



Local Governance for Bexhill
ST John's, London Road
7th November 2014

1. Welcome

Alan Peirce, chairman of the Forum, welcomed everyone and spoke of the energy and commitment of the new committee.

The chair informed the forum that the new committee wished to move on from a situation that arose between the then acting Chair and the floor at the 16th September 2014 meeting.

2. Apologies

Councillor Michael Phillips
Mrs Alison Phillips
Rachel Hills
Tracey Plim Paul
Plim

3. Notes issued by councillor Sue Prochak, RDC for Robertsbridge Town Council

I and my colleagues have always favoured the establishment of a Town Council for Bexhill and indeed we have campaigned for such a change over many years. The Government are encouraging the set-up of new town councils and over recent years 200 new councils have been created. We have also supported the creation of an area committee as a step on the way to a full-blown Town Council. Area committees don't have to cover the whole district and one for Bexhill could be set up as a relatively inexpensive step in the right direction, allowing Bexhill councillors to decide on Bexhill matters. One very positive aspect of area committees, and indeed town councils, is that the public are able to speak at meetings.

Questions from the floor to Councillor Sue Prochak:

Q. Kathy Harmer - Chairman of Cooden Residents Association: Are areas such as Little Common included with Bexhill?

A. Absolutely. Little Common is part of Bexhill.

Q. Paul Courtel: Why is it necessary to go through an area committee first when the advantage of a town council has already been proven elsewhere?

A. It is definitely time for a change for the better for Bexhill but it is probably better to make the changes one step at a time.

Q. Ian Hollidge - Rother District County Council

How could a town council, which will cost a lot more money, help Bexhill. The town already has poor pavements and drains that don't get fixed without spending extra on a Town Council.

A. That shows that the current system isn't working. In Robertsbridge it is the parish councils that get things done because they have local interest. The county council ask for bids to be put in to get work done; how can Bexhill put a bid in? A town council can do this.

4. Notes issued by Councillor Sam Souster - RDC for Rye - Town Council

GOVERNANCE OF BEXHILL

Forward

It is not going to be easy to describe adequately the acknowledged tier of local government, in this case a town council, in the time available, but I will do my best.

What I describe during this presentation is backed up by printed material which is available to you if required.

Introduction

Thank you for inviting me this evening to explain the role of a Town Council. I have some knowledge of the subject having been a

- Charter Trustee (1 year, Lichfield, Staffs)
- City Councillor (6 years, Lichfield, Staffs)
- Town Councillor (15 years, years, Rye)

Background Information

The demise of borough councils such as Bexhill and Rye was brought about by the Local Government Act of 1972 which came into force on 1st April 1974 (April Fools' Day), with the introduction of the District Council.

The Conservative legislation was very unpopular within their ranks. In Rye, for example, of all the Aldermen and Councillors, just one became a member of the new Town Council, which was elected shortly afterwards.

The Charter Trustees of which I was a member resented the Parishes' powers, although limited, and shortly afterwards attained Town Council status.

During the past 38 years most towns have taken this route, which is detailed in the Local government Act 1972, and gives some independence and closer links with the community.

A Town Council must have the essential legal powers, finance, staff and accommodation.

Practical Considerations

A building (usually the Town Hall), this should be adequate for the Council's needs.

Staff (Rye as an example):

- A Town Clerk/Finance Officer (4 days)
- An assistant Town Clerk (Four half days)

- A Town Sergeant (Civic Duties)
- Mace Bearer and Assistant (Rye has two maces) (Civic Duties) □ Caretaker/cleaner

It will need finance to be provided to set up as will other options, but a Town Council can set a precept and set a budget. What price do you put on democracy?

Elected Members

Establish number (using existing warding possibly) and organise elections every four years.

1. Powers - Legal and Specific

2. Commitments (as a quality council)

Similar to South East Employers' Charter awarded to Rother District Council.

3. Council Committee System

- (a) Council
- (b) Policy, Resources and General Purposes
- (c) Planning and townscape
- (d) Tourism and Leisure committee (has operated in the past).

Working Groups as required.

In addition to this there is a Public Services Committee made up of representatives of outside bodies with a minimum of councillors (comparable to your Town Forum).

4. Annual Town Meeting

Arranged by the Town Council but for the benefit of residents. Councillors give reports then questions after. Sometimes there are presentations (police, education for example)

Publications

5. The Rye Neighbourhood Plan Survey.

A steering Group has been formed to take this forward. To achieve this and to be in a position to play a part in the devolvement of services, a Town Council would appear to be the best option. This is consistent with the Localism Act which has been introduced.

6. Guide to Attending and Speaking at Meetings.

7. Annual Report

8. Standing Orders and Chairmanship

9. Powers and Constitution of Local Councils

10. Code of Conduct

11. The Good Councillors' Guide

12. Devolved Services Report

Functions and Assets to be considered for devolvement/transfer from Rother District Council.

In conclusion there is much other information and advice on offer, for example:

13. Sussex Association of Local Councils (SALG)

Rother Association of Local Councils (RALG)

Which Town and Parish Councils provided representatives and is a useful forum to exchange views.

Rye's Town Clerk, Mr. Richard Farhall, is highly qualified and experienced and has been involved with a number of Parish Councils. If more detailed information is required he would be happy to assist you and introduce you to the publication "Charles Arnold-Baker, Local Council Administration", the local government Bible. A Clerks' Manual is also available to assist.

Two other large seaside towns have acquired Town Council Status in recent years, one on the Kent Coast the other Morecombe, which has been successful and welcomed by the community. This can be checked on line I am told.

I believe that Bexhill, along with Battle and Rye in Rother, deserves a Town Council, especially since the introduction of the Localism Act, but it is Bexhill's decision. I hope my contribution has been helpful.

Footnote

I have opinions about the other two options being considered, but I will only respond if asked questions, but Bexhill alone has to decide the way forward.

Questions from the floor to Councillor Sam Souster:

Q. Alan Witt: When Rye town council started did the Council Tax bill reduce?

A. Our town council raised the precept successfully by informing people what it was being spent on and needed for. The increase amounted only to a few pence per bill.

Q. David Ball: When did Rye become a town council and why did it not happen to Bexhill?

A. It was before Sam's time but was the choice of the people of Rye at that time.

Q. David Ball: can you give an example of a good town council?

A. Rye is a good example but how good one is depends on who the councillors are at any given time. Rye uses working groups to develop ideas.

Q. Nick Hollington: why did Rye choose a town council instead of an area committee which some people wanted?

A. The council did a SWOT analysis that concluded that a town council would be best.

It is believed that politics are better left out of town councils - in Rye the conservatives serve as Independents.

Q. Geoff Bastin: What is the town council's involvement in planning applications?

A. The town council get to review planning applications but are not provided with sufficient information.

Fifteen minutes are allocated for anyone to speak at the Rye council planning meeting, unlike RDC meetings where the public do not get to speak.

Q. John Hawes: Individuals have huge difficulties making their views heard; a town council is in a better position to deal with local needs as has been proven in Rye.

A. This is true but Bexhill will have a lot more to do than somewhere like Rye. However the coming infrastructure community levy will be a benefit to town councils

Q. Lynn Adair: Business owner in Little Common: Does a town council have any teeth to make decisions or is it just a costly extra layer?

A. The Local Government Act 1972 lays down exactly what a town council is responsible for. Each layer of government has different powers, each layer having fewer than the one above. Town councils do have the ability to get things done.

Q. Could you give an example of something significant that Rye has achieved?

A. Some examples are: a tourist information centre (the Heritage centre) and control of the allotments.

The following was added by the speaker after the meeting:

An extremely good question was asked by a lady regarding what is laid down in the Local Government Act of 1972 and what is actually carried out, in other words what is possible and what is actually achieved. I spoke to the lady at the end of the Forum and told her I would provide you with the information, it does of course relate to Rye Town Council - others may differ but not significantly.

Attached is:

A Powers and Responsibilities laid down

Some items (for example public conveniences and car parks) may well have been assume by the District Council, but with the Localism Act devolvement is possible.

B Actual Assets and Services administered by the Town Council - (achievements) In Conclusion

Whilst the powers of a Town/Parish Council are limited it is possible to make a difference in the community, especially now as the service provision by Rother District Council is at an all time low due to financial pressures.

Q. Paul Courtel: Could the rest of us also have the information so we can make a decision.

A. There are: allotments, bus shelters, car parks, public events, fields, sports fields, sports centre, Christmas lights, community centre, war memorial. Rye town council does about half of these. I refer you to the 1972 Local Government Act.

Q. Paul Courtel: Some of these may soon be cut by RDC - would a town council be able to continue them? A. Yes it would.

5. Notes issued by Stuart Earl - RDC for Bexhill West - Area Committee

COMMUNITY GOVERNANCE REVIEW-BEXHILL

Presentation by Cllr Stuart Earl - Leader of AIC

1. So what are the current deficits in current arrangements?

Equal population in Rural Rother & Bexhill - But UNEQUAL REPRESENTATION.

2. Current resident representation within RDC.

	Bexhill	Rural Rother
District Councillors	18	20
Town Councils	nil	2
Town Councillors	nil	27
Parish Councillors	nil	235

3. Leader & Cabinet System

All executive decisions made by the cabinet- including ALL DECISIONS RELATING To BEXHTLL- only 3 Bexhill elected councillors are in the cabinet of 9 - who are appointed by the Governing Group leader.

Thus Bexhill residents have no collective voice and our town is governed direct by unrepresentative Cabinet.

4. Doorstep issue.

This has been a much debated issue raised by residents and often the 2011 district elections it was followed up with the chief executive who included Governance of Bexhill in remit to a Devolution working group.

5. Devolution Working Group (DWG).

The outcome reflected party lines and recommended Neighbourhood Police Panels - WHICH THE POLICE THEMSELVES DID NOT WANT!

The report of the minority of Councillors was to no avail.

It is interesting that some panels are now folding or attendances falling as a result of lack of interest.

6. Petition for Community Governance Review (CGR)

Government Legislation provides for a statutory CGR which may be established - by enforcement of a public petition or undertaken voluntarily by councils. Act requires full public participation and important as to terms of reference. It is a matter for the future but the public must be prepared to get involved.

Following the debacle of the DWG the AIC launched a public petition on the 5th September 2014 - ONE WEEK LATER COUNCIL LEADER ANNOUNCED THAT RDC WOULD CONDUCT A VOLUNTARY REVIEW AFTER THE DISTRICT ELECTIONS NEXT MAY - ASSUME THIS WILL BE A MANIFESTO ITEM!

But - doubt cast by the Leaders. Clearly pre-determined commitment in the same statement to the creation of 9 Parishes as a solution to the democratic deficit in Bexhill.

7. AIC favours an Area Committee Solution.

There are three possible models for future governance - Parishing/Town council/Area Committee.

There are features and benefits of each model - but the AIC advocate an Area committee - (it is a legal term with specific meaning).

In reality it means Bexhill elected councillors sitting as an integrated Executive Committee of the Full Council would have the empowerment to deal with an agreed portfolio of purely Bexhill related matters.

8. What would be the advantages of a Bexhill Area Committee?

Decisions relating to Bexhill in the hands of councillors elected by you the residents.

Wider remit than is normally extended to Parish or Town Councils.

Bexhill Councillors visible and accountable as an entity and not just on call to vote through Bexhill related decisions taken by an unrepresentative Cabinet.

Additionally avoids the difficult task of finding residents willing to serve.

9 Parishes for Bexhill could require 135 councillors!!

Town Council could require 25 councillors in addition to District Councillors!!

9. What would an Area Committee Do?

Full range of functions that would evolve over time but initially to include: Statutory Consultee status on Bexhill Planning matters - local services & amenities.

Town centre regeneration & Bexhill policy development - relevant budgets

10. What would an Area Committee Cost?

Cannot cost exactly until review completed and consequences are known.

All the work is currently being done anyway. There will be a cost of change which it is thought would not exceed £100,000 or 14p per week on a typical council tax.

The Leaders proposal for 9 parishes is thought to cost £270,000 or 35p per week on a typical council tax.

11. An Area Committee (AC) in practice - Eastleigh Council Hampshire.

The AC has been established for many years and recent visits revealed how impressively the districts were managed through AC/public participation. This would take time to establish but it is important for Bexhill to get the principle established to move forward.

12. Would we still have a Leader & Cabinet system in overall control?

Yes - but in practice from a successful working example, local AC decisions were seldom overturned by cabinet. An example - Oasis Gardens would Cabinet consider overturning AC decision not to waste £57,000?

Conclusion

The key points are to press for CGR - not to recommend one option or another. The AIC truly believe in an Area Committee solution but all alternative options need to be explored and considered with full resident participation. Nationally there is discontent with top-down Government remote from its people irrespective of party allegiance, It has been too long for Bexhill residents to have a voice - a CGR offers a real chance for change which Bexhill residents will support.

Questions from the floor to Councillor Stuart Earl:

Q. Alan Witt: Would the current councillors stand down and seek re-election to an area committee?

A. They would switch without needing re-election.

Q. Alan Witt: The next election may be in May 2015, can the changes be made by then?

A. No, the governance review will not begin until after the next elections and will then take two years to get the new legislation through - which ties in with the elections in 2019.

Q. David Ball: Sidley and Little Common are part of Bexhill - would they be covered by an area committee?

A. Yes – all the current wards would be covered.

- Q. Paul Courtel: The grant from central government is being cut, would you agree the way around it would be for a town council to set a precept that is not capped and that would be able to fund projects that Rother would not be able to?
- A. Yes this could be done but only after agreeing with the people of the town about what it is to be spent on.
- Q. Bethne Thomson: I am still confused about the difference between area committees and town councils and where their funding comes from.
- A. Town Council funds come from council tax that is paid to RDC. It will cost more to have another elected layer but not a great deal.
- Q. What percentage of current funds would go to an area committee or town council?
- A. An area committee would not need to elect more councillors, so would not cost a lot more. It would cost £270,000, or £30,000 for each of the nine parishes, or 30p per week on a Band D council tax. This is an average 35p - 45p per week on council tax. The advantages are that they can do the same as town councils but more quickly.
- Q. Violet Bent: Why have the 18 councillors not 'done enough' for Bexhill?
- A. The budget constraints they have make the job very difficult. The Independent councillors have tried hard to bring forward the local governance debate as we need to get the review done. Actual decision making is done by just nine RDC councillors.

6. Notes issued by councillor Simon Elford - Bexhill St Michaels – Parish Councils

As a Conservative member of the council our position has always been that any change in governance would cost tax payers more money and we are trying to keep costs down for residents as much as possible. Having said that the Conservative Group have always maintained that if we were to have extra governance parish councils would probably be the best value for money and offer residents more control on decisions made in their local area, and now with the introduction of the Community Infrastructure Levy (CIL), all house builders will have to pay a tax on each home built to the local council, parishes will be entitled to 15% of this for each home built in their area, making this in our opinion the best value for money option. Because of this and the fact that there are still calls from certain quarters for a look at the governance in Bexhill we have pledged to hold a governance review during 2015/16.

Questions from the floor to Councillor Simon Elford:

- Q. Andrew Crottey: Who would get the overall say in how the money was spent?
- A. It would be up to each ward to spend its own money.
- Q. Litter bins: who gets to say how much would be spent on them?
- A. Each parish would but this would mean greater costs for the town centre, which could be a problem.
- Q. Who would take control of the sea front and Devonshire Square toilets, noting that the Devonshire square toilets work cost over £824,000 and was not done properly.
- A. Council tax for the whole district would cover these.

Q. Diane Smith (formerly a parish councillor in another area): Bexhill does not have sensible boundaries for parishes within the town area. These parishes have shared issues and so the boundaries are illogical. It would therefore be better to have a town council.

A. Acknowledged that while Sidley and Little Common have differences, others are very similar.

Q. The cost of the parish clerks that would be needed has not been mentioned. This cost would make parishing too expensive.

A. It is true that there would need to be parish clerks - would need to be put in the precept.

Q. John Zipperlen: The difference in disposable incomes between the Sidley and Little Common is quite significant. This would be extremely divisive and would not bring the town together.

A. The same issues would arise for a town council.

Q. Nick Hollington: If after consultation Bexhill rejects parishing; will the Conservatives accept that decision?

A. I will have to wait to see what came out of the governance review.

Q. Carol Thomas: Whatever happens, rates rise but the public get less.

A. Council tax has remained the same for the last 4 years.

Q. Russell Meredith: Under parishing, who would speak for Bexhill? An area committee or a town council would provide a focus for the whole town but parishes would not be able to do this.

A. This is the sort of issue that is currently being examined but RDC would still look at the town's needs.

Q. Alan Witt: Parishing would cost £270,000, a town council £250,000. A town council would save £20,000 and be a better deal. A. The governance review will look into this.

Q. Rachel Sadler: By pushing for parishes are you hoping people will get tired of the subject and revert to status quo?

A. No we are looking at all the options.

Q. Councillor Maurice Watson: There are discretionary and mandatory services - RDC can cut the discretionary services at any time, where would they be put so that they can be maintained?

A. They can be managed and maintained under local governance.

Q. Geoffrey Bastin: Is the governance review being overseen by an independent body as there must be a risk of it reaching pre-determined conclusions if led by local councillors? A. This is being decided but local councillors will be involved.

Simon Elford informed the meeting that on Monday 10 Nov 2014 there would be an open evening for anyone who wants to be a councillor.

The chairman closed the meeting by thanking all the councillors for their presentations and the members for the debate. Cllr Michael Ensor was thanked for the use of St John's and his help.

The forum was asked if they wanted another similar meeting in February 2015. The forum responded yes. Chairman welcomed suggestions from the floor as to the way to take future meetings forward.