

Review of Community Governance in Bexhill-on-Sea carried out by Rother District Council

Final Approved Recommendations: That

- 1) a Parish Council be created for the whole of Bexhill-on-Sea, to be styled a Town* Council based on the existing Bexhill Ward External Boundary;**
- 2) the Town Council to contain nine Wards, based on the 2019 District Ward Boundaries and that two Town Councillors be elected to each Ward, making a total of 18 Bexhill Town Councillors;**
- 3) the first elections be held in May 2021;**
- 4) the dissolution of the Bexhill Charter Trustees following the formation of the Bexhill-on-Sea Town Council be noted; and**
- 5) the consultation results be taken into account when the transfer of services / powers to Bexhill-on-Sea Town Council are discussed.**

*The style to be confirmed by the new Parish Council at its first meeting.

Background

In 2015, the Council received a petition to undertake a Community Governance Review (CGR) of Bexhill-on-Sea; the petition was valid in that it contained the prerequisite number of signatures (10% or more local electors) to trigger a CGR (3,816). In addition to the valid petition, the administration at that time had made a manifesto pledge to conduct a CGR within Bexhill-on-Sea to consider all possible governance options, including parishing.

The Review subsequently took place during 2017, and despite a significant number of responses to the consultation in favour of the establishment of a Town Council for Bexhill-on-Sea, the Council concluded that there be no change to the existing governance arrangements for Bexhill-on-Sea at that time. At the close of the 2017 consultation 9,227 valid responses (residents and non-residents) had been received, with the following result: 4% (Option 1) no change; 94% (Option 2) town council; <1% (Option 3) Area Committee and 2% (Option 4) 4 Parish Councils.

Following the local elections in 2019 and a change in political control, at the first Annual Council Meeting on 22 May 2019 the Council passed a motion (Minute C19/21) which

stated:

“In the light of the outcome of the Local Election results and the overwhelming support for candidates that support a Town Council for Bexhill-on-Sea this Council requests officers to report as to the required procedure with a view to the establishment of a Town Council for Bexhill by 2021.”

At its meeting on 16 September 2019 full Council agreed the process for the second CGR of Bexhill-on-Sea, agreed the Terms of Reference and appointed a Steering Group to lead on the process.

Bexhill-on-Sea – brief municipal history

Although there were established settlements at Bexhill Old Town, Sidley and Little Common, Bexhill evolved in the late 19th century around the railway station. It was established as a Municipal Borough with a Royal Charter granted in 1902 with its principal office at the Bexhill Town Hall, opened by the Bexhill Borough Council in 1895. This building is now the principal office of Rother District Council.

Rother District Council came into being on 1 April 1974, consequent upon a general re-organisation of Local Government in England and Wales (excluding London) under the Local Government Act 1972. It was formed by combining the former authorities of Battle Rural District Council, Bexhill Borough Council and Rye Borough Council. Land and other property belonging to these former authorities (such as houses, open spaces, car parks and municipal offices, including the Bexhill Town Hall) was transferred to Rother District Council by the Local Authorities (England) (Property etc.) Order 1973 (S.I. 1973 No. 1861).

The ceremonial aspects of the Borough of Bexhill, including election of its Mayor, were vested in the Bexhill Charter Trustees comprising those members of Rother District Council elected by the Bexhill wards under section 246 Local Government Act 1972.

The Review

The Council has carried out this review in accordance with the Local Government Public Involvement in Health Act 2007 ('the Act') and guidance issued by the Department for Communities and Local Government.

At the full Council meeting held on 16 September 2019, Council agreed the Terms of Reference (ToR) for the CGR, established a Community Governance Review Steering Group and agreed the ToR for the Steering Group. The Steering Group comprised 9 Members – 4 Association of Independents, 3 Conservative, 1 Liberal Democrat and 1 Labour Councillor. Councillor Bayliss (the 1 Labour Member) was elected Chairman. Once the review was underway, all meetings of the Steering Group were held in the public domain.

The ToR specifically states that Community Governance Review Steering Group shall make recommendations as to:

- whether or not to establish a new parish of Bexhill-on-Sea, the name of any new parish and the styling (i.e. parish, town, community, neighbourhood or village) of any new parish;

- whether or not any new parish should have a parish / town council (subject to the particular restrictions on recommendations in this area set out in Section 94 of the 2007 Act) and the electoral arrangements of any new parish council – including the ordinary year of election, warding and number of councillors.

Consultation

The CGR consultation was launched on Friday 21 February and ran for 6 weeks, closing on Friday 3 April 2020. Despite weeks 5 and 6 of the consultation falling within the Government's COVID-19 lockdown period, responses were still made during this time, both on-line and by the return of response slips.

The consultation was primarily conducted by way of an on-line questionnaire and publicised via the delivery of a leaflet to all residential households in Bexhill-on-Sea.

In accordance with the Communications Plan, the following activities were undertaken to promote the consultation:

- all Bexhill Members were initially supplied with 50 A5 flyers promoting the consultation for distribution as they saw fit within their Wards;
- dedicated section on the website – on-line response portal;
- regular press releases / local newspaper features / social media tweets / MyAlerts messages;
- direct contact / mail shots / email; citizens' panel;
- pop-up banners in CHP reception / Bexhill Library and various locations across Bexhill co-ordinated by the Bexhill Members;
- information packs / materials / spare leaflets at the Community Help Point at the Town Hall;
- attendance and participation at the Bexhill Town Forum meetings held on Friday 21 February and 6 March.

The key points from the 2020 consultation are as follows:

- 2,193 responses were received from the public – 1,564 on-line and 629 response slips;
- in total the Council received 2,208 responses – (4.6% of the population);
- 78% of all responders support the creation of a town council (22% do not);
- the younger the age group the less likely to support a town council;
- the older the age group the more likely to support a town council;
- there is support for the services already funded by Bexhill special expenses to be devolved to a town council;
- the majority of responders in each RDC Ward are in favour of a town council.

The Law - Duties and Guidance

Under section 93 of the Local Government and Public Involvement in Health Act 2007, the Council must comply with the following duties when undertaking a community governance review:

- (1) The principal council must comply with the duties in this section when undertaking a community governance review.
- (2) But, subject to those duties, it is for the principal council to decide how to Undertake the review.
- (3)

The principal council must consult the following—

- (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.
- (4) The principal council must have regard to the need to secure that community governance within the area under review—
- (a) reflects the identities and interests of the community in that area, and
 - (b) is effective and convenient.
- (5) In deciding what recommendations to make, the principal council must take into account any other arrangements (apart from those relating to parishes and their institutions)—
- (a) that have already been made, or
 - (b) that could be made, for the purposes of community representation or community engagement in respect of the area under review.
- (6) The principal council must take into account any representations received in connection with the review.
- (7) As soon as practicable after making any recommendations, the principal council must—
- (a) publish the recommendations; and
 - (b) take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of those recommendations.
- (8) The principal council must conclude the review within the period of 12 months starting with the day on which the council begins the review.

Under Section 100 of the Act, the Council must have regard to guidance issued by the Secretary of State (guidance on Community Governance Reviews published in March 2010 by the Department for Communities and Local Government (DCLG) and the Local Government Boundary Commission for England (LGBCE)).

Consideration of the outcome of the consultation and identification of the final recommendations

All meetings held to consider the outcome of the consultation and agree the final recommendations have been held remotely, via MS Teams, with public access via a live YouTube broadcast; recordings of all the meetings are available for retrospective viewing on the Council's website.

The Community Governance Review Steering Group considered the outcome of the consultation on 29 May 2020 and in light of the public support for the creation of a Town Council, demonstrated through both the 2017 and 2020 consultations and in line with the Council's stated objective of delivering a Town Council for Bexhill-on-Sea, recommended to the Council's Overview and Scrutiny Committee, Cabinet and full Council that a Town Council for Bexhill-on-Sea be established.

The Overview and Scrutiny concurred with the recommendation at its meeting held on 27 July; Cabinet concurred with the recommendation at its meeting on 7 September

and subsequently full Council agreed the establishment of a Town Council for Bexhill-on-Sea on 21 September 2020.

Final Recommendations

The final recommendations were agreed by full Council on Monday 21 September. A recorded vote was taken, as follows:

FOR the Motion (27): J. Barnes, Bayliss, Brewerton, Browne, Byrne, Clark, Coleman, Mrs V. Cook, Courtel, Curtis, Dixon, Drayson, Mrs Earl-Williams, Errington, Field, Gray, Langlands, Madeley, Mier, Rev. Norton, Oliver, Osborne, Prochak, Stevens, Thomas, Timpe and Vine-Hall.

AGAINST the Motion (6): Mrs M.L. Barnes, Carroll, Johnson, Mrs Kirby-Green, Maynard and Mooney.

ABSTENTIONS (1): Bird.

(Four Members were not present for the vote, namely Councillors Ganly, Harmer, Hart and Jeeawon).

The reasons for the decision

The decision to create a Parish (Town) Council for Bexhill-on-Sea has been made in light of the public support for the creation of a Town Council, demonstrated through both the 2017 and 2020 consultation and in line with the Council's stated objective of delivering a Town Council for Bexhill-on-Sea.

The establishment of a Parish (Town) Council for Bexhill-on-Sea will reflect the identities and interests of the community, by bringing local decision making closer to the residents.

Enquiries for further information on the final recommendations please contact:

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