



**Community Governance Review Steering Group**

Date and Time - **Thursday 21 January 2021 – 10:00am**

Venue - **Remote Meeting**

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**Councillors appointed to the Steering Group:**

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

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**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** (Pages 1 - 6)

24 November 2020 – Matters Arising

**4. THE PARISH (TOWN) COUNCIL FOR BEXHILL-ON-SEA - BUDGET REQUIREMENT 2021/22** (Pages 7 - 12)

**5. REVISED TERMS OF REFERENCE** (Pages 13 - 14)

**6. ANY OTHER BUSINESS**

Malcolm Johnston  
Chief Executive

Agenda Despatch Date: 15 January 2021

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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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**COMMUNITY GOVERNANCE REVIEW STEERING GROUP**

24 November 2020

Minutes of the Community Governance Review Steering Group held remotely on Tuesday 24 November 2020 at 10:00am.

Members of the Steering Group Present: Councillors C.A. Bayliss (Chairman), J. Barnes, T.J.C. Byrne (in part), J.J Carroll, P.J. Gray, L.M. Langlands, P.N. Osborne, and R. Thomas (in part).

Other Members Present: P.C. Courtel, C.A. Madeley and D.B. Oliver.

Advisory Officers present: Executive Director, Assistant Director Resources, Democratic Services Manager, Ian Davison, Partner, Surrey Hills Solicitors and Trevor Leggo, CEO, Surrey and Sussex Association of Local Councils.

Also present: 16 members of the public via the YouTube live broadcast.

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**CGR20/01. APOLOGIES FOR ABSENCE**

(1)

An apology for absence was received from Councillor H.L. Timpe.

**CGR20/02. DISCLOSURE OF INTERESTS**

(2)

Declarations of interest were made by Councillors in the Minutes as indicated below:

Councillors Bayliss, Courtel, Grey, Langlands and Thomas each declared a Personal Interest in so far as they were supporters of Democracy4Bexhill.

Councillor Courtel declared a Personal Interest in so far as he was a former member of Democracy4Bexhill.

**CGR20/03. MINUTES OF THE LAST MEETING – 29 MAY 2020 –  
MATTERS ARISING**

There were no matters arising.

**RESOLVED:** That the minutes from the last meeting were accepted as a correct record of the proceedings.

## CGR20/04. COMMUNITY GOVERNANCE ORDER

(4)

Following the Community Governance Review (CGR) of Bexhill-on-Sea and the subsequent recommendations approved by full Council in September to establish a parish council for Bexhill-on-Sea, the Council was required to approve a Community Governance Order (CGO) in exercise of the powers conferred by sections 86, 98(3), 98(4), 98(6) and 240(10) of the 2007 Act. The Community Governance Review Steering Group (CGRSG) were invited to review the draft CGO attached at Appendix A to the report which would be submitted to Cabinet and Council in December.

The Council had appointed Surrey Hills Solicitors who were providing the legal support and expertise to draft the CGO and the lead Solicitor, Ian Davison was present. The draft CGO was generally a model Order and comprised 15 Articles with six accompanying Schedules and Ian Davison led Members through CGO and the following points were noted:

- although legally required to be established as a ‘parish council’, the adoption of ‘Town’ status would be a matter to be decided by the new parish council at its first meeting;
- the new parish would come into effect on 1 April 2021, with the 18 current District Councillors for Bexhill acting as an interim body (but not expected to do anything) until the first parish councillors came into office on 10 May 2021;
- there was no scope to establish an interim body prior to the new parish coming into effect on 1 April 2021; the District Council should not make decisions for the new parish council in advance – the role of RDC was to get the new parish council up-and-running;
- administrative expenditure prior to 1 April 2021 would fall on RDC, and to the new parish council from 1 April 2021;
- it was usual practise for a newly created parish council to carry out a visioning exercise in full consultation with the community, leading to the establishment of a three-year plan, which would inform the following years’ budget;
- prospective parish councillors would need promote that their first year in office would be about finding out from the electorate what it is they wanted the parish council to deliver – i.e the planning stage; the second year and beyond would be the delivery; it was not for RDC to find out in advance of the establishment of the parish council;
- there were a number of items that needed to be factored into the first years’ budget and these would include: employee costs (interim clerk from 1 April and permanent clerk from appointment), employers liability insurance, premises and equipment costs, election costs, regalia insurance, allotment running costs and other costs including consultancy, subscriptions, printing and stationery and external audit fees;
- CIL money automatically became payable to the new parish council where all or part of a chargeable development was within the area of the parish council – RDC would pass 15% of the CIL receipts from the development to the parish council, rising to 25% when it had an adopted neighbourhood development plan in place;

- Section 106 monies were district council monies and were not passed to town or parishes;
- Article 12 set out what would happen as a matter of law to the Charter Trustees' officers, powers, functions and property;
- the inventory of assets held by the Charter Trustees was discussed, further clarification was sought regarding the relative dates of acquisition, and the value of the individual items. The estimated value of the items for insurance purposes was in the region of £115,000;
- in the unlikely event that there were not enough candidates standing for election, the parish council would be able to co-opt parish councillors to any vacant seats; the quorum for the parish council would be 6 and therefore extremely unlikely that the district council would have to use powers under the Local Government Act 1972 Section 91 to maintain quoracy; and
- RDC would be willing to facilitate and assist with pre-election events and awareness raising of the elections in partnership with relevant partners and the interim clerk.

It was noted that it would not be possible to finalise all matters prior to seeking full Council approval of the CGO and therefore delegated authority would be required for the Chief Executive and the Lead Cabinet Member for Transition Bexhill Town Council to confirm the Order and make minor and consequential amendments and to enter into any consequential, ancillary or supplemental agreements to effect the creation of the parish council and the transfer of assets rights and liabilities.

During the review it had been agreed that as initially no services were being transferred the budget costs would be the minimum required for the parish council to operate in its first year and the work required to identify these costs had not yet been completed. Members were concerned at the lack of information provided on the calculation of the first years' budget and were not comfortable at this stage with delegating this to the Chief Executive (CE) and the Lead Cabinet Member. It was therefore agreed to draw on the expertise within the CGRSG and convene a meeting of the CGRSG in January to consider and make recommendations on the budget requirement to the CE and Lead Member who would then include this figure and confirm the Order. It was noted that this would need to be concluded in good time to enable inclusion with the Council's own budget setting processes.

**RESOLVED:** That a meeting of the CGRSG be convened in January 2021 to consider and make recommendations to the CE and Lead Cabinet Member on the first year budget requirement for the new parish council.

## CGR20/05. TERMS OF REFERENCE REVIEW AND NEXT STEPS

(5)

Trevor Leggo, CEO of Surrey and Sussex Association of Local Councils (SSALC) had recommended that the Council appointed an interim parish (town) council administrator who had previous experience and the necessary skill set to successfully create a new parish (town) council. SSALC had put one such person in contact with

RDC and the CE had held preliminary discussions with a view to an appointment commencing on 1 February 2021 for a 6-month period (expiring 31 July 2021) for an average of 15 hours per week (with flexibility). This would provide three months prior to and three months post the establishment of the parish council and was initially considered an adequate time frame to complete all the necessary preliminary work to get the parish council up and running. However, it was considered appropriate that the interim administrator be involved in the budget discussions to be held in January and it was therefore recommended that the appointment be for up to 7 months, at the discretion of the CE and in agreement with the interim administrator.

Working with the CGRSG, as appropriate, the interim administrator would set up the initial governance structure, make arrangements for the appointment of the permanent town clerk, set up other policies and procedures, organise briefings for prospective councillors, identify and secure accommodation, draft the cycle of meetings, asset transfer and any other governance issues. The interim administrator would also oversee the inauguration of the new Council, election of Chairman/Mayor, establishment of committees and a hand over to the permanent town clerk, once appointed by the new parish (town) Council.

It was considered that the permanent town clerk position would be an attractive proposition for candidates with the correct skill set, experience of working with elected Members in a principle authority or equivalent and would likely to attract a salary in excess of £60k per annum.

The proposed changes to the CGRSG's Terms of Reference enabled the Group to work with the interim parish administrator on the recruitment processes for the permanent clerk and the pre-election events and information sessions for prospective candidates.

**RESOLVED:** That Cabinet be requested to agree that:

- 1) an interim Parish (Town) Council administrator be appointed for up to 7 months with effect from 1 January 2021 (expiring 31 July 2021), with terms and conditions to the satisfaction of the Lead Cabinet Member for Economic Development and Regeneration (Transition Bexhill Town Council) and the Chief Executive; and
- 2) the expanded Terms of Reference of the Community Governance Review Steering Group be approved, as submitted.

**CGR20/06. TO CONSIDER PROPOSALS FROM DEMOCRACY4BEXHILL**

(6)

The Chairman had received correspondence from Democracy4Bexhill which had been attached to the Agenda for discussion; it raised the possibility of community groups being engaged by RDC in the budget setting process for the new parish council and listed a number of issues for consideration, the majority of which had been discussed during the meeting.

There was mixed views as to whether RDC should engage with community groups to ascertain their wish list for the new parish council or whether this should be left to the new parish council to do. Members were reminded that the consultation held earlier in the year, had included asking residents what services they wanted the parish council to provide would be made available to the new parish council.

It was agreed that when the CGRSG met in January to consider the budget provision, the Group would be open to receiving representations from organisations and individuals who wished to express a view which would be taken into account for the purposes of setting a realistic budget for the first year. It was considered not appropriate to conduct any formal consultation, as this was a matter for the new parish council to undertake and fund and appropriate provision in the budget be made for such consultation.

**RESOLVED:** That

- 1) the CGRSG be open to receiving representation from any body or person who wishes to express a view when considering and making recommendations on the budget requirement / precept for 2021/22;
- 2) formal consultation be left to the new town council to conduct, once in place; and
- 3) the budget provision to include funding to enable the parish council to undertake such consultation in 2021/22 to inform their vision and business plan setting.

**CGR20/07. ANY OTHER BUSINESS**

(7)

It was agreed that a further meeting of the Group be held in early January 2021, date to be confirmed.

**CHAIRMAN**

The meeting closed at 12:12pm

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## Rother District Council

Report to	-	Community Governance Review Steering Group
Date	-	21 January 2021
Report of the	-	Assistant Director Resources
Subject	-	The Parish (Town) Council for Bexhill-on-Sea – Budget Requirement 2021/22

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## Introduction

1. As Members will recall, at the meeting held on 24 November, the Community Governance Steering Group (CGRSG) recommended to Cabinet that full Council be requested to grant delegated authority to the Chief Executive and Cabinet Portfolio Holder for Transition Bexhill Town Council to agree the Community Governance Order (CGO) required to create the new Parish Town Council for Bexhill-on-Sea.
2. This was duly agreed by full Council on 21 December 2020.
3. This meeting has been called to enable the Steering Group to consider the first year budget requirement (precept) of the Town Council and inform the Chief Executive and Cabinet Portfolio Holders' decision making. The CGO cannot be completed without the Budget Requirement and the Council Tax liability for 2021/22 being included.
4. Members will also recall that Cabinet agreed to the appointment of an interim parish council administrator to undertake all the necessary preparatory work to establish the new Parish Council for Bexhill-on-Sea. Linda Butcher has now been appointed to this role and will be present at the meeting to assist Members in their deliberations. Ian Davison, lead Solicitor from Surrey Hills Solicitors will also be present at the meeting.
5. At the last meeting it was also agreed that representations from organisations and individuals who wished to express a view regarding the budget would be taken into account for the purposes of setting a realistic budget for the first year. To this end, representations were invited via social media messaging, the Council's website and MyAlerts. An email was also sent to the stakeholder group invited to take part in the Community Governance Review consultation last year. Attached at Appendix A is a copy of the responses received at the point of Agenda publication – any further responses received will be provided at the meeting.

## Budget Requirement

6. The Assistant Director Resources and Finance Manager have prepared a proposed precept in consultation with the Interim Parish Council Administrator and is set out at Appendix B. The proposed first year precept is estimated at £276,765. The estimates are still being finalised at the time of writing this report and an updated Appendix B will be circulated prior to the meeting, if necessary.
7. Members will see that the proposed precept includes provision for employee costs including interim staff employed after 1 April 2021, premises and

equipment costs to set up the town council office, estimated costs for the May 2021 election, insurances and professional services such as accountancy, legal and banking.

8. Subject to any changes to the estimated precept, the 2021/22 Council Tax charge for the new Town Council will be £16.82 for a Band D property. This is further analysed below over the various Council Tax Bands:

<b>Council Tax Band</b>	<b>Bexhill Town Council £</b>
Band A	£11.21
Band B	£13.08
Band C	£14.95
Band D	£16.82
Band E	£20.56
Band F	£29.69
Band G	£28.03
Band H	£33.64

9. In addition to the Precept the Council will also transfer to the new Town Council, the balance of local Community Infrastructure Levy based on 15% of Bexhill CIL receipts. This is currently being assessed and will be confirmed in due course.

## **Conclusion**

10. Members are requested to consider the budget requirement and recommend to the Chief Executive and Lead Member the budget requirement to be included within the CGO.

Robin Vennard  
Assistant Director Resources

**Representations Received:****Bexhill Environmental Group**

Dear sirs,

As a local Community Group, Bexhill Environmental Group would like to see Bexhill Town Council sufficiently funded to ensure that practical help can be provided with undertaking local projects in the town where, for example, assistance is needed in identifying opportunities for grant funding and making the applications.

Advice on dealing with local government issues and communications with Rother District Council is another area where assistance may be sought.

The Budget should, therefore, ensure there is sufficient funding to cover the costs of people to deliver this service to the community.

We will wish to continue to plant more trees, in the town on streets, make more wild flower verges, and maybe survey where to best place electric car chargers amongst many other projects we have in mind, once COVID allows us to move forward.

Yours faithfully

Chair of BEG

**Individual resident**

With reference to the recent communication regarding Rother creating a new Bexhill Parish Council

My first observation is that already the costs are becoming greater than that advertised within the CGR. Within that consultation it was quoted that band D tax payers would pay an extra £0.27 a week. Or £22.11 per year

This has now been increased with the most recent suggestion of £150k being needed in the 1st year. With 26k taxpayers that equates to in excess of £130 per year without any extra services that people may wish the Parish Council to adopt

It is also quite possible that there will not be elections in May and respectfully, I suggest that the steering group go back to the full council and delay the introduction of a Parish Council in Bexhill for a period of at least 1 year. Preferably 2 years to enable Linda Butcher to do her work in advance of the establishment and re consult the tax payers of Bexhill

As an alternative to this I would suggest the following items are low cost and of benefit to Bexhill

Start up the submission to Best Kept large town in England Create a hub of local organisations and build a plan to submit to residents of what could be done Create a neighbourhood plan Disband the Bexhill Town Forum Create an audit team to ensure that the District council and County Council adhere to their contractual obligations Create a plan of how to introduce electric car charging to Bexhill Take on the administration and upkeep of the play areas only within Bexhill (leave the grass cutting as that contract would be beneficially cheaper if done on a larger scale but audit their contractual obligations Prepare a plan for sport and recreation for Bexhill residents (old and young) and lobby District and county councils accordingly Bexhill is not just about the Arts and graffiti on walls Work with the Bexhill Chamber of Commerce (rather than a battle against) for the benefit of the Town Review all the shop frontages and discuss with the tenants owners how to brighten them up (the town is beginning to look shabby) Review all the on line delivery points and develop a plan how these could better serve the community. I quite like the colour yellow

That's just 11 things that won't cost a great deal and would potentially tidy up the Town and better prepare it for the future way of living

## **SSAFA, the Armed Forces charity**

I would like to bring to the Groups attention a reminder that Local Authorities have an obligation to uphold their commitment to the Armed Forces covenant and I would hope that this would be considered in the future. Also a consideration given to the appointment of an Armed forces Champion/Champion's within the organisation to inform them of veteran issues and be a contact for Armed Forces organisations.

SSAFA Divisional Co-Ordinator (Hastings & Rother)

## **Individual resident – Normans Bay**

Thank you for asking for our views...here are mine...

It will be helpful if you can separate out costs which you regard as 'set up' and 'ongoing.'

Will there be something residents can see that clarifies what resources the Town Council will draw on and what it's remit or job will be. Specifically will it have the remit to raise additional funds and if so how.

**Proposed Budget and Precept 2021/22**

Line	Expenditure	£	£
1	<b>Central Support</b>		
2	Employee Costs including interim clerk	96,930	
3	Recruitment	1,300	
4	Training	7,500	
5	HR and Payroll Services	3,170	<b>108,900</b>
6			
7	<b>Premises Costs</b>		
8	Rent and Rates	12,250	
9	Utilities - Electric, Gas, Phones, Waste Collection	3,310	
10	Security, Caretaking and Cleaning	3,340	
11	Furniture	500	
12	Meeting Room Hire	500	<b>19,900</b>
13			
14	<b>Computers and Equipment</b>		
15	ICT Hardware and Software	3,725	
16	Website set up and maintenance	3,000	
17	Fireproof Safe	1,800	<b>8,525</b>
18			
19	<b>Communications and Events</b>		
20	Newsletters	10,000	
21	Notice Boards	11,340	
22	Grants and Community Support	20,000	<b>41,340</b>
23			
24	<b>Member Representation</b>		
25	Election Costs	62,000	
26	Chairman/Mayors allowance	5,000	
27	Members expenses	200	
28	Members training	1,000	<b>68,200</b>
29			
30	<b>Allotments</b>		
31	Maintenance	2,350	
32	Water	630	<b>2,980</b>
33			
34	<b>Other Costs</b>		
35	Insurance including premises and liability	2,000	
36	External Audit Fees	2,000	
37	Internal Audit Fees	350	
38	Legal and Professional Fees	4,000	
39	Subscriptions	3,700	
40	Printing, publications and advertising	6,500	
41	Repair and Renewals	10,000	<b>28,550</b>
42	<b>Gross Expenditure</b>		<b>278,395</b>
43			
44	<b>Less: Income</b>		
45	Allotment Rents	-1,630	<b>-1,630</b>
46	<b>Proposed Precept</b>		<b>276,765</b>

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## Rother District Council

Report to	-	Community Governance Review Steering Group
Date	-	21 January 2021
Report of the	-	Chief Executive
Subject	-	Revised Terms of Reference

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### Introduction

1. As Members are aware, at its meeting in December, Cabinet agreed to extend the Community Governance Review Steering Group's (CGRSG) Terms of Reference to include working with the newly appointed interim parish council administrator on the preparation of the job description and person specification and appointment process for the new clerk, the promotion of the elections and pre-election events and information sessions for prospective candidates.
2. A copy of the revised ToR is attached at Appendix A for information.
3. The newly appointed interim parish council administrator, Linda Butcher, will be present at the meeting and has assisted with the identification of the initial budget requirement (elsewhere on this Agenda) and will confirm the working arrangements with the CGRSG in progressing the remainder of the revised ToR.

### Conclusion

4. Members are asked to note the revised ToR.

Malcolm Johnston  
Chief Executive

### Appendices

Appendix A - Terms of Reference

**Revised Terms of Reference for the Community Governance Review Steering Group – December 2020**

<b>Aims and Origins</b>	To manage the Community Governance Review (CGR) process, under the terms of reference set by full Council.  A CGR is required following the motion passed by Full Council on 22 May 2019.
<b>Scope</b>	To determine a detailed timetable and consultation programme for the CGR;  To progress the review in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 and the Guidance on CGRs issued by the Department of Communities and Local Government and The Local Government Boundary Commission for England in March 2010;  To recommend appropriate electoral arrangements for a parish / town council created within Bexhill-on-Sea, where necessary (including the name of any newly created parish; the number, name and boundaries of any parish wards; the number of Councillors to be elected within each ward; and the ordinary year of elections); and  To consider and make recommendations on any consequential matters arising from the review which are required to give effect to any subsequent Community Governance Order (CGO), e.g. the transfer and management or custody of property, the setting of precepts for new parishes, provision for the transfer of any functions, rights, liabilities, staff, etc.  To work with the interim parish council administrator on the preparation of the job description and person specification and appointment process for the new clerk, the promotion of the elections and pre-election events and information sessions for prospective candidates.
<b>Outcomes</b>	To recommend to Cabinet, via the OSC, to create a Town Council for Bexhill-on-Sea and if so what types of functions it would seek to undertake.  A successful recruitment campaign and identification of suitable candidates to be appointed as Town Clerk by the new parish council.  A successful pre-election campaign with sufficient candidates standing for election.