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Governance Committee

Wednesday, 1st March, 2017 at 5.30 pm

Hastings & Knepp Room, Parkside, Chart Way, Horsham

Councillors:

Toni Bradnum
Peter Burgess
Philip Circus
David Coldwell
Leonard Crosbie

Matthew French
Christian Mitchell
Michael Willett
Tricia Youtan

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

Page No.

- 1. Chairman of the Committee**
To elect a Chairman of the Committee for 2016/17
- 2. Apologies for absence**
- 3. Vice-Chairman of the Committee**
To appoint a Vice-Chairman of the Committee for 2016/17
- 4. Declaration of Members' Interests**
To receive any declarations of interest from Members of the Committee
- 5. Announcements**
To receive any announcements from the Chairman of the Committee or the Chief Executive
- 6. Electoral Review of Horsham: Draft Recommendations of the Local Government Boundary Commission for England (LGBCE)** 3 - 40
To consider the draft recommendations of the LGBCE on new electoral arrangements for Horsham District Council

7. **The Constitution of Horsham District Council** 41 - 46
To receive the report of the Monitoring Officer on the maintenance of the Constitution
8. **Work Programme** 47 - 48
To note the Governance Committee's Work Programme
9. **Urgent Business**
Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Report to Governance Committee

1st March 2017

By the Monitoring Officer

DECISION REQUIRED



Not Exempt

Electoral Review of Horsham: Draft Recommendations of the Local Government Boundary Commission for England (LGBCE)

Executive Summary

The Local Government Boundary Commission for England (LGBCE) informed the Council in April 2016 that it would undertake an Electoral Review of the District to deliver electoral equality for voters in local elections.

On 21 July 2016, following Member briefings and two seminars, the Council agreed a submission to the LGBCE, proposing a Council size of 47 councillors from May 2019. On 27 September 2016 the LGBCE wrote to the Council advising that it was commencing its consultation on proposals for a new pattern of electoral wards and that it was minded to recommend that 47 district councillors should be elected to Horsham District Council in future.

On 7 December 2016, following discussions with Members on an area and individual basis and a seminar, the Council approved a submission to the LGBCE on warding arrangements for Horsham District Council from May 2019 and in doing so agreed that the LGBCE be asked to approve a Council size of 48 councillors (an increase in one from that originally proposed).

The LGBCE has now opened its public consultation on its draft recommendations for new electoral arrangements for Horsham District Council with a closing date of 3 April 2017. The draft recommendations propose that 48 district councillors should be elected to Horsham District Council in the future and propose new electoral ward boundaries across the District.

Recommendations

That the Committee considers the LGBCE's proposals and makes recommendations to Council on a proposed response.

Reasons for Recommendations

To encourage the LGBCE as far as possible to adopt the warding arrangements that the Council believes will be right for the authority from May 2019 to provide electoral equality whilst reflecting the interests and identities of local communities and providing for effective and convenient local government.

Background Papers

1. The report to Council on 7 December 2016 titled "Submission to the Local Government Boundary Commission for England on the Electoral Review Of Horsham: Warding Arrangements for Horsham District Council" and the subsequent minute of Council (Minute No. CO/54).
2. The report of the LGBCE dated February 2017 and titled "Draft recommendations on the new electoral arrangements for Horsham District Council" and accompanying maps.

Wards affected: All.

Contact: Lesley Morgan, Democratic Services Manager ext 5123.

Background Information

1 Introduction and Background

- 1.1 The Local Government Boundary Commission for England (LGBCE) informed the Council in April 2016 that it would undertake an Electoral Review of the District to deliver electoral equality for voters in local elections. The LGBCE set out a timetable whereby the review would be undertaken in two distinct stages. The first stage considered council size and was concluded by the LGBCE in September 2016.
- 1.2 The second stage, currently underway, considers warding arrangements. On 7 December 2016, following discussions with Members on both an area and an individual basis, and an all councillor seminar, the Council approved a submission to the LGBCE on warding arrangements for Horsham District Council from May 2019 and in doing so agreed that the LGBCE be asked to approve a Council size of 48 councillors (an increase in one from that originally proposed).
- 1.3 The LGBCE has now opened its public consultation on its draft recommendations for new electoral arrangements for Horsham District Council with a closing date of 3 April 2017 and this report asks the Committee to consider these proposals and make recommendations to Council on a proposed response.

2 Relevant Council policy

- 2.1 This warding arrangement proposal aligns with two objectives of the 2016/19 Corporate Plan:
 - Communities, Support our communities; and
 - Efficiency, Great value services

3 Details

- 3.1 The LGBCE, in drawing up a pattern of electoral wards, must balance its three statutory criteria:
 - To deliver electoral equality where each district councillor represents roughly the same number of electors as others across the district
 - That the pattern of wards should, as far as possible, reflect the interests and identities of local communities
 - That the electoral arrangements should provide for effective and convenient local government
- 3.2 The LGBCE's draft recommendations propose that 48 district councillors should be elected to Horsham District Council in the future and propose new electoral ward boundaries across the District, resulting in 22 wards comprising two single-councillor wards, 14 two-councillor wards and six three-councillor wards.
- 3.3 The LGBCE's draft recommendations are attached in full as an appendix to this report and the overview map is available on their website at:

https://www.lgbce.org.uk/data/assets/pdf_file/0016/32164/Horsham_D_SO.pdf

(Please note: this file is very large and may take some time to download).

However, in summary, the main points from the draft recommendations are as follows:

- They have accepted that a 48-member warding pattern provides for better overall allocation of councillors across the District
- They have proposed an amendment to the eastern boundary of the Council's proposed Broadbridge Heath ward, crossing the A24 and taking in the Highwood housing development, Farthings Walk, Firs Close and Pines Ridge from the proposed Denne ward (this changes the variance in BBH ward from -13% to 0% in 2022)
- They have amended the Council's proposed Forest ward by removing the area to the south of Brighton Road from Horn Brook to the railway line (this changes the variance from +14% to -1% in 2022)
- They have then added the area removed from the proposed Forest ward to the remainder of the proposed Denne Ward (the western area having been moved to Broadbridge Heath) (this gives a variance of -3% in 2022)
- They have redrawn the boundary between the Council's proposed Southwater North and Shipley & Southwater South wards to include the residential area between Worthing Road, Pond Farm Gill and south of Cedar Drive and Nutham Lane in the Shipley & Southwater South ward (this includes the Lintot Square area) (this changes the variance in Southwater North from +5% to -4% and in Shipley & Southwater South from -9% to +1%)
- They have proposed revised parish electoral arrangements (warding) for North Horsham and Southwater Parish Councils as a result of the proposed District warding arrangements.

4 Next Steps

- 4.1 The Committee is asked to consider the LGBCE's draft recommendations with a view to recommending a proposed response to an extraordinary meeting of Council in order to meet the consultation deadline of 3 April 2017.

5 Outcome of Consultations

- 5.1 All Members of the Council have been advised of the draft recommendations and directed to the LGBCE website for further information:
<https://www.lgbce.org.uk/current-reviews/south-east/west-sussex/horsham>.
There was neither a requirement nor an expectation that the Council should consult with anyone other than its own Members as the Council is itself a consultee in this process and is not the decision maker.

6 Other Courses of Action Considered but Rejected

- 6.1 No specific course of action is proposed as it is for Members of the Committee to determine their response.

7 Resource Consequences

- 7.1 The proposal to increase the number of Members to 48 would require the budget for members' allowances to be increased with effect from 2019/20 to take account of four additional Members claiming the basic allowance.
- 7.2 The technical guidance published by the LGBCE states that the commission does not consider the financial implications that the council size proposal could have when it considers effective and convenient local government.

8 Legal Consequences

- 8.1 The Local Government Boundary Commission for England is an independent body established in 2010 by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009.
- 8.3 The LGBCE is responsible for undertaking this review following statutory considerations. This report and methodology follows the guidance provided by the commission.
- 8.4 Electoral reviews are a matter for full Council, which has appointed this Committee to advise it on such reviews amongst other matters.

9 Risk Assessment

- 9.1 Electoral review is not a corporate risk. Mitigation of any operational risk is provided by the assurance that the LGBCE is an independent body, created by statute and accountable to Parliament, with a track record of delivering electoral reviews.

10 Other Considerations

- 10.1 The governance arrangements of the Council provide for Members to offer public assurance and challenge around crime and disorder, human rights and equality and diversity matters.

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Draft recommendations on the new electoral arrangements for Horsham District Council

Electoral review

February 2017

Translations and other formats

To get this report in another language or in a large-print or Braille version contact the Local Government Boundary Commission for England:

Tel: 0330 500 1525

Email: reviews@lgbce.org.uk

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Summary

Who we are and what we do

1 The Local Government Boundary Commission for England (LGBCE) is an independent body set up by Parliament. We are not part of government or any political party. We are accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons.

2 Our main role is to carry out electoral reviews of local authorities throughout England.

Electoral review

3 An electoral review examines and proposes new electoral arrangements for a local authority. A local authority's electoral arrangements decide:

- How many councillors are needed
- How many wards or electoral divisions should there be, where are their boundaries and what should they be called
- How many councillors should represent each ward or division

Why Horsham?

4 We are conducting a review of Horsham as the value of each vote in district council elections varies depending on where you live in Horsham. Some councillors currently represent many more or fewer voters than others. This is 'electoral inequality'. Our aim is to create 'electoral equality', where votes are as equal as possible, ideally within 10% of being exactly equal.

Our proposals for Horsham

- Horsham should be represented by 48 councillors, four more than there are now.
- Horsham should have 22 wards, the same as there are now.
- The boundaries of 11 wards will change.

Have your say

5 We are consulting on our draft recommendations for an eight-week period, from 7 February to 3 April 2017. We encourage everyone to use this opportunity to contribute to the design of the new wards – the more public views we hear, the more informed our decisions will be when analysing all the views we received.

6 We ask everyone wishing to contribute ideas for the new wards to first read this report and look at the accompanying map before responding to us.

You have until 3 April 2017 to have your say on the draft recommendations. See page 19 for how to send us your response.

What is the Local Government Boundary Commission for England?

7 The Local Government Boundary Commission for England is an independent body set up by Parliament.¹

8 The members of the Commission are:

- Professor Colin Mellors (Chair)
 - Peter Knight CBE, DL
 - Alison Lowton
 - Peter Maddison QPM
 - Sir Tony Redmond
-
- Chief Executive: Jolyon Jackson CBE

¹ Under the Local Democracy, Economic Development and Construction Act 2009.

1 Introduction

9 This electoral review is being carried out to ensure that:

- The wards in Horsham are in the best possible places to help the Council carry out its responsibilities effectively.
- The number of voters represented by each councillor is approximately the same across the district.

What is an electoral review?

10 Our three main considerations are to:

- Improve electoral equality by equalising the number of electors each councillor represents
- Reflect community identity
- Provide for effective and convenient local government

11 Our task is to strike the best balance between them when making our recommendations. Our powers, as well as the guidance we have provided for electoral reviews and further information on the review process, can be found on our website at www.lgbce.org.uk

Consultation

12 We wrote to the Council to ask its views on the appropriate number of councillors for Horsham. We then held a period of consultation on warding patterns for the district. The submissions received during consultation have informed our draft recommendations.

13 This review is being conducted as follows:

Stage starts	Description
20 September 2016	Number of councillors decided
27 September 2016	Start of consultation seeking views on new wards
5 December 2016	End of consultation; we begin analysing submissions and forming draft recommendations
7 February 2017	Publication of draft recommendations, start of second consultation
3 April 2017	End of consultation; we begin analysing submissions and forming final recommendations
6 June 2017	Publication of final recommendations

How will the recommendations affect you?

14 The recommendations will determine how many councillors will serve on the Council. They will also decide which ward you vote in and which other communities are in that ward. Your ward name may also change.

2 Analysis and draft recommendations

15 Legislation² states that our recommendations should not be based only on how many electors³ there are now, but also on how many there are likely to be in the five years after the publication of our final recommendations. We must also try to recommend strong, clearly identifiable boundaries for our wards.

16 In reality, we are unlikely to be able to create wards with exactly the same number of electors in each; we have to be flexible. However, we try to keep the number of electors represented by each councillor as close to the average for the council as possible.

17 We work out the average number of electors per councillor for each individual local authority by dividing the electorate by the number of councillors, as shown on the table below.

	2016	2022
Electorate of Horsham	106,952	110,865
Number of councillors	48	48
Average number of electors per councillor	2,228	2,310

18 When the number of electors per councillor in a ward is within 10% of the average for the authority, we refer to the ward as having 'good electoral equality'. All but one of our proposed wards for Horsham will have electoral equality by 2022.

19 Our recommendations cannot affect the external boundaries of the district or result in changes to postcodes. They do not take into account parliamentary constituency boundaries. The recommendations will not have an effect on local taxes, house prices, or car and house insurance premiums and we are not able to take into account any representations which are based on these issues.

Submissions received

20 See Appendix C for details of the submissions received. All submissions may be viewed at our offices by appointment, or on our website at www.lgbce.org.uk

Electorate figures

21 The Council submitted electorate forecasts for 2022, a period five years on from the scheduled publication of our final recommendations in 2017. These forecasts were broken down to polling district level and predicted an increase in the electorate of around 4% by 2022.

² Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009.

³ Electors refers to the number of people registered to vote, not the whole adult population.

22 We considered the information provided by the Council and are satisfied that the projected figures are the best available at the present time. We have used these figures to produce our draft recommendations.

Number of councillors

23 Horsham District Council currently has 44 councillors. We looked at evidence provided by the Council and concluded that increasing the number of councillors by three would enable the Council to carry out its roles and responsibilities effectively. We therefore invited proposals for new patterns of wards that would be represented by 47 councillors.

24 In response to our consultation on warding patterns, we received two similar district-wide proposals from the Council and Councillor Skipp from the Liberal Democrat Group on the Council. The Council's proposal was based on a 48-member council and the Liberal Democrat Group's was based on a 49-member council, the political group allocated an additional councillor for Horsham.

25 During the development of the draft recommendations, we noted that under a 47-member council it was very difficult to form a coherent warding pattern with good electoral equality in Horsham and in the north-east, south-east and south-west of the district. We noted that a 48-member warding pattern provided for better overall allocation of councillors across the district, subject to modifications in Broadbridge Heath, Horsham and Southwater to improve electoral equality. We were not persuaded that a 49-member warding pattern would best reflect communities, particularly in Horsham. We have therefore based our draft recommendations on a 48-member council. This approach is consistent with our guidance where we explain that it may be necessary to alter council size by plus or minus one councillor to secure better and more clearly identifiable boundaries. A council size of 48 will also allow Horsham District Council to maintain an effective representational role for its councillors.

Ward boundaries consultation

26 We received 14 submissions in response to our consultation on ward boundaries. These included two district-wide proposals, from the Council and Councillor Skipp from the Liberal Democrat Group on the Council. As stated above, the Council's proposal was based on a 48-member council, and the Liberal Democrat Group's was based on a 49-member council. Both district-wide schemes were similar except for in Horsham and proposed wards which were above a 10% electoral variance.

27 We contacted the Council to see whether it considered a warding pattern under a council size of 47-members. It provided evidence of initial workings based on a council size of 47. We noted it was very difficult to form a 47-member warding pattern with good electoral equality and logical ward boundaries. A 47-member warding pattern also required modifications in Horsham, Southwater and the south of the district which resulted in the creation of small parish wards. We did not consider that these modifications best reflected community identities in the above areas.

While the Liberal Democrat Group proposal was similar to the Council's proposal, we considered that the additional of an extra councillor in Horsham did not provide for the best boundaries, nor did it reflect community identities in the Forest area of the town.

28 Our draft recommendations are therefore based on the Council's proposal for 48-members, as electoral equality is improved under this number. However, we have modified the ward boundaries for Broadbridge Heath, Denne, Forest, Southwater North and Shipley & Southwater South wards to reduce electoral variances which were close to or above 10%. We consider our modifications result in the best pattern of wards for the district. Our draft Pulborough, Coldwaltham & Amberley ward will have 11% fewer electors than the district average by 2022. However, we consider this variance is justified as the ward lies on the edge of the district with no clear alternative that would result in good electoral equality and ward boundaries.

29 A summary of our proposed new wards is set out in the table on page 16 and on the large map accompanying this report.

30 We welcome all comments on these draft recommendations, particularly on the location of the ward boundaries, and the names of our proposed wards.

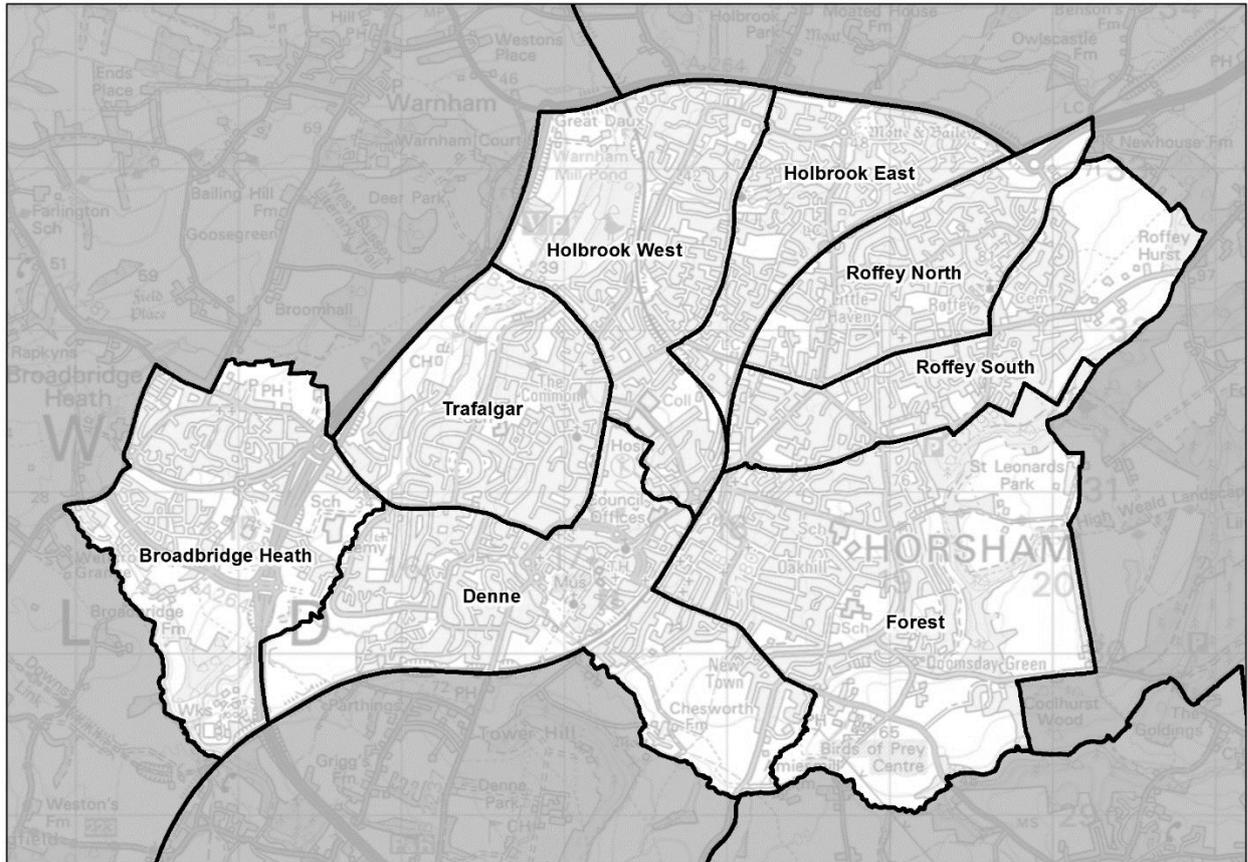
Draft recommendations

31 The tables and maps on pages 8–15 detail our draft recommendations for each area of Horsham. They detail how the proposed warding arrangements reflect the three statutory⁴ criteria of:

- Equality of representation
- Reflecting community interests and identities
- Providing for effective and convenient local government

⁴ Local Democracy, Economic Development and Construction Act 2009.

Horsham town and Broadbridge Heath



Ward name	Number of Cllrs	Variance 2022
Broadbridge Heath	2	0%
Denne	3	-3%
Forest	3	-1%
Holbrook East	2	-9%
Holbrook West	2	9%
Roffey North	2	7%
Roffey South	2	6%
Trafalgar	2	5%

Broadbridge Heath

32 The district-wide warding patterns of the Council proposed that Broadbridge Heath ward should have 13% fewer electors than the district average by 2022. It was argued that this electoral variance was acceptable because Broadbridge Heath is experiencing a high level of housing development, and the proposed ward would be coincident with the parish council boundary. However, the proposals of the Council would still result in the ward having 13% fewer electors than the district average by 2022. To reduce this electoral variance, we have included the Highwood housing development, Farthings Walk, Firs Close and Pines Ridge in Broadbridge Heath ward. This brings the electoral variance of Broadbridge Heath ward to an acceptable level of electoral equality.

Forest

33 The district-wide warding patterns received during consultation proposed that Forest ward should have 14% more electors than the district average. The Council argued the electoral variance reflects the interests and identity of the Forest community, which is long established. The whole area is also covered by the Forest Neighbourhood Council and uses clear and identifiable ward boundaries. However, we considered the evidence received is not sufficient nor persuasive and thus we have made modifications to the proposed ward. We have transferred an area between Horn Brook and the railway line to Denne ward. In the north of the ward, we have included a part of Station Road in Forest ward following evidence received from a local resident that the whole road be included in a single ward. Our modifications significantly improve the electoral variance of Forest ward.

Denne

34 Our draft recommendations for a three-councillor Denne ward have included an area between Horn Brook and the railway line. When touring the area, we noted that Chesworth Lane and Queen Street pass under the railway line to link the area with the remainder of Denne ward. We have also transferred the Highwood housing development, Farthings Walk, Firs Close and Pines Ridge from Denne ward to Broadbridge Heath ward, as mentioned above. Our modifications improve electoral equality in Denne ward.

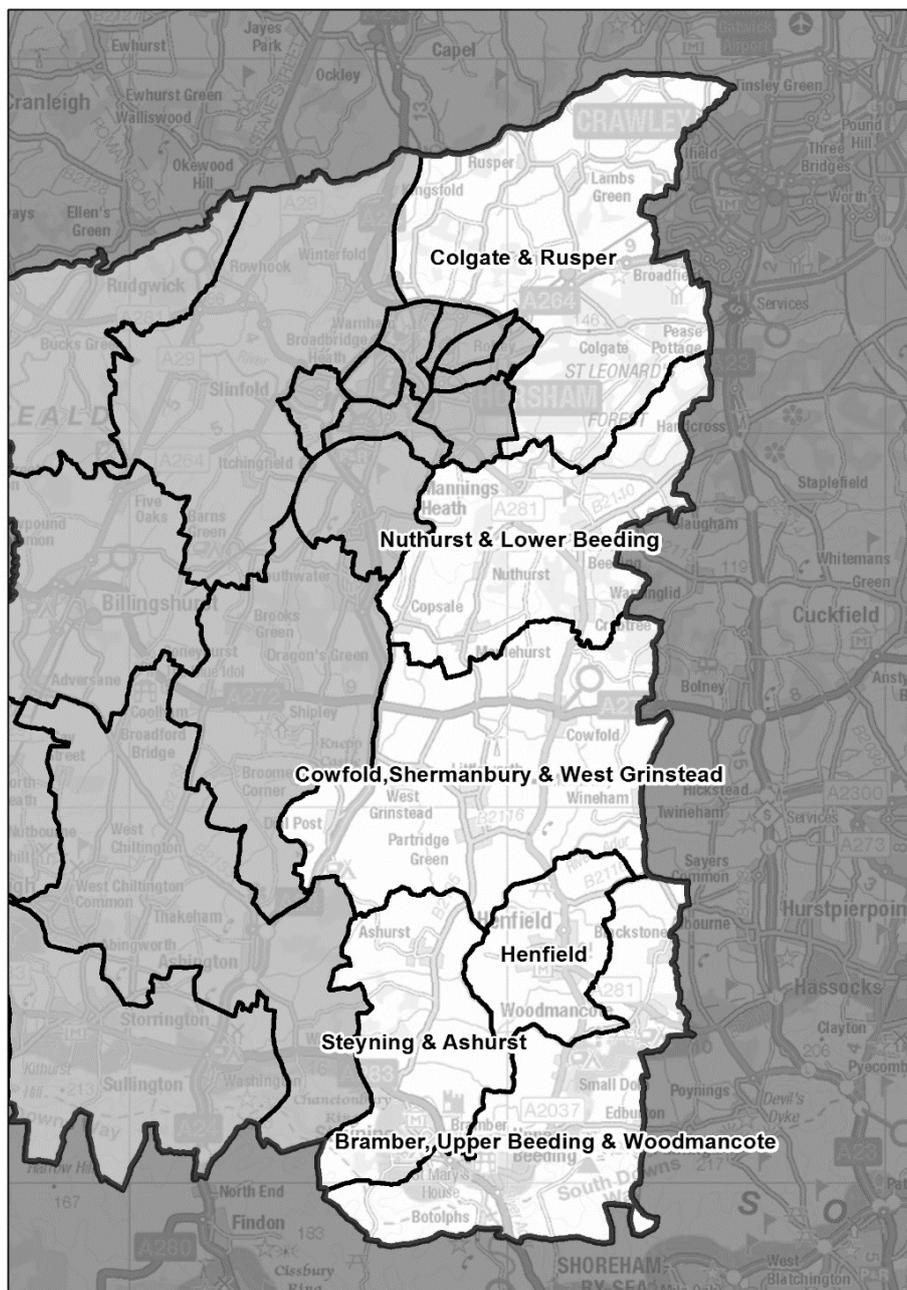
Roffey South

35 Our draft recommendations for Roffey South ward are largely based on the proposals of the Council. However, we have modified the ward boundary in response to evidence received from a local resident. The whole of Station Road will now be included in Forest ward. This allows the ward boundary to run along the centre of North Street which is a clearer and identifiable ward boundary.

Holbrook East, Holbrook West, Roffey North and Trafalgar

36 Our draft recommendations for these wards are based on the district-wide proposals of the Council. Horsham Trafalgar Neighbourhood Council objected to the increase in council size but recognised that ward boundary changes would need to be made in Horsham to obtain a better average electorate per councillor. We do not propose to make further modifications to these wards as we are content that the wards reflect community identities and provide for good electoral equality and effective and convenient local government.

East Horsham



Ward name	Number of Cllrs	Variance 2022
Bramber, Upper Beeding & Woodmancote	2	-7%
Colgate & Rusper	2	2%
Cowfold, Shermanbury & West Grinstead	2	-5%
Henfield	2	-8%
Steyning & Ashurst	2	8%
Nuthurst & Lower Beeding	1	7%

Bramber, Upper Beeding & Woodmancote

37 Our draft recommendations are based on the proposals of the Council and are the same as the existing warding arrangements. Although the ward satisfied the three statutory criteria for developing warding patterns, we investigated whether it was possible to transfer Bramber and Woodmancote parishes to Steyning & Ashurst and Henfield wards respectively as both parishes appeared better aligned with these respective wards. However, removing both parishes from Bramber, Upper Beeding & Woodmancote ward resulted in the ward having 31% fewer electors than the district average by 2022. We do not consider such a high variance to be acceptable. We are therefore not making any boundary changes to the current Bramber, Upper Beeding & Woodmancote ward.

Colgate & Rusper and Nuthurst & Lower Beeding

38 Our draft recommendations are based on the proposals of the Council. Our Nuthurst & Lower Beeding ward is the same as the current ward of the same name. North Horsham Parish Council commented that any change to the ward boundaries should be kept to a minimum, and Rusper Parish Council was opposed to the electoral review taking place. We are not making any modifications to the current Colgate & Rusper and Nuthurst & Lower Beeding wards as both wards reflect the three statutory criteria.

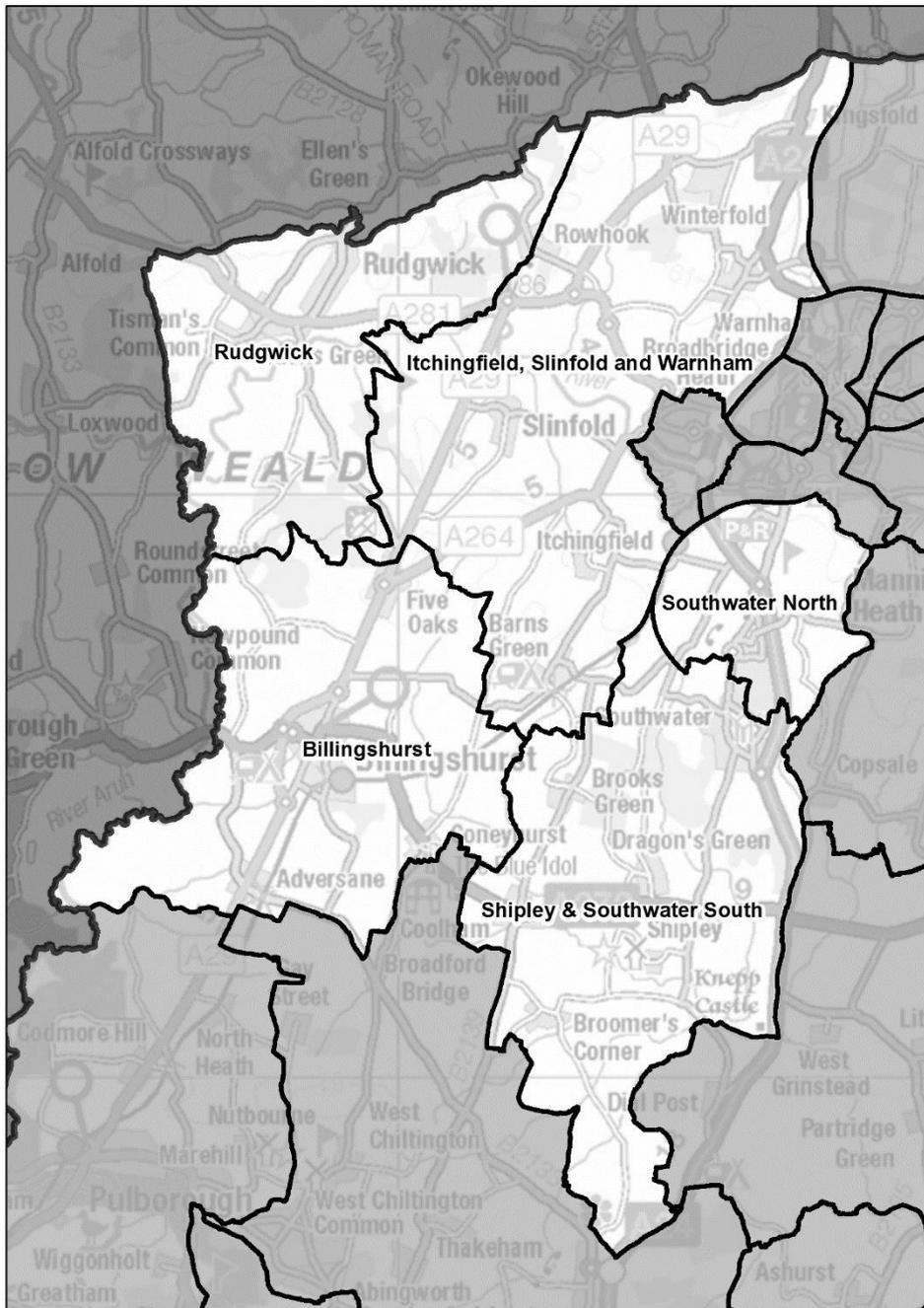
Cowfold, Shermanbury & West Grinstead

39 This ward is based on the proposals of the Council and is the same as the existing warding arrangements. West Grinstead Parish Council's comments appeared not to support the increase in the number of councillors for the district but made no comments on ward boundaries. We are content that Cowfold, Shermanbury & West Grinstead ward satisfies the three statutory criteria and are therefore making no changes.

Henfield and Steyning & Ashurst

40 Our draft recommendations are based on the proposals of the Council. Both wards are coincident with the existing warding arrangements. As mentioned above, we do not propose to change the boundaries of these wards due to the high electoral equality that would result in Bramber, Upper Beeding & Woodmancote ward. We are satisfied both wards reflect the three statutory criteria and have adopted them as part of our draft recommendations.

North-west Horsham



Ward name	Number of Cllrs	Variance 2022
Billingshurst	3	7%
Itchingfield, Slinfold & Warnham	2	-5%
Rudgwick	1	-5%
Shipley & Southwater South	2	1%
Southwater North	2	-4%

Billingshurst, Itchingfield, Slinfold & Warnham and Rudgwick

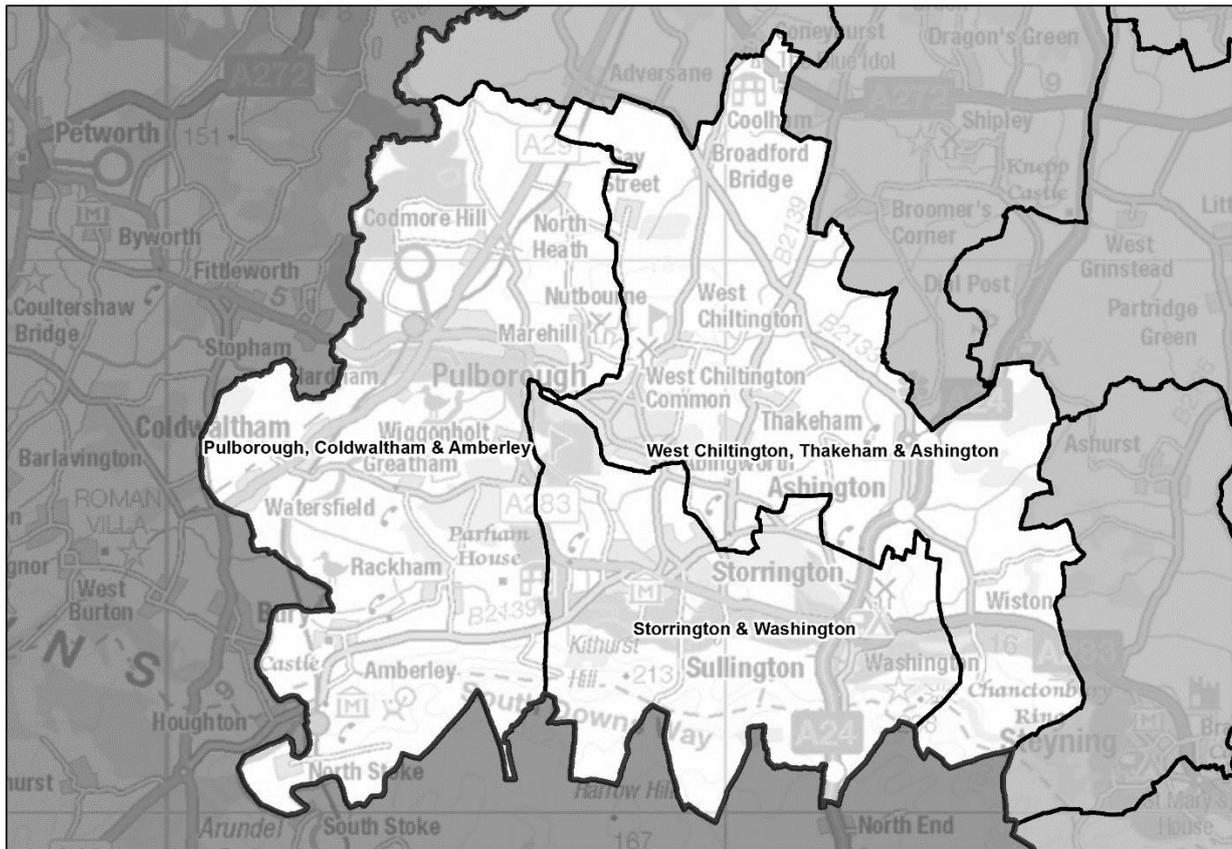
41 Our draft recommendations are based on the proposals of the Council. All three wards are also the same as the existing warding arrangements. We are satisfied that the wards reflect the three statutory criteria and propose no ward boundary changes. These wards are adopted as part of our draft recommendations.

Shipley and Southwater

42 We have largely based our draft recommendations on the proposals of the Council. During the consultation on warding patterns, Shipley Parish Council commented that it would like to remain aligned with Billingshurst parish, which is the existing warding arrangement. However, this would result in Billingshurst ward having 15% more electors than the district average, and a remaining ward comprising the south of Southwater with 11% fewer electors. We are not persuaded that remaining with the existing warding arrangement would provide the best balance of the three statutory criteria.

43 In Southwater, the Council proposed a two-member Shipley & Southwater South ward with an electoral variance of 9%. To improve electoral equality, we have included a residential area between Worthing Road, Pond Farm Gill and south of Cedar Drive and Nutham Lane in Shipley & Southwater South ward. We have also modified the ward boundary to include the Raylands Country Park campsite in Southwater North as its main access is onto Jackrells Lane. We consider our modifications better reflect three statutory criteria and provide for clearer ward boundaries.

South-west Horsham



Ward name	Number of Cllrs	Variance 2022
Pulborough, Coldwaltham & Amberley	3	-11%
Storrington & Washington	3	7%
West Chilmington, Thakeham & Ashington	3	0%

Pulborough, Coldwaltham & Amberley

44 Our draft recommendations are based on the proposals of the Council. During consultation on warding patterns, Amberley Parish Council objected to a proposal to include the parish with Pulborough and Coldwaltham. The parish preferred to be grouped in a ward with Storrington & Sullington parish. However, this warding arrangement would also have to include Parnham parish which adjoins Amberley and Storrington & Sullington parishes. The change would leave a ward comprising Pulborough and Coldwaltham with 19% fewer electors than the district average by 2022. Therefore, we are not making this change as part of our draft recommendations.

45 Pulborough, Coldwaltham & Amberley ward was proposed with an electoral variance of 11% by 2022. We investigated whether it was possible to reduce this electoral variance to improve electoral equality. However, we were constrained by the ward being at the edge of the district authority and the lack of an identifiable ward boundary to make modifications. Any modifications to adjoining wards would result in the creation of small parish wards which we do not consider would provide for effective and convenient local government. On balance, we have decided to recommend a ward with an electoral variance of 11% as it is the best balance of three statutory criteria and allows the ward to be coincident with parish boundaries.

Storrington & Washington and West Chiltington, Thakeham & Ashington

46 Our draft recommendations are based on the proposals of the Council. West Chiltington, Thakeham & Ashington ward is coincident with the existing warding arrangements. During consultation on warding patterns, Thakeham Parish Council objected to the increase in the number of councillors for the district. Washington Parish Council preferred to be grouped with Storrington & Sullington parish in a ward. Our recommendations group both parishes together in a three-member ward. We are content that Storrington & Washington and West Chiltington, Thakeham & Ashington wards satisfy the three statutory criteria.

Conclusions

47 The table below shows the impact of our draft recommendations on electoral equality, based on 2016 and 2022 electorate figures.

Summary of electoral arrangements

	Draft recommendations	
	2016	2022
Number of councillors	48	48
Number of electoral wards	22	22
Average number of electors per councillor	2,228	2,310
Number of wards with a variance more than 10% from the average	7	1
Number of wards with a variance more than 20% from the average	1	0

Draft recommendation

Horsham District Council should be made up of 48 councillors serving 22 wards representing two single-councillor wards, 14 two-councillor wards and six three-councillor wards. The details and names are shown in the table below and illustrated on the large map accompanying this report.

Mapping

Sheet 1, Map 1 shows the proposed wards for the Horsham District Council.

You can also view our draft recommendations for Horsham District Council on our interactive maps at <http://consultation.lgbce.org.uk>

Parish electoral arrangements

48 As part of an electoral review, we are required to have regard to the statutory criteria set out in Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). The Schedule provides that if a parish is to be divided between different ward it must also be divided into parish wards, so that each parish ward lies wholly within a single ward. We cannot recommend changes to the external boundaries of parishes as part of an electoral review.

49 Under the 2009 Act we only have the power to make changes to parish electoral arrangements where these are as a direct consequence of our recommendations for principal authority warding arrangements. However, Horsham District Council has powers under the Local Government and Public Involvement in Health Act 2007 to conduct community governance reviews to effect changes to parish electoral arrangements.

50 As a result of our proposed ward boundaries and having regard to the statutory criteria set out in schedule 2 to the 2009 Act, we are providing revised parish electoral arrangements for North Horsham and Southwater.

51 As result of our proposed ward boundaries and having regard to the statutory criteria set out in schedule 2 to the 2009 Act, we are providing revised parish electoral arrangements for North Horsham Parish Council.

Draft recommendation	
North Horsham Parish Council should comprise 19 councillors, as at present, representing six wards:	
Parish ward	Number of parish councillors
Comptons	1
Holbrook East	5
Holbrook West	4
North Horsham Rural	1
Roffey North	5
Roffey South	3

52 As result of our proposed ward boundaries and having regard to the statutory criteria set out in schedule 2 to the 2009 Act, we are providing revised parish electoral arrangements for Southwater Parish Council.

Draft recommendation	
Southwater Parish Council should comprise 15 councillors, as at present, representing two wards:	
Parish ward	Number of parish councillors
Southwater North	8
Southwater South	7

3 Have your say

53 The Commission has an open mind about its draft recommendations. Every representation we receive will be considered, regardless of who it is from or whether it relates to the whole district or just a part of it.

54 If you agree with our recommendations, please let us know. If you don't think our recommendations are right for Horsham District Council, we want to hear alternative proposals for a different pattern of wards.

55 Our website has a special consultation area where you can explore the maps and draw your own proposed boundaries. You can find it at consultation.lgbce.org.uk

56 Submissions can also be made by emailing reviews@lgbce.org.uk or by writing to:

Review Officer (Horsham)
The Local Government Boundary Commission for England
14th Floor, Millbank Tower
Millbank
London SW1P 4QP

57 The Commission aims to propose a pattern of wards for the Horsham which delivers:

- Electoral equality: each local councillor represents a similar number of voters
- Community identity: reflects the identity and interests of local communities
- Effective and convenient local government: helping your council discharge its responsibilities effectively

58 A good pattern of wards should:

- Provide good electoral equality, with each councillor representing, as closely as possible, the same number of voters
- Reflect community interests and identities and include evidence of community links
- Be based on strong, easily identifiable boundaries
- Help the council deliver effective and convenient local government

59 Electoral equality:

- Does your proposal mean that councillors would represent roughly the same number of voters as elsewhere in the council area?

60 Community identity:

- Community groups: is there a parish council, residents' association or other group that represents the area?

- Interests: what issues bind the community together or separate it from other parts of your area?
- Identifiable boundaries: are there natural or constructed features which make strong boundaries for your proposals?

61 Effective local government:

- Are any of the proposed wards too large or small to be represented effectively?
- Are the proposed names of the wards appropriate?
- Are there good links across your proposed wards? Is there any form of public transport?

62 Please note that the consultation stages of an electoral review are public consultations. In the interests of openness and transparency, we make available for public inspection full copies of all representations the Commission takes into account as part of a review. Accordingly, copies of all representations will be placed on deposit at our offices in Millbank (London) and on our website at www.lgbce.org.uk. A list of respondents will be available from us on request after the end of the consultation period.

63 If you are a member of the public and not writing on behalf of a council or organisation we will remove any personal identifiers, such as postal or email addresses, signatures or phone numbers from your submission before it is made public. We will remove signatures from all letters, no matter who they are from.

64 In the light of representations received, we will review our draft recommendations and consider whether they should be altered. As indicated earlier, it is therefore important that all interested parties let us have their views and evidence, **whether or not** they agree with the draft recommendations. We will then publish our final recommendations.

65 After the publication of our final recommendations, the changes we have proposed must be approved by Parliament. An Order – the legal document which brings into force our recommendations – will be laid in draft in Parliament. The draft Order will provide for new electoral arrangements to be implemented at the all-out elections for Horsham in 2019.

Equalities

66 This report has been screened for impact on equalities, with due regard being given to the general equalities duties as set out in section 149 of the Equality Act 2010. As no potential negative impacts were identified, a full equality impact analysis is not required.

Appendix A

Draft recommendations for Horsham District Council

	Ward name	Number of councillors	Electorate (2016)	Number of electors per councillor	Variance from average %	Electorate (2022)	Number of electors per councillor	Variance from average %
1	Billingshurst	3	6,919	2,306	4%	7,412	2,471	7%
2	Bramber, Upper Beeding & Woodmancote	2	4,349	2,175	-2%	4,278	2,139	-7%
3	Broadbridge Heath	2	3,925	1,963	-12%	4,639	2,320	0%
4	Colgate & Rusper	2	2,792	1,396	-37%	4,725	2,363	2%
5	Cowfold, Shermanbury & West Grinstead	2	4,385	2,193	-2%	4,385	2,193	-5%
6	Denne	3	6,008	2,003	-10%	6,739	2,246	-3%
7	Forest	3	6,785	2,262	2%	6,830	2,277	-1%
8	Henfield	2	4,245	2,123	-5%	4,271	2,136	-8%
9	Holbrook East	2	4,328	2,164	-3%	4,219	2,110	-9%
10	Holbrook West	2	5,159	2,580	16%	5,053	2,527	9%
11	Itchingfield, Slinfold & Warnham	2	4,465	2,233	0%	4,385	2,193	-5%

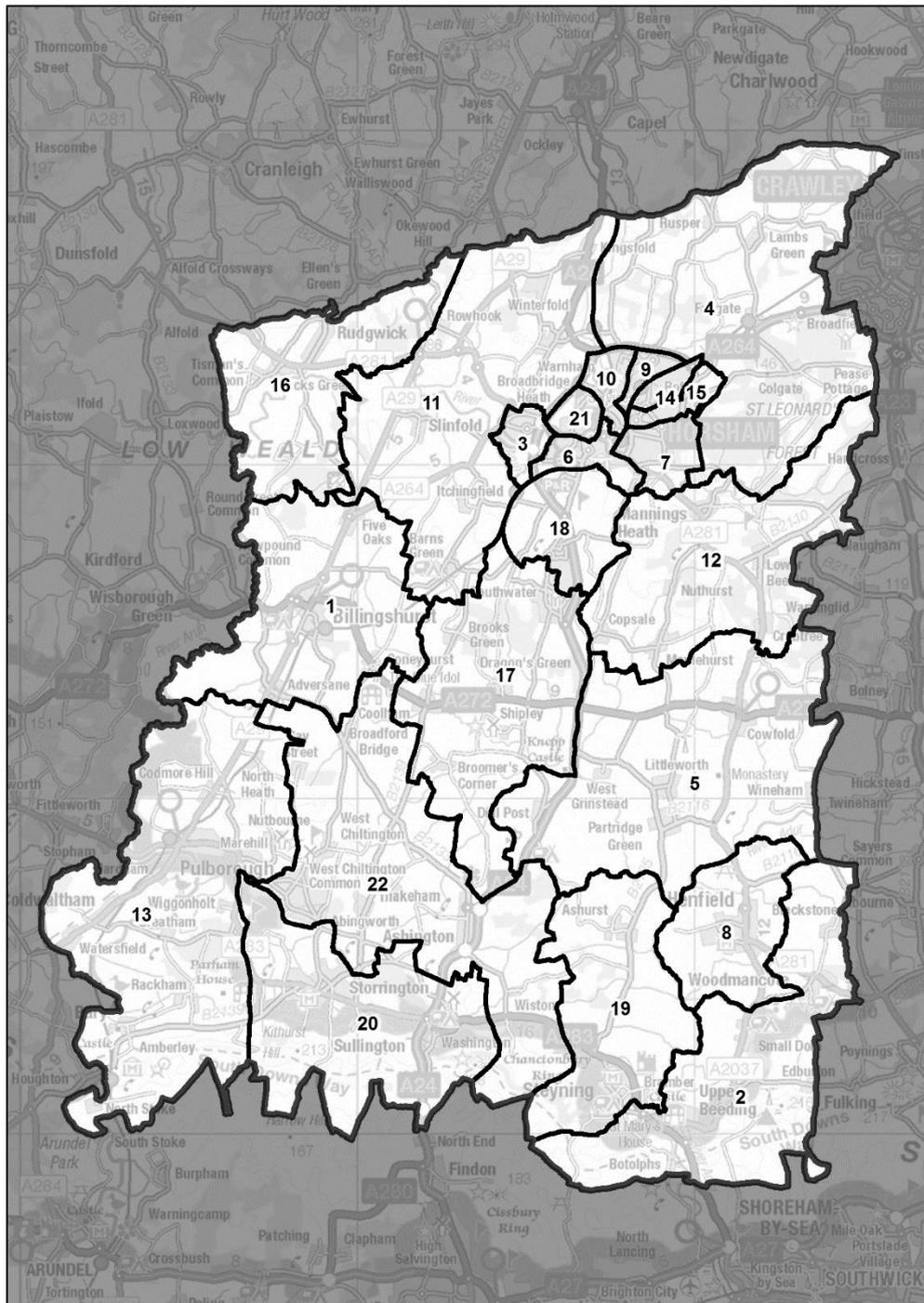
	Ward name	Number of councillors	Electorate (2016)	Number of electors per councillor	Variance from average %	Electorate (2022)	Number of electors per councillor	Variance from average %
12	Nuthurst & Lower Beeding	1	2,473	2,473	11%	2,469	2,469	7%
13	Pulborough, Coldwaltham & Amberley	3	5,925	1,975	-11%	6,191	2,064	-11%
14	Roffey North	2	4,966	2,483	11%	4,947	2,474	7%
15	Roffey South	2	4,915	2,458	10%	4,891	2,446	6%
16	Rudgwick	1	2,196	2,196	-1%	2,197	2,197	-5%
17	Shipley & Southwater South	2	4,634	2,317	4%	4,662	2,331	1%
18	Southwater North	2	4,400	2,200	-1%	4,414	2,207	-4%
19	Steyning & Ashurst	2	4,969	2,485	12%	4,969	2,485	8%
20	Storrington & Washington	3	7,361	2,454	10%	7,405	2,468	7%
21	Trafalgar	2	4,902	2,451	10%	4,829	2,415	5%
22	West Chiltington, Thakeham & Ashington	3	6,851	2,284	2%	6,955	2,318	0%
Totals		48	106,952	-	-	110,865	-	-
Averages		-	-	2,228	-	-	2,310	-

Source: Electorate figures are based on information provided by the Horsham District Council.

Note: The 'variance from average' column shows by how far, in percentage terms, the number of electors per councillor in each electoral ward varies from the average for the district. The minus symbol (-) denotes a lower than average number of electors. Figures have been rounded to the nearest whole number.

Appendix B

Outline map



A more detailed version of this map can be seen on the A1 sheet accompanying this report, or on our website: <http://www.lgbce.org.uk/current-reviews/south-east/west-sussex/horsham>

Key

1. Billingshurst
2. Bramber, Upper Beeding & Woodmancote
3. Broadbridge Heath
4. Colgate & Rusper
5. Cowfold, Shermanbury & West Grinstead
6. Denne
7. Forest
8. Henfield
9. Holbrook East
10. Holbrook West
11. Itchingfield, Slinfold & Warnham
12. Nuthurst & Lower Beeding
13. Pulborough, Coldwaltham & Amberley
14. Roffey North
15. Roffey South
16. Rudgwick
17. Shipley & Southwater South
18. Southwater North
19. Steyning & Ashurst
20. Storrington & Washington
21. Trafalgar
22. West Chiltington, Thakeham & Ashington

Appendix C

Submissions received

All submissions received can also be viewed on our website at:

<http://www.lgbce.org.uk/current-reviews/south-east/west-sussex/horsham>

Local Authority

- Horsham District Council

Political Group

- Councillor D. Skipp (Horsham Liberal Democrat Group)

Local Organisations

- Horsham Denne Neighbourhood Council
- Horsham Trafalgar Neighbourhood Council

Parish Councils

- Amberley Parish Council
- Billingshurst Parish Council
- North Horsham Parish Council
- Rusper Parish Council
- Shipley Parish Council
- Thakeham Parish Council
- Washington Parish Council
- West Grinstead Parish Council

Local Residents

- Two local residents

Appendix D

Glossary and abbreviations

Council size	The number of councillors elected to serve on a council
Electoral Change Order (or Order)	A legal document which implements changes to the electoral arrangements of a local authority
Division	A specific area of a county, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever division they are registered for the candidate or candidates they wish to represent them on the county council
Electoral fairness	When one elector's vote is worth the same as another's
Electoral inequality	Where there is a difference between the number of electors represented by a councillor and the average for the local authority
Electorate	People in the authority who are registered to vote in elections. For the purposes of this report, we refer specifically to the electorate for local government elections
Number of electors per councillor	The total number of electors in a local authority divided by the number of councillors
Over-represented	Where there are fewer electors per councillor in a ward or division than the average

Parish	A specific and defined area of land within a single local authority enclosed within a parish boundary. There are over 10,000 parishes in England, which provide the first tier of representation to their local residents
Parish council	A body elected by electors in the parish which serves and represents the area defined by the parish boundaries. See also 'Town council'
Parish (or Town) council electoral arrangements	The total number of councillors on any one parish or town council; the number, names and boundaries of parish wards; and the number of councillors for each ward
Parish ward	A particular area of a parish, defined for electoral, administrative and representational purposes. Eligible electors vote in whichever parish ward they live for candidate or candidates they wish to represent them on the parish council
Town council	A parish council which has been given ceremonial 'town' status. More information on achieving such status can be found at www.nalc.gov.uk
Under-represented	Where there are more electors per councillor in a ward or division than the average
Variance (or electoral variance)	How far the number of electors per councillor in a ward or division varies in percentage terms from the average

Ward	A specific area of a district or borough, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever ward they are registered for the candidate or candidates they wish to represent them on the district or borough council
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Report to Governance Committee

1st March 2017

By the Monitoring Officer

DECISION REQUIRED



Not Exempt

Maintenance of the Constitution of Horsham District Council

Executive Summary

The Governance Committee was created by Council on 7 December 2016. One of the functions of the Governance Committee is to receive reports of the Monitoring Officer on amendments to the Constitution and make any consequent recommendation to Full Council.

The Monitoring Officer has power under the Constitution to make minor variations to the Constitution to remove inconsistency or ambiguity or to make amendments to the Constitution to reflect a decision of the Council or Cabinet or to update as a consequence of legislative change.

This report sets out a number of proposed variations to the Constitution. The Committee are to decide whether the proposed variation should simply be noted or whether the amendment is such as to need to be recommended to Full Council.

Recommendations

That the Committee is recommended to consider the proposed adjustments set out in appendix 1.

Reasons for Recommendations

To give Member oversight in respect of proposed variations to the Constitution and support the Monitoring Officer in maintaining the Council Constitution.

Background Papers

The Council Constitution

Wards affected: All wards.

Contact: Paul Cummins, Head of Legal and Democratic Services (Monitoring Officer).

Background Information

1 Introduction and General Background

- 1.1 It is a legal requirement for the Council to have a Constitution under the Local Government Act 2000 (as amended by the Localism Act 2011).
- 1.2 The Council undertook a major review of the Constitution in 2016 resulting in the adoption of a revised Constitution by Full Council on 7 December 2016. At the same time as the adoption of a revised Constitution, Full Council created a Governance Committee.
- 1.3 One of the functions of the Governance Committee is to ensure that the Council's Constitution is kept up to date and fit for purpose. This includes supporting the Monitoring Officer by noting any minor variations made to the Constitution by him and noting any updates made by the Monitoring Officer arising from legislative change. It also includes making recommendations to Full Council on any amendments that are not covered by the Monitoring Officer's delegated powers

2 Relevant Council policy

- 2.1 The Corporate Plan 2016-19 heading Efficiency- Great value services will be better enabled by a modern, agile constitution which is flexible, permissive, well-understood, and realigned to a model constitution in an accessible single-document format.

3 Details of the Proposed Variations and Amendments

- 3.1 Track changed extracts are attached at appendix 1.

4 Next Steps

- 4.1 The Monitoring Officer will make the changes forthwith and publish the amendments on the council's website in the 'Library' section here <http://bit.ly/2l3tBbf>
- 4.2 Any amendments needed to be referred to Full Council will be put on the agenda for the next available Council meeting.

5 Outcome of Consultations

- 5.1 Relevant Service Managers have been consulted regarding the proposed variations.

6 Other Courses of Action Considered but Rejected

- 6.1 The Constitution could not be updated but for effective governance the Constitution needs to be treated as a 'living' document with the need for frequent amendments to ensure it remains up to date and reflects the operation of the Council.

7 Resource Consequences

- 7.1 There is no cost associated with the changes.

8 Legal Consequences

- 8.1 Under the Local Government Act 2000 (as amended by the Localism Act 2011) it is a legal requirement for the Council to have a Constitution.

9 Risk Assessment

- 9.1 The recommendations within this report are part of mitigating corporate risk CRR08 described in the Corporate Risk Register. The risk source: The Council's decision-making processes are based on Constitution that is overly bureaucratic and unnecessarily complicated. Event: Non-compliance with the Constitution and delays in decision-making. The potential consequences described are: opportunities lost, complaints/claims/litigation/financial losses and lack of openness and transparency.

10 Other Considerations

- 10.1 The Constitution and its Procedures, Rules and Codes act as an enabling tool in helping the Council meet its obligations under the Human Rights Act 1998, Equality Act 2010.
- 10.2 Consideration of how projects and proposals can secure environmental, social and economic benefits and reduce negative consequences should be an integral part of decision-making and the Constitution will facilitate such considerations.

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1. Proposed Amendment to Part 3.2 paragraph 5 shown as track changed extract below

3.2.5 Functions of the Licensing Committee

a) Discharge the functions of the Council as a Licensing Authority under the Licensing Act 2003, ~~and the~~ Gambling Act 2005 (with the exception of any functions which are reserved to Council), and **public safety, animal welfare and other** miscellaneous matters as set out in the Functions Regulations. The Licensing Committee will discharge the functions of the Scrap Metal Dealers Act 2013 (Relevant Sub-Committee to be convened when appropriate to deal with contested applications and hearings).

Reason for Amendment

It is considered the existing wording of 'miscellaneous matters' does cover public safety and animal welfare however it is considered it removes any ambiguity if those functions are specifically set out.

2. Proposed Amendment to Part 3.2 paragraph 2 (v) shown as track changed extract below

3.2.2 Functions of the Planning Committees

- a) Discharge those functions falling within The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, regulations 2 and 3 and Schedule 1 Part A paragraphs 5-31, Part I paragraphs 46-47A and Schedule 2 paragraphs 16-18 and as may be amended.
- b) Those matters referred to in an agreement between South Downs National Park and Horsham District Council, having effect from 1 April 2011, will be discharged by the Planning Committee (South) only.
- c) Determination of applications as follows:
 - i. Applications made by or on behalf of, the Council.
 - ii. Where the application has been made by a Member or an officer or a member of their immediate family.
 - iii. Where a Member of the relevant Planning Committee requests; such request to be in writing (to include e-mail) and received by the Development Manager within 35 days of the date of validation of the application.
 - iv. Where eight or more persons in different households or bodies make a written representation (to include email), which discloses a material planning consideration within the consultation period and is inconsistent with the Development Manager's recommendation.
 - v. Any application that is defined as a departure application under the Town & Country Planning (Development Management Procedure)(England) Order 2015, where the recommendation of the Development Manager would represent a departure to the development plan **and there is no extant planning permission.**
 - vi. Where the Parish or Neighbourhood Council makes a written representation (to include email) which discloses a material planning consideration and is inconsistent with the Development Manager's recommendation, within the consultation period, and wishes to address the Planning Committee.

- vii. Where the Development Manager considers the application should be presented to the Development Management Committee for a decision.

Reason for Amendment

The practical application of this clause was agreed when discussed at the PDAG meeting and so the additional wording will make paragraph (v) clear and not subject to any ambiguity.

3. Proposed Amendment to Part 4b. paragraph 14 shown as track changed extract below.

4b. 14 Policy Development Advisory Groups

a) The purpose of each Policy Development Advisory Group is to advise the relevant Cabinet Member on those functions (including all forthcoming key and non-key decisions) described in part 3 of this constitution.

b) A timetable of six Policy Development Advisory Group meetings per Group per year will be agreed and published at Annual Council.

c) Policy Development Advisory Group meetings will be chaired by the relevant Cabinet Member. In the absence of the relevant Cabinet Member the Policy Development Advisory Group will be chaired by the Leader of the Council, or otherwise in accordance with Article 7.3b.

d) Meetings of the group will be subject to a quorum of three (including the Cabinet Member).

e) The Proper Officer will publish an agenda and notes for each meeting of Policy Development Advisory Groups on the Council's website.

f) Visiting Members may attend Policy Development Advisory Groups and may speak at the discretion of the Chairman.

g) A record of the views of Policy Development Advisory Groups will be created, subject to Part 4b 12b of this constitution.

Reason for Amendment

When Policy Development Advisory Groups were created it was set out that they would be chaired by the relevant Cabinet Member. It is considered setting this out in the Constitution removes any ambiguity. It also sets out clearly that the Leader or another Cabinet Member will chair a Policy Development Advisory Group in the absence of the relevant Cabinet Member.

Report to Governance Committee

1st March 2017

By the Monitoring Officer

INFORMATION REPORT



**Horsham
District
Council**

Not Exempt

Indicative Work Programme 2017

	Date	Matters	Officer
1	March 2017	Appoint a Chairman of the Committee for 2016/17 Receive the LGBCE Report on Warding Arrangements for Horsham District Receive the report of the Monitoring Officer on the Constitution of Horsham District Council Note Governance Committee Work Programme	
2	March 2017	Recommend response to Council on LGBCE Report on Warding Arrangements for Horsham District Note Governance Committee Work Programme	
3	June 2017	Appoint a Chairman of the Committee for 2017/18 Receive the report of the Monitoring Officer on the method for evaluating the effectiveness of the changes to governance introduced from May 2016 Note Governance Committee Work Programme	
4	September 2017	Receive the evaluation of the effectiveness of the changes to governance Note Governance Committee Work Programme	

Recommendations

Committee is recommended to note the work programme.

Reasons for Recommendations

To provide clarity as to the future work of the Committee as far as it is known.

Background Papers

None.

Wards affected: All.

Contact: Paul Cummins, Monitoring Officer.

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