR aimed at seeking a reduction in the number of Framfield parish councillors from 11 to 9. If agreed by the Committee, it is proposed that this request also be considered as part of the current CGR project.
5. And finally, a request has been received from Ninfield Parish Council, supported by a number of local residents, for a review of the electoral boundary between Wealden and Rother District Councils insofar as it affects Ninfield parish. Ninfield is asking for the boundary to be redrawn and for Ninfield Parish to become part of Rother District. In respect of this request, any review of the boundary between Wealden and Rother would require agreement from both principal councils and would thereafter be referred to and dealt with by the Local Government Boundary Commission for England (LGBCE).
6. This report sets out the details of these various requests, outlines the CGR process that would be followed, including the CGR Terms of Reference and the associated consultation arrangements.
7. The report also seeks members' initial views in respect of the requests from Ninfield Parish Council and Willingdon and Jevington Parish Council regarding the specific proposals that affect Wealden's boundary with Rother District and Eastbourne Borough respectively.

The Legislation

8. The primary legislation governing Community Governance Reviews is largely contained in Part 4 of the Local Government and Public Involvement in Health Act 2007. The Department of Communities and Local Government and The Electoral Commission published joint Guidance on the legislation and undertaking of CGRs

in March 2010, a copy of which is appended to this report (Appendix B). This guidance sets out the method for conducting the CGR and the primary issues to keep in mind when considering proposals for change.

9. The Council has a statutory duty to carry out a Review and is required to ensure that it is:
- reflective of the identities and interests of the community in that area; and
 - effective and convenient.

Parish councils play an important role in local decision-making and service delivery and as such there must be clarity and transparency to the areas that parish councils represent. Effective community representation is best served by ensuring warding arrangements and the allocation of councillors are appropriate, equitable and readily understood by the electorate.

10. The following paragraphs are taken from the guidance:

"50. Parish councils continue to have two main roles: community representation and local administration. For both purposes it is desirable that a parish should reflect a distinctive and recognisable community of place, with its own sense of identity. The views of local communities and inhabitants are of central importance.

51. The identification of a community is not a precise or rigid matter. The pattern of daily life in each of the existing communities, the local centres for education and childcare, shopping, community activities, worship, leisure pursuits, transport facilities and means of communication generally will have an influence. However, the focus of people's day-to-day activities may not be reflected in their feeling of community identity. For instance, historic loyalty may be to a town but the local community of interest and social focus may lie within a part of the town with its own separate identity.

52. Section 93 of the 2007 Act requires principal councils to ensure that community governance within the area under review will be

- *Reflective of the identities and interests of the community in that area and*
- *Effective and convenient*

53. When considering the criteria identified in the 2007 Act, principal councils should take into account a number of influential factors, including:

- *The impact of community governance arrangements on community cohesion and*
- *The size, population and boundaries of a local community of parish."*

Consequential and Other Matters

11. In considering proposals for changes to principal council boundaries, it will be important to consult the County Council. Furthermore, principal councils will need to be satisfied that the identities and interests of local communities are reflected, and that effective and convenient local government will be secured. Principal councils will also need to consider the practical consequences of any boundary changes, for example voting arrangements for electors.

12. Officers propose to seek the views of other principal councils (including East Sussex County Council) affected by the proposals and to report back as part of the wider CGR consultation exercise.
13. Members will be aware that a Parliamentary Boundary Review is currently underway affecting parts of the Wealden District. Any recommendations arising from the CGR will not be coterminous with or have any bearing on the timing or outcome of the Parliamentary Boundary Review.
14. Initial consideration of the proposals from Willingdon and Jevington Parish Council has highlighted an anomaly between the parish ward boundaries as determined by the Wealden Boundary Review carried out in 2007 and the Local Government Boundary Commission for England's review carried out in 2016. Clarification is being sought from the LGBCE and this will be reported to members during the course of the Review.

The Community Governance Review Process - Terms of Reference

15. The 2007 Act requires the Council to draw up and publish Terms of Reference for the Review, the form and nature of which are largely dictated by the legislation and statutory guidance.
16. The CGR must be completed within 12 months from the date on which the Terms of Reference for the Review are published, and it is completed when the Council publishes its final recommendations.
17. The proposed Terms of Reference (TOR) are attached at Appendix A and the Committee is asked to agree these for publication.

Consultation

18. The legislation requires the Council to consult with “...*(a) the local government electors for the area under review; (b) any other person or body (including a local authority) which appears to the principal council to have an interest in the review.*”
19. As previously mentioned, the CGR will need to ensure consultation takes place with the relevant County Council and other affected local bodies such as town and parish councils. The guidance suggests that other bodies might include local businesses, local public and voluntary organisations. Consultation can be undertaken in a variety of ways including local polls, postal referendum, public meetings, surveys and by public notices and letters.
20. Officers have considered a targeted and proportionate approach to consultation for each of the areas under Review as set out in Appendix 3. Given the potential impact of the proposed changes to local governance arrangements on local electors in Westham parish, officers consider that seeking electors' views may best be served by a local consultative ballot. This approach would ensure that widespread public opinion is sought on the proposal to create a separate parish for the Stone Cross and Hankham areas of Westham. The ballot could be undertaken once initial consultation on the proposal has been carried out and outline recommendations considered by members.
21. In line with similar reviews in the past, and due to the specialist nature and associated resource implications, it is recommended that an independent, impartial, specialist supplier be commissioned to manage the printing, processing, data

capture, analysis and reporting of the ballot results. The cost implications of this are set out below.

22. As previously stated, the Council has a duty to inform the County Council of its intention to carry out a CGR and to seek the views of the County Council on the Review proposals.
23. Consideration must be given to the comments and representations received and recommendations made on any proposed boundary changes and on related matters. In the case of the Westham CGR this will include recommendations on the number of parish councillors, whether to divide the parishes into wards, the name of the parishes and the date of the first elections. The Council's recommendations will need to be the subject of further consultation before final proposals and recommendations are drawn up and published.
24. Members' attention is drawn to the CGR timetable set out in Appendix A. This provides further opportunities for the Committee to consider the proposals alongside representations from the local electorate and local community. Given the tight timetable for the Review, an additional Committee meeting in December is being proposed for this purpose.
25. The Council gives effect to its recommendations by means of a Reorganisation Order. This may give rise to several 'consequential matters' such as the setting up of a new 'shadow' parish council and its associated parish precept. Further implications include appropriate revisions to the electoral register and council tax records.

Conclusion

26. Officers consider that the original CGR project timetable and resources can be adapted to accommodate the additional CGR requests as set out above. However, given the nature and potential impact of the CGR for Westham, it is considered necessary to appoint external contractors to manage a consultative ballot involving all electors within the Westham parish.

Corporate Management Team Advice

27. The Audit, Finance and Governance Committee is recommended to:

- a) Agree that the Council undertakes the Community Governance Reviews as outlined in the report; and
- b) Approve the Terms of Reference in respect of the Review, as set out in Appendix A, along with the costs associated with holding a consultative ballot for the Westham CGR.

Implications

Financial:

There is an annual budget provision of £5,150 for Boundary Reviews. Staffing costs following the appointment of a Project Manager are also within budget.

Additional costs associated with the proposal to carry out a consultative ballot are £8,995.00. Officers consider that the extra cost can be met from within existing electoral services budgets.

Subject to the outcome of the Review there may be consequential matters arising concerning parish precepts, council tax and NNDR in the affected areas.

Legal:

The Council has a statutory duty to conduct a Community Governance Review once a request/petition has been received and validated. Statutory Guidance provides the framework for conducting the review including timeframes and key requirements.

The CGR may result in changes requiring the drafting of a Re-organisation Order.

Human Resources:

Current and anticipated workloads within the Electoral Services Team have been taken into account and additional staffing resources have previously been approved to help manage the Reviews. A project manager has now been appointed on a 1 year fixed-term contract.

The CGR may result in changes which may impact staffing resources within the Electoral Services Team.

Climate Change:

None arising from this report.

Other:

Human Rights – The Human Rights Act 1998 Protocol 1, Article 3 governs the right to participate in free elections and under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

Crime and Disorder – No specific issues arising from this report.

Environmental – No specific issues arising from this report.

Sustainability – No specific issues arising from this report.

Risk Management – Risk associated with non-compliance with a legal duty to carry out a Community Governance Review. Risk of judicial review if decision-making does not meet requirements.

Equalities and Diversity – The Equalities Act 2010 introduced the public sector Equality Duty which ensures public bodies consider all individuals when carrying out their day-to-day work and have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different people. This has been considered in reference to the CGR consultation.

Consultation – There is a statutory duty to consult electors and those deemed to have an interest in the CGR.

Access to Information – The Local Government (Access to Information) Act 1985 provides for public access to meetings, reports and documentation, subject to specific confidentiality provisions and includes specific duties to publish certain information.

Contacts/ References:

Director Trevor Scott, Chief Executive

Head of Service Sarah Garner, Head of People, Organisation and Development

Report Author	Susie Funnell, Community Governance Review Project Manager
Contact Details	01892 602423 Email: CGR@wealden.gov.uk
Appendices	Appendix A – Draft Terms of Reference for the Community Governance Review and associated information
	Appendix B – Extract from the Department of Communities and Local Government and The Electoral Commission joint Guidance 2010
Background Papers	Department for Communities and Local Government and Electoral Commission Guidance on Community Governance Reviews
Published Reference documents	Local Government and Public Involvement in Health Act 2007
Key Decision	YES
Exempt / Not for Publication	NO

APPENDIX A - WEALDEN DISTRICT COUNCIL COMMUNITY GOVERNANCE REVIEW 2022/23 TERMS OF REFERENCE

A review of parishes and related matters under the
Local Government and Public Involvement Act 2007

INTRODUCTION

Wealden District Council has resolved to undertake a Community Governance Review of Westham Parish, Framfield and Willingdon and Jevington Parish, in accordance with the relevant legislation and associated statutory guidance.

WHAT IS A COMMUNITY GOVERNANCE REVIEW (CGR)?

A CGR is a review of the whole or part of the District 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 the council, and parish warding); and
- grouping parishes under a common parish council or de-grouping parishes.

A CGR must consider:

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

WHY IS THE COUNCIL UNDERTAKING THE REVIEW?

The Council has received a valid petition from 483 electors in respect of the Stone Cross, Dittons and Westham electoral wards of Westham parish. Details of the petition are set out in Appendix 1a.

The Council has received a valid request from Willingdon and Jevington Parish Council that a Review be carried out to reduce the number of parish councillors from 19 to 15 and in respect of specific internal ward boundary and principal boundary matters. Details are set out in Appendix 1b.

The Council has received a valid request from Framfield Parish Council that a Review be carried out to reduce the number of parish councillors from 11 to 9. Details are set out in Appendix 1c.

The Council has received a valid request from Ninfield Parish Council that a Review be carried out to align the whole of Ninfield Parish within the District of Rother. Details are set out at Appendix 1d.

The Council has a statutory duty to carry out a Review and is required to ensure that it is:

- reflective of the identities and interests of the community in that area; and
- effective and convenient.

The Council understands that parish councils play an important role in local decision-making and service delivery and as such there must be clarity and transparency to the areas that parish councils represent. It also recognises that effective community representation is best served by ensuring warding arrangements and the allocation of councillors are appropriate, equitable and readily understood by the electorate.

AIMS OF THE REVIEW

The review will be to consider the following specific issues raised by or in respect of the affected parishes and make appropriate recommendations:

<p>Westham <i>Comprising Dittons (BPWB), Stone Cross (BPSC and BPSD) and Westham (BPSF) polling districts</i></p>	<p>To establish a separate parish council for the villages of Stone Cross and Hankham with effect from May 2023 (see Appendix 1a);</p>
<p>Willingdon and Jevington <i>Comprising Upper Willingdon (EWSM), Lower Willingdon (EWSJ), Watermill (EPWF) polling districts</i></p>	<p>To reduce the size of the Parish Council from 19 to 15 councillors with effect from May 2023, by reducing both Lower Willingdon and Upper Willingdon wards by 2 councillors;</p>
	<p>To review minor anomalies and internal ward boundaries and consider the name of Watermill ward (see Appendix 1b);</p>
	<p>To reinstate the former Jevington ward or change the name of Lower Willingdon ward to that of Lower Willingdon and Jevington (see Appendix 1b);</p>
	<p>To review the boundary with Polegate (east of A2270) (see Appendix 1b);</p>
	<p>To determine whether the boundary between Wealden District and Eastbourne Borough Council should be changed and, subject thereto, to propose a Principal Area Boundary Review be undertaken by the LGBCE (see Appendix 1b).</p>
<p><i>To assist in identifying the extent of the proposed boundary changes for Willingdon and Jevington Parish further maps including a composite map have been prepared by officers (Appendix 1b).</i></p>	
<p>Framfield <i>Comprising Blackboys (WUSB) and Framfield (WUSC) polling districts</i></p>	<p>To reduce the size of the Parish Council from 11 to 9 councillors with effect from May 2023. (see Appendix 1c).</p>

Ninfield <i>Comprising Ninfield (BWEJ) polling district</i>	To determine whether the boundary between Wealden District and Rother District Council should be changed and, subject thereto, to propose a Principal Area Boundary Review be undertaken by the LGBCE (see Appendix 1d).
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In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Electoral Commission in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

SCOPE OF THE REVIEW

The CGR will cover the following existing parishes and wards:

Parish	Parish Wards (if any)	Number of Councillors
Westham	Westham	5
	Stone Cross	6
	Dittons	2
Willingdon & Jevington	Lower Willingdon	8
	Upper Willingdon	9
	Watermill	2
Polegate	Polegate South	5
Framfield	N/A	11
Ninfield	N/A	9

WHO WILL CONDUCT THE REVIEW?

As the Principal Authority, Wealden District Council is responsible for undertaking any CGR within its electoral area. The Council has delegated responsibility for overseeing the Review to the Audit, Finance and Governance Committee.

Management responsibility for the organisation and management of the Review:

Heather Blanshard, Electoral Services Manager

Susie Funnell, CGR Project Manager

Contact details: Email CGR@wealden.gov.uk

TIMETABLE FOR THE REVIEW

A CGR must be completed within 12 months from the publication of its Terms of Reference, which is the effective start date for the Review. The CGR ends with the publication of final recommendations. The CGR timetable is as follows:

What Happens?	When?	Further Information
Electorate Forecasts and Demographic Data published	By mid July 2022	Supporting evidence and information for five-year electorate forecasts published on the Council's website.
Terms of Reference (TOR) agreed	27 th July 2022	By the Audit, Finance and Governance Committee (AF&G) meeting
Terms of Reference published	Early August 2022	Publication on the Council's website; associated publicity and stakeholder notification
Stage 1 Consultation starts	Early August 2022	6 week period of consultation on CGR proposals begins (see Appendix 3)
Stage 1 Consideration of Submissions	21 September 2022	By the Audit, Finance and Governance Committee (AF&G) meeting to consider initial submissions and draft recommendations
Submission to Local Government Boundary Commission for England (LGBCE) (if appropriate)	BY 1 st October 2022 at the latest	For any proposed ward/division changes (see Consequential Matters below)
Stage 2 Consultation starts	Early October 2022	6-week period of consultation on CGR draft recommendations begins (see Appendix 3)
Stage 2 Consideration of Submissions	12th December 2022	By the Audit, Finance and Governance Committee (AF&G) meeting to consider representations on draft recommendations;
Final proposals agreed	12th December 2022	By the Audit, Finance and Governance Committee (AF&G) meeting
Final proposals published and Stage 3 consultation starts	Mid December 2022	2-week period for submissions on final proposals
Final Recommendations agreed and published	18th January 2023	By the Audit, Finance and Governance Committee (AF&G) meeting to consider

		representations and agree Final Recommendations
Reorganisation Order made and published	February 2023	Publication on the Council's website; associated publicity and stakeholder notification
Reorganisation Order takes effect	1 st March 2023	Transitional arrangements and support provided ahead of the May 2023 local elections

CONSULTATION

Before making and recommendations or publishing final proposals, the Council must take full account of the views of local people. It has a duty to:

- consult the electors within the areas under Review;
- consult any other person or body (including a local authority) which appears to have an interest in the Review;
- notify and consult the County Council;
- take into account any representations received in connection with the Review and judge them against the criteria set out in the 2007 Act (namely that governance arrangements within the area reflect the identities and interests of the community in that area and that they are effective and convenient).

A specific consultation strategy for the CGR is set out in Appendix 3.

CGRs should be conducted transparently so that local people and other stakeholders are made aware of the proposals, recommendations and decisions taken, as well as the outcome. The Council will ensure that all information relevant to the CGR is accessible, clear and published in a timely manner. In considering the most appropriate forms of consultation, it will be important to evaluate the scope and impact of changes and ensure the widest opportunity is given to make representations.

Westham - Subject to the Stage 1 consultation, a consultative ballot may be considered appropriate. Other methods include public notices, local newsletters, public meetings (if deemed necessary) and via the Councils' websites.

Willingdon and Jevington - The specific boundary changes and governance issues raised by Willingdon and Jevington Parish Council can best be addressed by direct consultation with the electorate and interested parties directly affected by the proposals. This will include Polegate Town Council (Polegate South ward) and relevant electors and interested parties in that area. In addition, consultation with Eastbourne Borough Council will be necessary to determine whether it would support proposed boundary changes at this time. Agreement from Wealden Council is also required. If approval is given by both Principal Councils, the matter will be referred to the Local Government Boundary Commission for England.

Framfield - The specific request from Framfield Parish Council can be addressed through local publicity including public notices, local parish newsletters, public meetings (if deemed necessary) and via the Councils' websites.

Ninfield – The specific request from Ninfield will require agreement from both Wealden and Rother Principal Councils before it can proceed. If approval is given the matter will be referred to the Local Government Boundary Commission for England.

CONSEQUENTIAL MATTERS

If the outcome of the CGR affects District Ward and County Division boundaries, the District Council will consider and consult upon the consequential boundary changes and make recommendations to the Local Government Boundary Commission for England (LGBCE) to make alterations to those boundaries to reflect any changes made at parish level.

The electoral arrangements affecting Wealden parish boundaries were amended by The Wealden (Electoral Changes) Order 2016 (dated 15th December 2016), and as a full five years has passed since that Order was made, the consent of the Local Government Boundary Commission for England will not be required before any local Community Governance Reorganisation Order can be made.

ELECTORAL FORECASTS

In considering the electoral arrangements of the parishes stated within these Terms of Reference the District Council is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the CGR starts.

The Council has used the Register of Electors as at May 2022 to provide existing local government electorate figures. Electorate forecasts have been prepared using extant planning permissions, housing allocation figures from the draft Wealden Local Plan/Local Development Framework and housing numbers from East Sussex County Council's data portal (East Sussex in Figures). Details are in Annex 1.

HOW TO GET INVOLVED OR CONTACT US

There are many ways to get involved in the Review.

For updates and information: Visit the CGR page on the website – <https://www.wealden.gov.uk/voting-and-elections/boundary-and-electoral-reviews/community-governance-review-parish-boundaries-and-electoral-arrangements/>

Alternatively, please contact us directly:

Write to: CGR Project Manager, Wealden District Council, Vicarage Lane, Hailsham, BN27 2AX

Email: CGR@wealden.gov.uk (Please state CGR in the subject heading)

Website: You can submit comments via our website [CGR Consultation](#)

In person: Come along to a local public meeting or CGR surgery (further details to be published on our website).

If you need any further information about the Review, please contact The CGR Project Manager on 01892 602423.

ACCESSIBILITY

If you require any information associated with the CGR to be made available in a more accessible format, such as large print, easy read, audio recording or braille please fill in [our contact us form](#).

We are always looking to improve the accessibility of our information, especially information published on our website. If you have any problems or think we are not meeting accessibility requirements, please let us know.

PUBLICATION OF TERMS OF REFERENCE

These Terms of Reference will be published on the Council's website and will be effective from 27th July 2022.

COMMUNITY GOVERNANCE REVIEW PETITION
Section 80, Local Government and Public Involvement in Health Act 2007

WESTHAM PARISH - PETITION EXTRACT

The petition has previously been checked and validated (as reported on 20th January 2020 (Min Ref: 20/8). An extract from the petition submission is shown below along with the accompanying map.

STONE CROSS AND HANKHAM PARISH COUNCIL

WDC ERO / RO
 17 OCT 2019

Community governance petition to Wealden District Council ("WDC") under s.80 of the Local Government and Public involvement in Health Act 2007 ("the Act").

RECEIVED

We the undersigned, being local government electors for Stone Cross and Hankham as recorded in the Register of Electors as at March 2019 hereby request Wealden District Council to undertake a community governance review covering the area currently contained within the parish boundary of Westham as shown on the attached map with a view to separating the local government functions of the three villages as two entities. It is envisaged that this would be achieved by the establishment of a separate parish council for the villages of Stone Cross and Hankham, the constitution of which is to be agreed between Wealden District Council and the two villages.

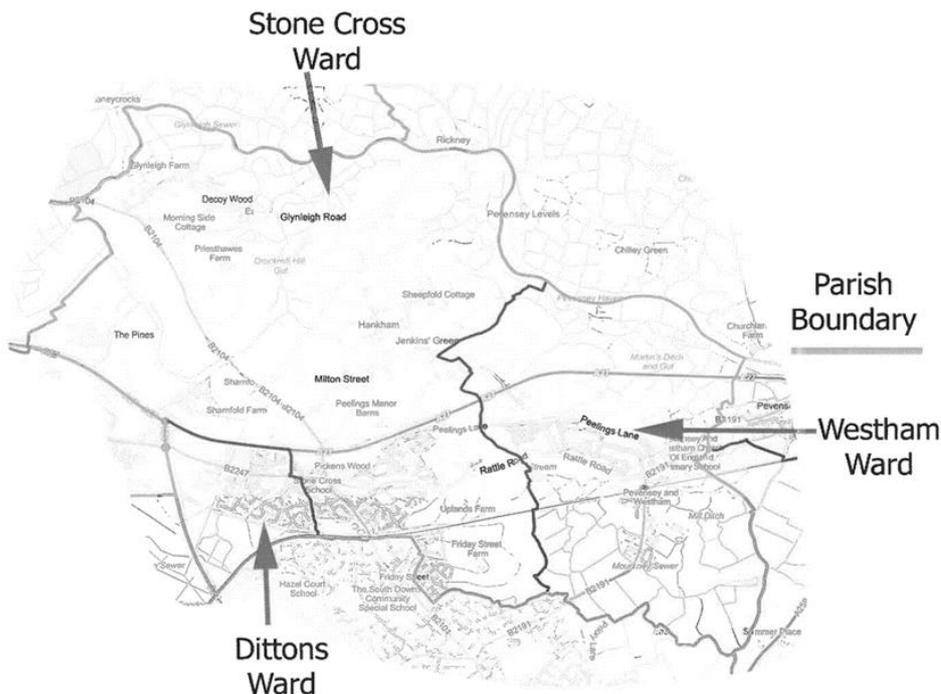
17 OCT 2019

WDC ERO /

*Checked - 22/10/19
 483 valid signatures*

We consider that the proposal is in the best interests of our community. [Redacted] Date: 2019

NAME IN CAPITALS AND POSTCODE	SIGNATURE	Elector Number**
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COMMUNITY GOVERNANCE REVIEW REQUEST

Section 80, Local Government and Public Involvement in Health Act 2007

The following is the submission from Willingdon and Jevington Parish Council concerning various areas for a Governance Review:

COMMUNITY GOVERNANCE REVIEW REQUEST

Section 80, Local Government and Public Involvement in Health Act 2007

Framfield Parish

FRAMFIELD PARISH COUNCIL

Minutes of the Meeting of Framfield Parish Council (PC) held at the Village Hall, Blackboys, on
Tuesday, 31 May 2022 at 5.30 pm.

Present (Councillors):

P Keith Brandon (Chairman) Maria Naylor

Resent

_____ Peter Friend

_____ Councillor Ann Newton (WDC)
Councillor Chris Dowling (ESCC)

In attendance Ann Newton - Clerk Members of the Public – none.

(The minutes are detailed in the order in which they appeared on the agenda but not necessarily the order in which they were taken at the meeting).

8. Verbal Reports/updates from Council Members and the Clerk (if required).

- Clerk – report on any other items not recorded elsewhere in the agenda.
 - WDC: Resolution to ask Wealden District Council to consider reducing the number of Parish Councillors on Framfield Parish Council to 9. This was agreed (KB/MN). Clerk to send minute onto WDC.

COMMUNITY GOVERNANCE REVIEW REQUEST

Section 80, Local Government and Public Involvement in Health Act 2007

Ninfield Parish

The residents of Ninfield were asked to respond to the Parish Council. Wealden officers have received the supporting votes from 430 electors in the Ninfield parish along with 27 votes not in support.

The Council has also received the following letter from Ninfield Parish Council in further support of their proposals:

By email c/o Trevor Scott

29th June 2022

Dear Members of Audit Finance and Governance Committee;

In August 2020 Ninfield Parish Council contacted Trevor Scott to request that the District Council support it in requesting a Principal Area Boundary Review be undertaken by the Local Government Boundary Commission for England, seeking their recommendation to the Secretary of State that Ninfield Parish Council area be moved to the governance of Rother District Council.

In making any recommendation for a boundary change, Ninfield Parish Council is aware that boundary reviews are governed by section 8 of the Local Government and Public Involvement in Health Act 2007 (as amended by the Local Democracy, Economic Development and Construction Act 2009) and it must have regard to:

- (a) the need to secure effective and convenient local government; and
- (b) the need to reflect the identities and interests of local communities

Ninfield Parish Council believe that governance in Rother District will meet these requirements more effectively for its residents, some of the reasons for this view are detailed below.

Ninfield is part of the Bexhill and Battle Parliamentary Constituency, the majority of which is in Rother;

Ninfield's postal address for the majority of the village is Battle, and where this is different, such as Potmans Lane, it is Bexhill;

Ninfield's health services are provided by the Hastings and Rother Commissioning Group;

Ninfield village doctors surgery is a branch of The Collington Surgery, which has merged with the Pebsham and Sea Road Surgeries in Bexhill ;

Although Ninfield is served by Ninfield CEP Primary School, if new residents are unable to get place for their children, as has happened recently, the children are placed at school in Rother (Battle or Little Common);

The catchment secondary school is Claverham Community College in Rother;

Claverham Community College does not have a 6th form college, so Ninfield's catchment area 6th form is Bexhill College.

Ninfield is policed by Rother Police – one of the impacts of this is that decriminalised parking issues should be dealt with by East Sussex County Council rather than the police, but because Wealden have not followed the other districts in Ninfield this doesn't apply but Rother police do not deal with parking enforcement.

In addition to the above, as Rother based services are being delivered to Ninfield we believe if we were administratively attached to Rother District Council it would make lines of communication to these service providers possible.

Geographically Ninfield has more relevant connections with the Rother settlements of Bexhill and Battle for daily life, as they are closer than the nearest Wealden settlement and have better public transport links. Ninfield is approximately 10/15 mins from Battle or Bexhill by car or bus, whereas Hailsham is more than 20 minutes from Ninfield by car and more than 40 minutes by bus.

Furthermore, Ninfield is geographically surrounded on the North, South and East sides by settlements in Rother. Ninfield is flanked on the western boundary by Hooe and Wartling, both of which sit comfortably in the Wealden boundary and would remain unchanged by a change to Ninfield.

If Ninfield is removed from the Herstmonceux and Pevensey Levels Ward it would still not be the smallest ward in terms of electors per district councillor which should therefore allow Wealden District Council to avoid having to make any changes to the district wards in Wealden in the short term.

In December 2020 we conducted a survey of our residents, this involved delivering the survey to every elector in the village of Ninfield, the results and evidence of which were sent to Trevor Scott showing an overwhelming majority of residents supporting the move. There were in fact, only 6 residents who did not agree with the move.

We were strongly encouraged to request a second meeting by the Boundary Commission following our request to them, in addition our solicitor received a phone call from them commending the information we had supplied and acknowledging the position we are in.

Bringing us right up to date, the situations created by the pandemic and by the storm in February 2022 highlighted just how remote from Wealden we are. During the after effects of the storm all our help and support came from Rother District Council (information), Battle and Sedlescombe (bottled water supplies) and during conversations with the relevant utilities they confirmed that the help we received was determined by our Rother postal addresses. During the two years affected by the pandemic again we were directed to Rother for covid testing, vaccinations and other help. In addition, not being in Rother put residents in a difficult position for their food shopping when the tier system was introduced as most residents go to Rother or Hastings based supermarkets due to the nearest Wealden based supermarket being a 15-mile round trip.

Many councils in the UK, including Ninfield Parish Council, have declared a climate emergency and everyone is well aware of the current emerging cost of living crisis, both of these events highlight how important it is that local governance must reflect the identities and interests of local communities and the need to secure effective and convenient local government. In light of the above we feel very strongly that residents would be better served by Rother District Council, and critically the residents agree. We ask that you support our request for Principal Area Boundary Review be undertaken by the Local Government Boundary Commission for England.

Kind Regards

Jackie Scarff
Clerk & RFO
For and on behalf of Ninfield Parish Council

COMMUNITY GOVERNANCE REVIEW – CONSULTATION STRATEGY
Section 80, Local Government and Public Involvement in Health Act 2007

Introduction

Community Governance Reviews should be conducted transparently so that local people and other stakeholders who may have an interest are made aware of the Review, the outcomes and decisions taken as a result and the reasons behind these decisions.

In coming to its Recommendations in a Community Governance Review (CGR), the Council will need to take account of the views of local people. The Council is required to consult the local government electors for the areas under review and any other person or organisation that may have an interest. The representations that are received must be taken into account and considered against the following:

Community governance within the area under review,

- a) reflects the identities and interest of the community in that area, and*
- b) is effective and convenient.*

Wealden District Council's Communication and Engagement Strategy states:

"Good communication and engagement are important to maintain trust and confidence from the communities we work in, to ensure that we can successfully carry out our duties and to keep them informed, updated, and engaged. We must communicate and engage in a meaningful and authentic way with our audiences. This includes our residents, staff, elected Members, local businesses, stakeholder organisations, and central government."

This consultation will take into consideration of a range of principles and requirements embodied in many aspects of public life. It will aim to be:

- Accessible and approachable
- Clear, concise, and consistent
- Relevant and timed appropriately
- Proportionate and targeted
- Open and honest
- Genuine and authentic

Westham Parish

Electors – It may be appropriate to conduct a consultative ballot, subject to the outcome of initial consultations. Other methods to include public notices, local public meetings, websites.

Willingdon and Jevington Parish

Electors - CGR primary consultation via direct communication via letter and survey response form. Other methods to include public notices, council website and public meetings (if required).

Framfield Parish

Electors – CGR primary consultation via public notices and local village newsletter. Other methods to include public meetings (if required).

Ninfield Parish

Electors – CGR initial consultation via public notices and local press adverts.

Other interested parties and organisations

There is a need to ensure all agencies and organisations across the public, private and community sectors are given an opportunity to contribute to the CGR.

It is the intention to notify East Sussex County Council, other local councils, schools, GP surgeries, local businesses and Chambers of Commerce, residential care homes, local voluntary and community groups, and residents' associations.

Use will be made of online platforms including the Council's website and also through the town and parish councils most affected, neighbouring Principal Councils and elected councillors for the areas under review.

We are also interested to hear from community groups within the areas affected and will make every effort to identify and consult with such groups as part of the CGR process. This will include organisations such as the Wealden Disability Involvement Group, Wealden Citizens' Partnership and Wealden Dementia Action Alliance.

Please let us know if you have any suggestions for consultees or pass on the CGR contact details set out above.

Privacy and Data Protection

Wealden District Council (collectively referred to as “the Council”, “we”, “us” or “our”) is a data controller for the purposes of the Data Protection Act 2018 and the General Data Protection Regulation 2016. Wealden District Council collects, holds and uses a considerable amount of information, including personal data, so that it can provide its services to you. We are fully committed to protecting your personal data. For further information please visit our website which contains details of our privacy policy explaining how we use and protect your personal data and how the law protects you.

ANNEX 1

ELECTORAL FORECASTS

The following table show current electoral register data for each of the parishes affected by the CGR along with electorate forecasts likely to occur in the next 5 years.

1. Register of Electors as at May 2022 and forecast to May 2026*

Polling District	Parish	Parish Ward	Electors	Electorate Forecast to May 2026
WUSB - Blackboys	Framfield	<None>	648	
WUSC - Framfield	Framfield	<None>	1010	
Framfield Parish				1832
BWEJ - Ninfield	Ninfield	<None>	1260	
Ninfield Parish				1,522
BPWA - Polegate Dittons	Polegate	Polegate (Polegate Central)	43	
LPWC - Polegate Central	Polegate	Polegate (Polegate Central)	2149	
LPWD - Polegate North	Polegate	Polegate (Polegate North)	3175	
LPWE - Polegate South	Polegate	Polegate (Polegate South)	2028	
Polegate Town				7,757
BPSC - Rattle Road	Westham	Westham (Stone Cross)	246	
BPSD - Stone Cross	Westham	Westham (Stone Cross)	2731	
BPSF - Westham	Westham	Westham (Westham)	1678	
BPWB - Polegate Stone Cross	Westham	Westham (Dittons)	1405	
Westham Parish				7,154
EPWF - Watermill	Willingdon and Jevington	Willingdon & Jevington (Watermill)	733	
EWSI - Jevington	Willingdon and Jevington	Willingdon & Jevington (Lower Willingdon)	140	
EWSJ - Lower Willingdon	Willingdon and Jevington	Willingdon & Jevington (Lower Willingdon)	1633	
EWSK - Wannock	Willingdon and Jevington	Willingdon & Jevington (Lower Willingdon)	931	
EWSL - Hamlands	Willingdon and Jevington	Willingdon & Jevington (Upper Willingdon)	1495	
EWSM - Upper Willingdon	Willingdon and Jevington	Willingdon & Jevington (Upper Willingdon)	1469	
Willingdon & Jevington Parish				7,100

* The electoral register data has been based on the housing projections set out below.

1. Housing Forecasts

The following table has been prepared using housing completions data compiled by Wealden District Council, as well as housing commitments data (extant planning permissions data) that is used in the Council's latest Five-Year Housing Land Supply Statement.

Parish	Housing completions (between March 2016 and March 2021) No of dwellings	Commitments as at 1st April 2021 and projected to come forward before 31st March 2026 No of dwellings
Westham Parish*	545	608
Willingdon and Jevington Parish**	62	333
Ninfield Parish	11	146
Framfield Parish	27	97
Polegate Parish	198	201

* The data forecasts at ward level indicate the majority of commitments projected to come forward are likely to have the greatest impact on the Stone Cross ward. The same is true for completions in the 2016 to 2021 period.

** The data forecasts at ward level indicate the majority of commitments projected to come forward are likely to have the greatest impact on the Upper Willingdon ward. The same is true for completions in 2016 to 2021 period.

**APPENDIX B – EXTRACT FROM THE
DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT AND THE
ELECTORAL COMMISSION JOINT GUIDANCE**

Section 2: Why undertake a community governance review?

12. Community governance reviews provide the opportunity for principal councils to review and make changes to community governance within their areas. It can be helpful to undertake community governance reviews in circumstances such as where there have been changes in population, or in reaction to specific or local new issues. The Government has made clear in the 2006 white paper and in the 2007 Act its commitment to parish councils. It recognises the role such councils can play in terms of community empowerment at the local level. The 2007 Act provisions are intended to improve the development and coordination of support for citizens and community groups so that they can make the best use of empowerment opportunities.

13. The 2007 Act is intended to streamline the process of taking decisions about giving effect to recommendations made in a community governance review, such as recommendations for the creation of new parishes and the establishment of parish councils, and about other matters such as making changes to parish boundaries and electoral arrangements. By devolving the powers to take these decisions from central government to local government, the 2007 Act is intended to simplify the decision-making process and make it more local.

14. Parish and town councils are the most local tier of government in England. There are currently about 10,000 parishes in England – around 8,900 of which have councils served by approximately 70,000 councillors. There is a large variation in size of parishes in England from those with a handful of electors to those with over 40,000 electors.

15. In many cases making changes to the boundaries of existing parishes, rather than creating an entirely new parish, will be sufficient to ensure that community governance arrangements to continue to reflect local identities and facilitate effective and convenient local government. For example, over time communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across the boundaries resulting in people being in different parishes from their neighbours. In such circumstances, the council should consider undertaking a community governance review, the terms of reference of which should include consideration of the boundaries of existing parishes.

16. A community governance review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove the many anomalous parish boundaries that exist in England. Reviews also offer the chance to principal councils to consider the future of what may have become redundant or moribund parishes, often the result of an insufficient number of local electors within the area who are willing to serve on a parish council. Some of these issues are considered elsewhere in this guidance (see Chapter 3 about parish councils and parish meetings and Chapter 4 regarding grouping parishes and dissolving parish councils and abolishing parishes).

17. Since new boundaries may be used to provide the building blocks for district and London borough ward and/or county division boundaries in future electoral reviews of district, London borough, unitary and county councils, it is important that principal councils seek to address parish boundary anomalies when they arise. Principal councils should therefore consider carefully changes to parish boundaries as these can have consequential effects on the boundaries for other tiers of local government.

18. Community governance reviews may also be triggered by local people presenting public petitions to the principal council. This is explained in more detail in paragraphs 39 to 43 on public petitions to trigger community governance reviews.

Terms of reference for community governance reviews

19. The 2007 Act allows principal councils to determine the terms of reference under which a community governance review is to be undertaken. It requires the terms of reference to specify the area under review and the principal council to publish the terms of reference. If any modifications are made to the terms of reference, these must also be published.

20. Terms of reference will need to be drawn up or modified where a valid community governance petition has been received by the principal council. Local people will be able to influence the terms of reference when petitioning (see paragraphs 24 and 39 to 43 for more information).

21. As the 2007 Act devolves power from central to local government and to local communities, it is inappropriate to prescribe a “one size fits all” approach to terms of reference for community governance reviews applied by principal councils. However, the Government expects terms of reference to set out clearly the matters on which a community governance review is to focus. The local knowledge and experience of communities in their area which principal councils possess will help to frame suitable terms of reference. The terms should be appropriate to local people and their circumstances and reflect the specific needs of their communities.

22. In areas for which there is both a district council and a county council, district councils are required under section 79 of the 2007 Act to notify the county council of their intention to undertake a review and of their terms of reference. County councils play a strategic role in the provision of local services, and they can offer an additional dimension to any proposal to conduct a review, particularly as the terms of reference are being formulated. The bodies which the principal council must consult under section 93 of the 2007 Act include other local authorities which have an interest in the review. Such local authorities would include any county council for the area concerned. In such circumstances the district council should seek the views of the county council at an early stage.

23. Local people may have already expressed views about what form of community governance they would like for their area, 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.