

Community Governance Review Steering GroupDate and Time - **Monday 27 January 2020 - 2.00pm**Venue - **Council Chamber, Town Hall, Bexhill-on-Sea**

Councillors appointed to the Steering Group:

Councillor J. Barnes, Mrs C.A. Bayliss (Chairman), T.J.C. Byrne, J.J. Carroll, P.J. Gray, L.M. Langlands, P.N. Osborne, R.B. Thomas and H.L. Timpe

AGENDA**1. APOLOGIES FOR ABSENCE****2. DISCLOSURE OF INTERESTS**

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

3. MINUTES OF THE LAST MEETING - 19 DECEMBER 2019 - MATTERS ARISING**4. CONSULTATION MATERIALS AND TIMETABLE (Pages 1 - 18)****5. BEXHILL TOWN FORUM 2020 - FIRST FORUMS "A TOWN COUNCIL FOR BEXHILL"**

- 21 February and 6 March 2020 – to agree attendance thereat

6. ANY OTHER BUSINESS**7. DATE OF NEXT MEETING**

- mid March / early April - TBC

Dr Anthony Leonard
Executive Director

Agenda Despatch Date: 23 January 2020

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**Rother District Council's aspiring to deliver
an Efficient, Flexible and Effective Council; Sustainable Economic Prosperity;
Stronger, Safer Communities; and a Quality Physical Environment.**

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Rother District Council

Report to	-	Community Governance Review Steering Group
Date	-	27 January 2020
Report of the	-	Executive Director
Subject	-	Consultation Materials and Timetable

Introduction

1. At the last meeting, the Community Governance Review Steering Group (CGRSG) requested that further work be undertaken by Officers on the proposed draft consultation materials. It was acknowledged at that time that this would impact the consultation timetable, whilst hoping still to achieve the overall timetable previously agreed.
2. This report brings forward the revised consultation material for final approval and seeks confirmation of the consultation approach to be taken by Rother District Council (RDC) and the timetable.

Consultation Materials

3. Since the last meeting Councillors Mrs Bayliss, Timpe and Thomas have redrafted the consultation materials in conjunction with officers. The proposed redrafted leaflet, FAQs and marketing materials are reproduced at Appendices A, B and C.

Leaflet (Appendix A)

4. Confirmation of costs to leaflet drop to all residential properties in Bexhill is still awaited from the Post Office. Members may also wish to consider whether a response postcard is included within the leaflet – however, this will increase costs and could potentially lead to duplicate returns – on line and by postcard – this would result in increased officer time in checking and removal.
5. Members are reminded that it was recommended by officers that this consultation could be low-key based on the considerable response received to the consultation held in 2017 which can be taken into account for this review. The production of additional hard copy material, such as a postcard, would be in conflict with the Council's desire to become carbon neutral and a paperless organisation whilst recognising the accessibility needs of residents.
6. Alternatively, given that the text of the leaflet has been dramatically reduced it might be possible to include a tear-off slip within the leaflet. Whilst this would still result in additional officer resources in terms of administration, it would negate the additional expense of postcards.
7. Indicative costs of including a postcard to all 20,500 households are detailed in the table below. Members are asked to note that the costs provided are commercial rates applied by our printing service – the actual cost to the authority would be less.

	Leaflet	Postcards	Leaflet + Postcard
Cost	£2,195	£1,673 (£798 + £875 admin*)	£3,868
Post Office Delivery Charge**	£1,397		£1,397
TOTALS	£3,592		£5,265

*manual insertion of postcards

** to be confirmed

Frequently Asked Questions (Appendix B)

- The FAQs are attached at Appendix B. Members will need to consider these and agree the answers and add any additional questions / answers, as appropriate. These will be on the website as a source of information about the review.

On-line questionnaire

- The on-line questionnaire was re-designed following the last meeting. Members are requested to approve the final version of the questionnaire which forms the basis of the consultation on-line. The final proposed version can be found at the following link:

<https://surveymechanics.com/s/BCGR2020>

- The on-line questionnaire will be produced in hard copy format for those responders who are unable to complete on-line.

Video

- Members were pleased with the video that had been put together by the Consultation Officer and the voice-over has now been completed. The video will be shown at the meeting.

Marketing Material

- The branding used for the previous review has been used in order to provide some continuity (Appendix C). This branding can be used throughout the review and created into A4 posters and A5 flyers, as well as pop-up banners etc. as requested by Members. Previously both A4 posters and A5 flyers were created as well as 2 pop-up banners.

Timetable

- As Members are aware, following the last meeting and the delay to the start of the consultation period the timetable may have to be adjusted, depending on how Members wish to proceed with the consultation.
- If the consultation materials are all agreed at this meeting and (subject to any further minor amendments) can be with the printers by the end of this week this will enable the consultation period to begin on Monday 3 February and

run for six weeks until Friday 13 March 2020. This would enable the original timetable to be adhered to.

15. However, confirmation from the PO with regard to the delivery of 20,500 leaflets and how long this will take is still awaited. It is likely that there will have to be a phased despatch and this could mean that some households will not receive the leaflet until weeks two and three of the six week consultation period. If Members are not happy with this then the only alternative is to commence the consultation period later, once all the leaflets have been delivered.
16. If the consultation was to launch on Monday 24 February and run for 6 weeks until Friday 3 April 2020 the original timetable would not be achievable.
17. Attached at Appendix D are two indicative timetables for Members' views.
18. Members also need to be mindful of the other public consultations that will be going on at the same time. The risks are:
 - a) too much demand on resources in planning and preparation, during consultations and the analysis of results and reporting that must take place afterwards;
 - b) consultation fatigue by consultees, both public and local organisations; and
 - c) confusion or 'bleed' between subjects and issues, where people raise issues being addressed in another consultation or pushing subjects together without giving separate consideration.
19. The other planned consultations periods are as follows:

Now to 31 January – RDC Budget for 2020/21
20 January to 28 February - Battle Neighbourhood Plan
14 February to 1 May – Empty Homes Action Plan
17 February to 10 April - Environment Strategy, part of delivering the carbon neutral pledge - this will be a major public consultation.
20 April – launch of the RDC Corporate Plan 2021 consultation, which will be 12 weeks long and another major consultation.

Next Steps following the consultation

20. Following the publication of all responses, officers will prepare a report on the outcome of the consultation; the CGRSG will be required to consider the outcome of the consultation and to make recommendations to the Overview and Scrutiny Committee. The exact timetable to be agreed by Members.

Conclusions

21. Members are asked to consider and agree:
 - the timetable for the consultation;
 - the proposed leaflet, including whether or not a postcard is included or tear-off slip in leaflet;
 - the FAQs to be published on the website;
 - the on-line questionnaire;

- the video; and
- the marketing material to be produced.

Malcolm Johnston
Executive Director

If you are unable to respond online you can write to us at Rother District Council, Town Hall, Bexhill, TN39 3JX.

For a copy of this leaflet in large print, Braille, audiotape or CD or in another language, please contact democraticservices@rother.gov.uk

What happens next?

Rother District Council will take your views into account and determine the outcome of this review. The consultation responses will be published in full on our website when they are considered by the Community Governance Review Steering Group in the spring.

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A photograph of a white classical building with a large dome and several columns. A white globe on a decorative stand is in the foreground. The sky is clear blue.

A town council for Bexhill?

Have your say at: rother.gov.uk/CommunityGovernanceReview

The consultation will run from
3 February to 13 March 2020

The logo for Rother District Council, featuring a stylized green tree with a red castle tower to its left, all above three red wavy lines representing water. The text "Rother District Council" is written below the graphic.

A town council for Bexhill?

We are carrying out another review into the system of local government for Bexhill, so we are seeking your views again.

We are asking you whether you want us to create a town council for Bexhill, what services it should provide.

Please take the time to tell us what you think. Your opinion on this important subject really matters.

What would change if we had a town council for Bexhill?

- A town council can listen to your say on Bexhill matters. It can provide local people with a strong voice. It can make decisions, guided by you, about local services. It can champion residents and local businesses. It can represent Bexhill's interests to other organisations.
- You may have heard of Neighbourhood Plans. A town council could produce its own. The plan would set out how Bexhill wants to evolve over time – for example, it could identify the location of new non-strategic housing sites, in line with targets for Bexhill. The process would start with getting your ideas about Bexhill's future. The plan would be drawn up after input from Rother and other organisations. After asking you whether you are happy with it, the plan would be put to an Inspector. When approved, Neighbourhood Plans are usually respected. After approval of the plan, developers will have to provide to Bexhill Town Council a greater proportion of the money they have to contribute towards local infrastructure. This can be spent on infrastructure such as community facilities and could amount to millions of pounds.
- A town council can encourage pride in Bexhill and build on the town's strong community spirit. By working with local firms, volunteers and community groups, it could deliver innovative services while providing good value for money.

- A town council would bring Bexhill into line with the rest of Rother. There would be the county council, a district council and a town council.
- If everyone agrees, the other two councils could hand over some services to the town council, such as, parks, play areas, toilets, allotments, the museum. On top of that, the town council could take on other functions, also by agreement.
- 18 Councillors would be elected to a Bexhill Town Council. The cost of setting up the council would be up to £100,000, depending on the services provided. The first election would take place in May 2021. The town council would be responsible for electing the Mayor for Bexhill.
- A town council will mean an increase in your Council Tax bill. Other towns like Bexhill have budgets of about a million pounds. If you live in a Band D property, this sort of council would involve paying £59.87 a year in Council Tax to Bexhill Town Council. Because services were transferred away, your contribution to Rother District Council would be cut, leaving you paying £22.11 a year extra - about 42p a week. If you receive the maximum Council Tax reduction, this would be 8p a week. These figures would be less if you lived in a smaller property.

What if there is no change?

- There would be no additional increase to Bexhill residents' Council Tax to pay for a town council.
- Bexhill households would continue to pay 87p a year to fund the charter trustees, who appoint the mayor.
- Rother District Council would continue to manage Bexhill affairs. You would pay £36.89 (for a property in Council Tax Band D) a year to Rother District Council for doing so, under the heading Bexhill Special Expenses. These pay towards Bexhill parks, bus shelters, Bexhill Museum and Bexhill Town Forum.

Tell us what you think by 4:30pm on 13 March.

rother.gov.uk/CommunityGovernanceReview

FREQUENTLY ASKED QUESTIONS FOR WEBSITE

1.	<p>What is a community governance review?</p> <p>A chance for you to give us your view on how you would like to be governed.</p>
2.	<p>Why is Rother District Council holding a further community governance review?</p> <p>In 2017, Rother District Council undertook a Community Governance Review of Bexhill-on-Sea. The final recommendation was for no change. The reason for the decision by the previous administration can be found here:</p> <p>http://www.rother.gov.uk/CHttpHandler.ashx?id=29558&p=0</p> <p>Following the elections in May 2019 the council agreed the following motion:</p> <p>“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.”</p> <p>The council is legally required to conduct a further Community Governance Review in order to introduce a town council for Bexhill-on-Sea. The council can include the views expressed during the 2017 Community Governance Review.</p>
3.	<p>If I responded in 2017, do I need to respond again?</p> <p>Yes</p>
4.	<p>Who will undertake the community governance review?</p> <p>Rother District Council is responsible for conducting the review within its electoral area.</p> <p>The council has established a Community Governance Review Steering Group who will undertake the review and make recommendations in accordance with its terms of reference set by Full Council.</p> <p>The steering group will be responsible for undertaking the communication and consultation strategy</p>
5.	<p>Who will make the final decision?</p> <p>Full Council will be required to approve the final recommendations from the Steering Group, Overview & Scrutiny Committee and Cabinet. If there is to be a town council a community governance order would then be issued.</p> <p>The steering group’s membership and minutes arising from its meetings can</p>

	<p>be found at the following link:</p> <p>https://rother.moderngov.co.uk/mgCommitteeDetails.aspx?ID=247</p> <p>The meetings of the steering group are open to the public.</p>
6.	<p>When will the final decision be made?</p> <p>Legislation requires community governance reviews to be completed within 12 months of the terms of reference being formally published. For this review the 12 month period will be from January 2020 and a decision can be expected before January 2021.</p>
7.	<p>How can I take part in the consultation?</p> <p>You can complete the consultation on-line at www.rother.gov.uk/CommunityGovernanceReview or visit the Community Help Point, Town Hall, Bexhill and complete a paper copy. You can also contact your local councillor for assistance.</p>
8.	<p>Who is my local Ward councillor and how can I contact them?</p> <p>You can find out who your local ward councillor is and how to contact them, on the council's website at:</p> <p>http://www.rother.gov.uk/article/6828/Who-is-my-councillor</p> <p>or by calling Democratic Services on 01424 787814</p>
9.	<p>Will anonymous responses be included?</p> <p>No. Each responder will have to provide their name, address and postcode to be included.</p>
10.	<p>How are town councils funded?</p> <p>Along with parish and community councils, town councils are funded through a sum of money called a 'precept' – this is a separate charge which is added to and collected along with your existing council tax. The parish, town or community council will decide what it will need for the coming year depending on what services and facilities are needed by the local community. Parish and town councils can also apply for grants and loans.</p> <p>In order to provide services a town council can raise funds through a precept or additional charge applied to Council Tax. The introduction of a town council will cost additional money to cover its running costs and the services the town council chooses to provide.</p>
11.	<p>How much does each option cost me as a tax payer?</p> <p>Based on current costs, if the decision was made for no change, Bexhill households would continue to pay 87p a year to fund the Charter Trustees and £36.89 a year towards Bexhill Special Expenses. The contribution to Bexhill Special Expenses would continue to fund the following services</p>

	<p>specific to Bexhill: Bexhill Parks, Bexhill Allotments; Christmas Lighting; Bexhill Museum; Bus Shelters and the Bexhill Town Forum.</p> <p>If the decision was made to introduce a Town Council, Council Tax payers in Bexhill would pay approximately £59.87 a year towards Bexhill affairs, representing a Council Tax increase of £22.11 in the first year (based on a band D property). This equates to £4.99 per month or £1.15 per week. Should you be entitled to maximum council tax relief, these figures would reduce by 80% equating to £11.97 per year, £1 per month or 23p per week.</p> <p>The costs for a town council are approximate and based on the town council deciding to take over the provision and maintenance of: parks, play areas, sports pitches, public toilets, Christmas lights, museums, festivals and cultural events, allotments, litter bins and grit bins. None of this is confirmed and would be a decision for the town council to make if introduced.</p>
12.	<p>Will Rother District Council and the Bexhill-on-Sea District Councillors still exist if there is a Bexhill Town Council?</p> <p>Yes. There would be three levels of local government in Bexhill-on-Sea – the same as all rural towns and parishes across the district.</p>
13.	<p>Will a Bexhill Town Council be able to make decisions for Bexhill-on-Sea?</p> <p>A Bexhill Town Council will be able to make decisions about services that have been devolved to it. The town council may add other additional services it wants to provide for the residents of Bexhill-on-Sea. Rother District Council would continue to provide and make decisions about the remaining services to the residents of Bexhill-on-Sea, including responsibility for local planning decisions, licensing, waste collection etc. As a statutory consultee for planning decisions, the town council's opinions are taken seriously by the district council planning committee.</p> <p>The town council would also be able to influence decisions that affect Bexhill by representing the views of Bexhill residents to Rother District Council.</p>
14.	<p>What will happen to the Bexhill Town Forum if a town council is created?</p> <p>Currently, Rother District Council provides funding to the Bexhill Town Forum, in the absence of a town council. The funding provided by Rother District Council to the town forum would cease. It would be a matter for the new Bexhill Town Council to consider whether they wished to continue to fund the Bexhill Town Forum.</p>
15.	<p>What is a town council?</p> <p>A town council is an elected body made up of local people representing the interests of their community. The creation of a new town council within Bexhill-on-Sea would be in addition to and not instead of Rother District Council. Members currently elected to Rother District Council would be able</p>

	to stand for election to a town council created within Bexhill-on-Sea.
16.	<p>What does a town council do?</p> <p>Parish, town and community councils are the same in terms of their powers and responsibilities, but a town council also elects a Town Mayor. They are democratically elected bodies that have the power to do numerous things, including providing allotments, bus shelters, supporting local crime initiatives and local highway matters such as street lighting and maintenance of roadside verges. They can be involved in provision of community transport schemes, sport and recreation facilities, and tourism.</p> <p>They can provide a focus for representing local issues and identity and are also consulted in planning applications in their area.</p> <p>Any town council created for Bexhill as a result of this community governance review would work with Rother District Council to agree which services it would like to deliver.</p> <p>A town council does not replace the district council.</p> <p>Rother District Council would have to meet most of the costs of establishing a town council. The town council itself would then be responsible for meeting all its expenditure, including the cost of premises, staffing and providing services.</p>
17.	<p>How many town councillors would there be?</p> <p>It is being recommended that a Bexhill Town Council should have 18 members across the current 9 Bexhill district council wards.</p> <p>It is possible for the same people to be elected to the district council and a parish, town or community council.</p>
19.	<p>Will the community governance review change Rother District Council electoral wards?</p> <p>No. District ward boundaries are reviewed by the Local Government Boundary Commission for England (LGBCE).</p> <p>This community governance review does not have the power to change any district ward boundaries.</p>
20.	<p>Are town councillors paid an allowance?</p> <p>Parish and town councillors are not usually paid an allowance but may incur costs which can be reimbursed. Whether the town councillors are paid an allowance will be for the town council to decide if established.</p>
21.	<p>Who are the Bexhill Charter Trustees?</p> <p>The Bexhill Charter Trustees comprise all 18 Rother district councillors who represent the wards in Bexhill. Once elected to Rother, they automatically become a Charter Trustee.</p>

	<p>The role of the Trustees is purely ceremonial. They elect a Mayor and Deputy Mayor each May and safeguard the traditions of the former Borough of Bexhill. They maintain the civic regalia and the "Town Plate", which is a collection of gifts and artefacts that were donated to the town during its days as a borough.</p> <p>The trustees meet formally on four occasions each year, they receive reports from the mayor and clerk, and they set an annual budget which covers the running cost of the trustees. The cost of the trustees is paid for solely by the residents of Bexhill, and the annual cost works out at 87pxx per household.</p> <p>The Mayor of Bexhill represents the Charter Trustees at numerous functions each year (sometimes as many as 250) both within and outside of the town of Bexhill. Whilst neither he/she, nor the Charter Trustees themselves have any "executive powers", the Mayor is seen as an extremely important person within the locality and brings a great sense of civic pride to all events which he/she attends.</p>
<p>22.</p>	<p>Who can undertake a community governance review?</p> <p>Since 13 February 2008 all principal councils have had responsibility for undertaking community governance reviews and have been able to decide whether to action the recommendations made in those reviews. In making that decision, they will need to take account of the views of local people. Principal councils are also required to have regard to the guidance on undertaking community governance reviews published jointly by the Department for Communities and Local Government (DCLG) and the Local Government Boundary Commission for England (LGBCE). This document can be found at the following link: http://www.lgbce.org.uk/data/assets/pdf_file/0019/10387/community-governance-review-guidance.pdf</p>
<p>23.</p>	<p>What must Rother District Council take into account when undertaking a community governance review?</p> <p>Rother District Council is required to take into account:</p> <ul style="list-style-type: none"> ➤ the impact of existing community governance arrangements on community cohesion; and ➤ the size, population and boundaries of any local community or proposed parish or town council. <p>In carrying out a Community Governance Review, Rother District Council must also consider the wider picture of community governance. This includes taking account of well-established forms of community governance such as local residents' associations and community forums. These can be considered as either alternatives to or stages towards establishing parish or town councils.</p> <p>Guidance does, however, indicate that parish and town councils are set apart from these other kinds of governance by the fact that they are a democratically elected level of local government and can raise a precept, set a budget and possess specific powers.</p>

	<p>The guidance published jointly by the DCLG and the LGBCE specifically refers to Charter Trustee areas, such as Bexhill-on-Sea and states:</p> <p><i>“Proposals to create a parish or parish council covering all or part of a charter trustee area need to be judged in particular against the following considerations:</i></p> <p>a) <i>the effect on the historic cohesiveness of the area; and</i></p> <p>b) <i>what are the other community interests in the area? Is there a demonstrable sense of community identity encompassing the charter trustee area? Are there smaller areas within it which have a demonstrable community identity and which would be viable as administrative units?</i></p> <p><i>These issues need to be taken into account in those areas with certain cities or boroughs which will be affected by any consequent reorganisation from the structural and boundary changes in the 2007 Act.”</i></p>
<p>24.</p>	<p>What are the criteria by which options for the future will be judged?</p> <p>Government guidance indicates when undertaking such a review that criteria include:</p> <ul style="list-style-type: none"> ➤ a sense of civic pride and civic values; ➤ a strong, inclusive community and voluntary sector; ➤ a sense of place - with a positive feeling for people and local distinctiveness; ➤ effective engagement with the local community at neighbourhood level ➤ strong leadership; ➤ the ability of local authorities to deliver quality services economically and efficiently; and <p>an area that is of a size that is viable as an administrative unit of local government.</p>
<p>25.</p>	<p>Who will Rother District Council consult with?</p> <p>Before making any recommendations or publishing final proposals, the council will take full account of the views of local people. The council will comply with the statutory consultative requirements by:</p> <ul style="list-style-type: none"> ➤ consulting local government electors within the area under review; ➤ consulting any other person or body (including a local authority) which appears to the Council to have an interest in the community governance review (e.g. East Sussex County Council and parish and town councils across the district); and ➤ take into account any views received in connection with the community governance review.
<p>26.</p>	<p>How will Rother District Council consult?</p> <p>In view of the extensive consultation exercise in 2017, the council is</p>

	<p>undertaking a light-touch consultation. The Council will use a range of consultation methods including an on-line questionnaire, letters and emails, a leaflet drop to all Bexhill-on-Sea residents, direct invitation, media releases, elected Members, posters and leaflets distributed across Bexhill-on-Sea and social media.</p>
27.	<p>When will I be able to respond to the review?</p> <p>There is one chance for the public to contribute to the review. Consultation on the proposal to introduce a town council for Bexhill-on-Sea will take place between 3 February to 13 March 2020.</p>
28.	<p>Can the public come along and listen to the debates?</p> <p>Yes. Meetings of the Community Governance Review Steering Group are open to the public.</p>
29.	<p>Why do some areas of Rother District Council have a parish or town council, but others do not?</p> <p>The answer is largely historical. Prior to the local government reorganisation in 1974 there was a Bexhill Borough Council. When Rother District Council was created it became part of the larger district council and the Bexhill Charter Trustees were established. Other local councils in the area retained their status as town councils, for example Battle and Rye.</p>
30.	<p>Why is there not a referendum on this matter?</p> <p>Referendums come at considerable cost, which would have to be funded by the Council Tax payer; estimated costs for a referendum in Bexhill-on-Sea are in the region of £40,000.</p> <p>With the exception of a referendum on governance arrangements of the district council itself (mayors, cabinets and committee systems), no power is available to local electors either to force their local authority to hold a referendum, or to oblige it to take any particular action following the result of a referendum.</p> <p>In accordance with legislation Rother District Council is able to determine the outcome of the Community Governance Review, without the need for a referendum.</p>

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A town council for Bexhill?

Tell us what you think at:

rother.gov.uk/CommunityGovernanceReview

The consultation closes 13 March 2020

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Timetable 1

Consultation commences	3 February – 13 March (6 weeks)
Phased approach to leaflet drop	3 February – 21 February
Consultation closes	13 March
Officers collate and analyse / produce report	16-20 March
CGRSG Meets to consider Consultation outcome / form draft recommendations	30 March – 10 April
OSC Agenda published	17 April
OSC	27 April
Cabinet	7 May
Council	18 May

Timetable 2

Leaflets distributed ahead of Consultation start	3 February – 21 February
Consultation commences	24 February – 3 April (6 weeks)
Consultation closes	3 April
Officers collate and analyse / produce report	6-14 April (Easter in between)
CGRSG Meets to consider Consultation outcome / form draft recommendations	24 April – 7 May
OSC Agenda published	29 May
OSC	8 June
Cabinet	29 June
Council	6 July

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