

EAST HERTFORDSHIRE DISTRICT COUNCIL

COMMUNITY GOVERNANCE REVIEW OF BISHOP'S STORTFORD TOWN COUNCIL – DECISION NOTICE

1. Introduction

- 1.1 On 13 February 2018 East Hertfordshire District Council ('the Council') commenced a community governance review of Bishop's Stortford Town Council, including the town boundary. On 17 October 2018 the Council considered the responses received to the second stage consultation on the community governance review, together with the recommendations of the Executive in relation to the review. The Council agreed and gave effect to the final recommendations of the community governance review as follows:-

- (1) That no new parishes be constituted in the area under review;**
- (2) That no change be made to the name of either Bishop's Stortford or Thorley Parish and that each of the parishes continue to have a council;**
- (3) That the areas of Bishop's Stortford and Thorley parishes be altered as follows:-**
 - a) That the part of St Michael's Mead that is currently in Thorley Parish be transferred to Bishop's Stortford Parish, with the parish boundary being amended to follow Moor Hall Lane from St James' Way to the existing boundary so that Southern Country Park and other undeveloped adjacent land will remain in Thorley Parish.**
 - b) That those properties in Rectory Close that are currently in Bishop's Stortford Parish be transferred to Thorley Parish.**
 - c) That the area of land occupied by numbers 6 to 9 Park View Cottages be transferred from Bishop's Stortford Parish to Thorley Parish.**
 - d) That no other changes be made at this time to the parish boundary between Bishop's Stortford and Thorley parishes;**
- (4) That the Council keep under review any future development in Bishop's Stortford South or elsewhere with a view to considering whether this may in due course give rise to the need for a further community governance review of any part or parts of the District;**
- (5) That in relation to the electoral arrangements for Bishop's Stortford Town Council:-**
 - a) The total number of councillors to be elected to the Town**

- Council be reduced from 18 to 17;**
- b) That Bishop's Stortford continue to be divided into five wards for the purpose of electing councillors to the Town Council;**
 - c) That no change be made to the name of any ward;**
 - d) That the boundaries between the Town Council wards be altered as illustrated at sheets 3 to 16 of the map in the draft Reorganisation of Community Governance Order; and**
 - e) That the number of councillors to be elected to represent each ward on the Town Council be as follows:-**

All Saints Ward	3 councillors
Central Ward	4 councillors
Meads Ward	3 councillors
Silverleys Ward	3 councillors
South Ward	4 councillors

- (6) That in relation to the electoral arrangements for Thorley Parish Council:-**

- a) The total number of councillors to be elected to the Parish Council be reduced from 7 to 6;**
- b) That Thorley Parish continue to be divided into two wards for the purpose of electing councillors to the Parish Council;**
- c) That no change be made to the name of any ward;**
- d) That the boundary between the Parish Council Rural and Urban Wards continue to follow the boundary between the District Council wards of Bishop's Stortford South and Much Hadham as illustrated at sheet 2 of the map in the draft Reorganisation of Community Governance Order; and**
- e) That the number of councillors to be elected to represent each ward on the Parish Council be as follows:-**

Rural Ward	2 councillors
Urban Ward	4 councillors

- (7) That the Local Government Boundary Commission for England be requested to make changes to the boundaries of the relevant District Council Wards and County Council Divisions as necessary to ensure coterminosity between those boundaries and the revised Parish and Parish Ward boundaries made in this community governance review; and**

- (8) That the Council make the East Hertfordshire (Reorganisation of Community Governance) (Bishop's Stortford and Thorley) Order 2018.**

1.2 A copy of the Reorganisation of Community Governance Order referred to at (8) above, including maps showing the areas described at (3), (5) and (6) above, is attached to this Decision Notice.

2.0 Considerations and reasons for the decisions

- 2.1 The following paragraphs consider in turn the matters on which a Council undertaking a community governance review must or may make recommendations. In each case the Council applied the criteria set out in the Local Government and Public Involvement in Health Act 2007 ('the 2007 Act') and the statutory guidance, together with the policies set out in the terms of reference for the review in the context of the evidence submitted, the responses to the consultation and the recommendations of the Executive; and agreed the final recommendations of the community governance review as indicated.

Whether a new parish or any new parishes should be constituted

- 2.2 Section 87 of the 2007 Act requires that a principal council undertaking a community governance review must make recommendations on whether a new parish or any new parishes should be constituted. In relation to Bishop's Stortford and Thorley, the entire area under review is already parished.

Agreed recommendation 1 – That no new parishes be constituted in the area under review

Whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered

- 2.3 Section 88 of the 2007 Act requires that a community governance review must make one of the following recommendations in relation to each of the existing parishes under review:
- (a) That the parish should not be abolished and that its area should not be altered;
 - (b) That the area of the parish should be altered; or
 - (c) That the parish should be abolished.
- 2.4 No substantive evidence has been submitted to support any proposition that either of the parishes under review should be abolished and the statutory guidance states that 'the Government expects to see a trend in the creation, rather than the abolition, of parishes' and that 'the abolition of parishes should not be undertaken unless clearly justified'.
- 2.5 The review must also make recommendations as to whether or not the name of the parish should be changed; and if (as is the case for both Bishop's Stortford and Thorley) the parish has a council, recommendations as to whether or not the parish should continue to have a council.

2.6 No evidence has been submitted to the review regarding any proposed change of name for either parish, nor to support any proposition that either Bishop's Stortford or Thorley parish should not continue to have a council.

2.7 Regarding the potential alteration of the parish areas, the draft recommendations included a number of proposals which are addressed in turn below.

- a) **Land south of Whittington Way** – The land south of Whittington Way is allocated for housing in the emerging District Plan and electorate forecasts suggested that by February 2023 there would be approximately 500 electors living on this site. The current parish boundary runs through the site and therefore, when it is developed, the boundary will no longer comply with the guidance. In reaching its draft recommendations, the Council had taken into consideration that any development on the site is likely to be in the character of an urban extension and felt that its future occupants were likely to identify with the town of Bishop's Stortford.

A large majority of respondents in the second stage consultation was against the proposal to transfer the land south of Whittington Way into Bishop's Stortford.

Further, the Executive on 11 September 2018 noted the uncertainties around the timescale of any development and recommended that no change be made to that section of the parish boundary at this stage. Full planning permission had yet to be granted and no development had so far taken place. The most recent masterplan stated that subject to approval, building would take place from 2021/22 and would start on the part of the site that is within Bishop's Stortford. Only a relatively small number of properties were likely to be occupied in the Thorley part of the site by 2023.

It is proposed therefore that there is no immediate compelling reason to change the parish boundary on the Whittington Way site. Community governance is a living thing and a review may be undertaken at any time. The Council would wish to keep the situation under review and, if and when future development does take place, consider whether there is a need for a further review which would consider the matter on its merits at that time in consultation with local electors and others.

- b) **St Michael's Mead** – A majority of respondents were also against the proposal for all of St Michael's Mead to be included in Bishop's Stortford, although more respondents were prepared to countenance this change than the Whittington Way site. The considerations in respect of the two areas are very different. St Michael's Mead is an established residential area that has extended across the existing parish boundary which as a result no longer meets the guidance for such boundaries. The large majority of the development is within Bishop's Stortford and the character

of the building is that of an urban extension to the town with which it forms a continuous built up area. The Executive on 11 September 2018 therefore recommended that the whole of St Michael's Mead should be incorporated within the area of Bishop's Stortford Town Council.

However the Executive also noted that the draft recommendations included in the proposed transfer unoccupied land adjacent to St Michael's Mead, including Southern County Park. The Executive agreed with the view of some consultees that this was unnecessary and recommended that only the developed area of housing be transferred.

- c) **Thorley Street, Pig Lane and Twyford Bury Lane areas** – In formulating its draft recommendations, the Council on 16 May 2018 did not consider that Bishop's Stortford Town Council had provided any compelling evidence that Thorley Street and the areas east of London Road and the railway, including Pig Lane and Twyford Bury Lane, should be transferred to Bishop's Stortford. It felt that these areas had much in common with the remainder of Thorley Parish and noted that a majority of the responses from Thorley residents opposing the Town Council's proposal had come from these areas.

In addition, the Council noted that the original proposal from the Town Council would have left Thorley Parish with only 47 current electors, which would jeopardise the viability of the parish. The Council recommended that the Thorley Street, Pig Lane and Twyford Bury Lane areas should remain part of Thorley Parish. This, together with the proposed changes at Rectory Close and Park View Cottages (see below) would bring the electorate of the revised parish area to approximately 240 and the Council believed that the areas included in the revised boundary of the parish would share the common traditions, sense of place and identity that many respondents to the initial consultation had referred to.

The Council's draft recommendation in respect of this area was welcomed by respondents to the second stage consultation and the Executive on 11 September 2018 recommended that it should be confirmed.

- d) **Rectory Close** – This road is currently split between the two parishes as the current boundary runs between numbers 4 and 5. The Council recommended that this anomaly should be corrected and that all properties in Rectory Close should be incorporated into Thorley Parish.
- e) **Park View Cottages** – Numbers 6 to 9 Park View Cottages are situated east of London Road and south of the junction with Whittington Way but are currently within Bishop's Stortford Town Council's area. The Council recommended that the area in which these properties are situated should be incorporated into Thorley Parish.

In relation to both (d) and (e) above, the Council's draft recommendations were welcomed by respondents to the second stage consultation and the Executive recommended that they should be confirmed.

- 2.8 The recommendations below build on the above findings and give effect to the criteria and policies in the terms of reference for the review in relation to community identities and interests, effective and convenient local government and the size, population and boundaries of the respective parishes.
- 2.9 In relation to community cohesion, this is related to community identities and interests and no evidence has been submitted to suggest that any of the recommendations will damage community cohesion.
- 2.10 The 2007 Act requires a principal council in undertaking a community governance review to give consideration to other (non-parish) forms of community governance that have been made, or could be made, for the purpose of community representation or engagement in the area under review. The guidance states that these should be considered as alternatives to, or stages towards, the establishment of parish councils. However, the guidance also states that 'what sets parish councils apart from other kinds of governance is the fact they are a democratically elected tier of local government, independent of other council tiers and budgets, and possess specific powers' and that 'their directly elected parish councillors represent local communities in a way that other bodies, however worthy, cannot since such organisations do not have representatives directly elected to those bodies'. No evidence has been submitted to the review that the town or parish councils under review should be replaced by any other arrangements.

Agreed recommendation 2 – That no change be made to the name of either Bishop's Stortford or Thorley Parish and that each of the parishes continue to have a council.

Agreed recommendation 3 - That the areas of Bishop's Stortford and Thorley parishes be altered as follows:-

- (a) **That the part of St Michael's Mead that is currently in Thorley Parish (marked as Area A on the map at sheet number 2 of Essential Reference Paper B to the Council report) be transferred to Bishop's Stortford Parish, with the parish boundary being amended to follow Moor Hall Lane from St James' Way to the existing boundary so that Southern Country Park and other undeveloped adjacent land will remain in Thorley Parish.**
- (b) **That those properties in Rectory Close that are currently in Bishop's Stortford Parish (marked as Area B on the map at sheet number 2 of Essential Reference Paper B to the Council report) be transferred to Thorley Parish.**

- (c) That the area of land occupied by numbers 6 to 9 Park View Cottages (marked as Area C on the map at sheet number 2 of Essential Reference Paper B to the Council report) be transferred from Bishop's Stortford Parish to Thorley Parish.
- (d) That no other changes be made at this time to the parish boundary between Bishop's Stortford and Thorley parishes.

Agreed recommendation 4 - That the Council keep under review any future development in Bishop's Stortford South or elsewhere with a view to considering whether this may in due course give rise to the need for a further community governance review of any part or parts of the District.

What the electoral arrangements for new or existing parishes, which are to have parish councils, should be.

Council size

- 2.11 The Local Government Act 1972, as amended, specifies that each parish council must have at least five councillors. There is no maximum number, no requirement in legislation that the number of councillors should be proportional to electorate size and no legislative guidance on the ideal number of parish councillors.
- 2.12 The Local Government Boundary Commission for England (LGBCE)'s guidance is that "each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, [the principal council] should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government. Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. [...]"
- 2.13 The statutory guidance goes on to state: "In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council's budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size."
- 2.14 Although there is no statutory guidance on the number of parish councillors to be allocated, the National Association of Local Councils (NALC) has published recommendations on the matter. NALC Circular 1126 (1988) recommends that a council of no more than the legal minimum of five members is

inconveniently small and that the practical minimum should be seven, to apply to any parish council with up to 900 electors. Further recommendations were made for parishes with larger electorates, up to a maximum of 25 councillors where the electorate exceeds 23,000.

- 2.15 The Aston Business School also published research in 1992 which showed actual levels of representation at that time as follows:-

Electors	Councillors	Electors	Councillors
Up to 500	5-8	10,001 – 20,000	13-27
501 – 2,500	6-12	Over 20,000	13-31
2,501 – 10,000	9-16		

Bishop's Stortford Town Council

- 2.16 Bishop's Stortford Town Council itself proposed that the size of the Town Council should be reduced from 18 to 17 members. No adverse responses to this proposal were received during the second stage consultation, the proposal has the potential to improve electoral equality and the Executive on 11 September 2018 recommended that it should go ahead.

Thorley Parish Council

- 2.17 The proposed changes to the boundary of Thorley Parish would give rise to a reduction in the electorate of the parish from 513 at the start of the review to just over 240. The Council's draft recommendation that Thorley Parish on its revised boundaries should no longer be divided into wards and that the Parish Council should comprise of five parish councillors was not supported by a majority of consultation respondents.
- 2.18 In view of the above and of the Executive's revised proposals in relation to the boundary changes and the retention of warding in the parish (see below), the Executive on 11 September 2018 considered that it may be advantageous for the council to have more than the legal minimum number of members and proposed that the new number should be six councillors across the two wards.

Parish warding

- 2.19 The Council is required to consider whether a parish should be, or should continue to be, divided into wards for the purposes of elections to the parish/town council and the number and boundaries of parish wards, taking account of population distribution and community identity and interests in the area.
- 2.20 Regarding whether a parish should be divided into wards, the 2007 Act requires the Council to consider:

- a) Whether the number, or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
 - b) Whether it is desirable that any area or areas of the parish should be separately represented.
- 2.21 If a principal council decides that a parish should (continue to be) divided into wards, it must have regard to certain factors when considering (a) the size and boundaries of the wards; and (b) the number of councillors to be elected for each ward. Those factors are:-
- (a) The number of local government electors for the parish;
 - (b) Any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review starts;
 - (c) The desirability of fixing boundaries which are, and will remain, easily identifiable; and
 - (d) Any local ties which will be broken by the fixing of any particular boundaries.

Bishop's Stortford Town Council

- 2.22 Bishop's Stortford Town Council is currently divided into five wards for the purpose of electing town councillors and no evidence has been submitted that this should not continue to be the case, nor that there should be any change to the names of the wards.
- 2.23 In relation to the boundaries of those wards, the Town Council proposed 18 separate, relatively minor, changes to ward boundaries within its area. It is suggested that these are sensible proposals that will address anomalies that have arisen in the main due to infill development over the existing boundaries and that they have the potential to provide practical and convenient arrangements for electors and to slightly improve electoral equality between the wards. No significant adverse responses to these proposals were received during either stage of consultation and the Executive on 11 September 2018 recommended that they should go ahead.
- 2.24 The proposed changes to ward boundaries are illustrated at sheets 3 to 16 of the map in the attached Reorganisation of Community Governance Order and are summarised in the table below. They represent changes to roads which currently have residents in more than one ward and where it is proposed either that the boundaries be re-drawn so that all properties are in the ward which currently has the largest number of electors, or so that the road(s) are in the ward from which access is gained or for some other reason to improve convenience to electors:-

Street/Road	Change proposed	Area marked no.	Map sheet no.
Collins Cross	Properties currently in All Saints Ward to transfer to Meads Ward	Area marked 1	Map sheet 3
High Street	Property currently in Meads Ward to transfer to Central Ward	Areas marked 2	Map sheet 4
Parsonage Lane	Properties currently in Meads Ward to transfer to All Saints Ward	Area marked 3	Map sheet 5
Wentworth Drive	Properties currently in Central Ward to transfer to Silverleys Ward	Area marked 4	Map sheet 6
Westfield Road	Properties currently in Silverleys Ward to transfer to Meads Ward	Area marked 5	Map sheet 7
Dane O'coys Road and Whitehall Road	Properties currently in Meads Ward to transfer to Silverleys Ward	Area marked 6	Map sheet 8
Great Hadham Road (Honeysuckle House)	Property currently in South Ward to transfer to Silverleys Ward	Area marked 7	Map sheet 9
Lea Grove	Properties currently in Meads Ward to transfer to All Saints Ward	Area marked 8	Map sheet 3
South Street	Properties currently in Meads Ward to transfer to Central Ward	Area marked 9	Map sheet 10
Potter Street	Property currently in Central Ward to transfer to Meads Ward	Area marked 10	Map sheet 10
Bells Hill, Regency Close and Windhill	Properties currently in Meads Ward to transfer to Silverleys Ward	Area marked 11	Map sheet 11
Hallingbury Road (Styleman's Farm)	Properties currently in South Ward to transfer to All Saints Ward	Area marked 12	Map sheet 12
South Road and Mulberry Court	Properties currently in South Ward to transfer to Central Ward	Area marked 13	Map sheet 13
The Thatchers, Stockmen Field, Drovers Way, Wainwright Street, Brewers Close, Thresher Close, The Carpenters, Tailors	Properties currently in Central Ward to transfer to South Ward	Area marked 14	Map sheet 14
Tanners Wharf (a)	Properties currently in All Saints Ward to transfer to Central Ward	Area marked 15a	Map sheet 15
Tanners Wharf (b)	Properties currently in South Ward to transfer to Central Ward	Area marked 15b	Map sheet 15

Priory Court	Properties currently in Silverleys Ward to transfer to Central Ward	Area marked 16	Map sheet 11
Thorley Hill	Two properties currently in Central Ward to transfer to South Ward	Area marked 17	Map sheet 16

Thorley Parish Council

- 2.25 Thorley Parish is currently divided into two wards for the purpose of electing parish councillors. The Council's draft recommendation that Thorley Parish on its revised boundaries should be unwarded was not supported by a majority of consultation respondents.
- 2.26 In view of the more limited change that is now being proposed to the parish boundary, it is appropriate to revisit the warding issue. In this regard, the statutory guidance states that a principal council should be mindful of the provisions of the Local Democracy, Economic Development and Construction Act 2009 in relation to reviews of district and county council electoral arrangements. These provide that when the LGBCE is making changes to principal council electoral arrangements, no unwarded parish should be divided by a district ward or county division boundary, and that no parish ward should be split by such a boundary. While these provisions do not apply to reviews of parish electoral arrangements, the LGBCE believes that, in the interests of effective and convenient local government, they are relevant considerations for principal councils to take into account when undertaking community governance reviews.
- 2.27 The Executive on 11 September 2018 therefore recommended that Thorley Parish Council on its new boundaries should continue to be divided into Urban and Rural Wards. It is suggested that the boundary between the two wards should continue to coincide with the boundary between the district council wards of Bishop's Stortford South and Much Hadham.

The number of councillors to be elected for each ward

- 2.28 When recommending the number of councillors to be elected for each parish ward, the Council must take into account 'the number of local government electors for the parish and any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years beginning with the day when the review starts'.
- 2.29 There is no requirement in legislation that each parish/town councillor should represent, as nearly as may be, the same number of electors. However, the statutory guidance states that 'the LGBCE believes it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards'.

2.30 For the purposes of the community governance review, East Herts District Council therefore calculated current and estimated forecast electorates and elector-to-councillor ratios for the areas under review, based on (i) no change and (ii) the changes included in the final recommendations of the review.

2.31 Whilst every care has been taken to ensure that the figures below are as accurate as possible, it will be noted that any forecast electorate figure can only be an estimate based on the best information available. In particular, planned or consented development may not take place as scheduled, or at all. A technical note on the methodology employed in calculating the electorate forecasts is available on request.

Table A – Current and forecast electorate figures/ratios with no change to boundaries or numbers of councillors.

Bishop's Stortford Town Council

Ward	No. of Cllrs	Electorate (Feb 2018)	Ratio (Electors/Councillor) Feb 2018	Forecast electorate Feb 2023	Forecast ratio Feb 2023	Variance from town average
All Saints	4	6,175	1,544	6,257	1,564	-14.91%
Central	4	7,481	1,870	8,508	2,127	+15.72%
Meads	3	4,715	1,572	6,125	2,042	+11.10%
Silverleys	3	4,196	1,399	5,642	1,881	+2.29%
South	4	6,212	1,553	6,555	1,639	-10.82%
Total	18	28,779	1,599	33,087	1,838	

Thorley Parish Council

Ward	No. of Cllrs	Electorate (Feb 2018)	Ratio (Electors/Councillor) Feb 2018	Forecast electorate Feb 2023	Forecast ratio Feb 2018	Variance from parish average
Rural	3	47	16	50	17	-85.09%
Urban	4	466	116	748	187	+64.04%
Total	7	513	73	798	114	

Table B – Current and forecast electorate figures/ratios taking into account changes now recommended.

Bishop's Stortford Town Council

Ward	No. of Cllrs	Electorate (Feb 2018)	Ratio (Electors/Councillor) Feb 2018	Forecast electorate Feb 2023	Forecast ratio Feb 2023	Variance from town average
All Saints	3	6,071	2,024	6,153	2,051	+4.48%
Central	4	7,250	1,812	8,276	2,069	+5.40%
Meads	3	4,634	1,545	6,044	2,015	+2.65%
Silverleys	3	4,275	1,425	5,721	1,907	-2.85%

South	4	6,818	1,704	7,180	1,795	-8.56%
Total	17	29,048	1,709	33,374	1,963	

Thorley Parish Council

Ward	No. of Cllrs	Electorate (Feb 2018)	Ratio (Electors/Councillor) Feb 2018	Forecast electorate Feb 2023	Forecast ratio Feb 2018	Variance from parish average
Rural	2	47	23	50	25	-70.59%
Urban	4	197	49	461	115	+35.29%
Total	6	244	41	511	85	

2.32 It can be seen that in the case of both Bishop's Stortford Town Council and Thorley Parish Council, the proposed changes to council size and ward boundaries are forecast to improve electoral equality between the wards over the five year period compared to the 'no change' position (i.e. the variances between the electors-to-councillor ratio for each ward and that for the council as a whole are forecast to be lower).

Agreed recommendation 5 – That in relation to the electoral arrangements for Bishop's Stortford Town Council:-

- (a) The total number of councillors to be elected to the Town Council be reduced from 18 to 17;
- (b) That Bishop's Stortford continue to be divided into five wards for the purpose of electing councillors to the Town Council;
- (c) That no change be made to the name of any ward;
- (d) That the boundaries between the Town Council wards be altered as illustrated at sheets 3 to 16 of the map at Essential Reference Paper B to the Council report; and
- (e) That the number of councillors to be elected to represent each ward on the Town Council be as follows:-

All Saints Ward	3 councillors
Central Ward	4 councillors
Meads Ward	3 councillors
Silverleys Ward	3 councillors
South Ward	4 councillors

Agreed recommendation 6 – That in relation to the electoral arrangements for Thorley Parish Council:-

- (a) The total number of councillors to be elected to the Parish Council be reduced from 7 to 6;
- (b) That Thorley Parish continue to be divided into two wards for the purpose of electing councillors to the Parish Council;
- (c) That no change be made to the name of any ward;

- (d) That the boundary between the Parish Council Rural and Urban Wards continue to follow the boundary between the District Council wards of Bishop's Stortford South and Much Hadham as illustrated at sheet 2 of the map at Essential Reference Paper B to the Council report; and
- (e) That the number of councillors to be elected to represent each ward on the Parish Council be as follows:-

Rural Ward	2 councillors
Urban Ward	4 councillors

Making related alterations to the boundaries of a principal council's electoral area.

- 2.33 Any changes to parish boundaries made as part of this community governance review will not automatically change the equivalent boundaries for District or County Council elections. The Council in May 2018 recommended that the LGBCE should be asked to change the relevant District Ward and County Division boundaries to align them with any revised parish boundaries following the review.
- 2.34 This proposal was consulted on as part of the review. A majority of respondents to the second stage consultation did not agree with the proposal although text in the 'comments' box suggested that some of those who opposed it did so because they were opposed to the proposed parish boundary changes rather than to the principal of coterminous boundaries.
- 2.35 In the interests of clarity and elector convenience, the Executive on 11 September 2018 proposed that the draft recommendation to the LGBCE should be confirmed.

Agreed recommendation 7 – That the Local Government Boundary Commission for England be requested to make changes to the boundaries of the relevant District Council Wards and County Council Divisions as necessary to ensure coterminosity between those boundaries and the revised Parish and Parish Ward boundaries made in this Community Governance Review.

Agreed recommendation 8 – That the Council make the East Hertfordshire (Reorganisation of Community Governance) (Bishop's Stortford and Thorley) Order 2018 as set out at Essential Reference Paper B to the Council report.

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The East Hertfordshire (Reorganisation of Community Governance) (Bishop's Stortford and Thorley) Order 2018

Made 17 October 2018

Coming into force in accordance with article 1

East Hertfordshire District Council (“the council”), in accordance with section 82 of the Local Government and Public Involvement in Health Act 2007¹ (“the 2007 Act”), has undertaken a community governance review and made recommendations dated October 2018:

The council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Act, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient:

The council, in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section:

The council makes the following Order in exercise of the powers conferred by sections 86, 98(3) and 240(10) of the 2007 Act.

Citation and commencement

1.—(1) This Order may be cited as the East Hertfordshire (Reorganisation of Community Governance) (Bishop's Stortford and Thorley) Order 2018.

(2) Subject to paragraphs (3) and (4) below, this Order comes into force on 1st April 2019.

(3) Articles 5, 6, 7 and 8 shall come into force on the ordinary day of election of councillors in 2019.

(4) For the purposes of:

(a) this article; and

(b) proceedings preliminary or relating to the elections of parish councillors for the parish of Bishop's Stortford and the parish of Thorley, to be held on the ordinary day of election of councillors in 2019,

this Order shall come into force on the day after that on which it is made.

Interpretation

2. In this Order—

“county” means the county of Hertfordshire;

“district” means the district of East Hertfordshire;

“existing” means existing on the date this Order is made;

“map” means the map marked “Map referred to in the East Hertfordshire (Reorganisation of Community Governance) (Bishop's Stortford and Thorley) Order 2018” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

¹ 2007 c.28

“ordinary day of election of councillors” has the meaning given by section 37 of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99 (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Parish elections

4. Elections of all parish councillors for the parishes of Bishop’s Stortford and Thorley shall be held on the ordinary day of election of councillors in 2019.²

Number of parish councillors for the parish of Bishop’s Stortford

5. The number³ of councillors to be elected for the parish of Bishop’s Stortford shall be 17.

6. The number of councillors to be elected for each of All Saints, Meads and Silverleys wards of the parish of Bishop’s Stortford shall be 3 and for Central and South wards of that parish shall be 4.

Number of parish councillors for the parish of Thorley

7. The number⁴ of councillors to be elected for the parish of Thorley shall be 6.

8. The number of councillors to be elected for Rural ward of the parish of Thorley shall be 2 and for Urban ward of that parish shall be 4.

Alteration of parish areas and the areas of parish wards

9.—(1) The area coloured and designated by the letter “A” on sheet number 2 of the map shall cease to be part of the parish of Thorley and Urban ward of that parish and shall become part of the parish of Bishop’s Stortford and South ward of that parish.

(2) The areas coloured and designated by the letters “B” and “C” on sheet number 2 of the map shall cease to be part of the parish of Bishop’s Stortford and South ward of that parish and shall become part of the parish of Thorley and Urban ward of that parish.

(3) Each area coloured and designated by a number on sheets number 3 to 16 of the map and specified in column (1) of the Schedule shall cease to be part of the parish ward specified in relation to that area in column (2) of the Schedule and shall become part of the parish ward specified in relation to that area in column (3) of the Schedule.

Electoral register

10. The registration officer for the district shall make such rearrangement of, or adaptation of, the register of local government electors as may be necessary for the purposes of, and in consequence of, this Order.

² This article provides for parish elections in the parishes of Bishop’s Stortford and Thorley in 2019. Section 16(3) of the Local Government Act 1972 (c.70) provides for parish elections to take place every four years.

³ Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish.

⁴ Section 16(1) of the Local Government Act 1972 (c.70), as amended by section 101 of, and paragraph 6(2) of Schedule 5 to, the Local Government and Public Involvement in Health Act 2007 (c.28), provides for the minimum number of parish councillors on a parish council to be five. There is no minimum number of parish councillors for a parish.

Order date

11. 1st April 2019 is the order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008⁵.

Sealed with the seal of the council on the 19th day of November 2018

Signature

Simon Aley

Title of Signatory

Interim Legal Services Manager



14,675

19th day of November 2018

⁵ S.I. 2008/625.

SCHEDULE

article 9

ALTERATION OF AREAS OF PARISH WARDS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Area</i>	<i>Parish ward from which omitted</i>	<i>Parish ward to which added</i>
"1"	All Saints	Meads
"2"	Meads	Central
"3"	Meads	All Saints
"4"	Central	Silverleys
"5"	Silverleys	Meads
"6"	Meads	Silverleys
"7"	South	Silverleys
"8"	Meads	All Saints
"9"	Meads	Central
"10"	Central	Meads
"11"	Meads	Silverleys
"12"	South	All Saints
"13"	South	Central
"14"	Central	South
"15a"	All Saints	Central
"15b"	South	Central
"16"	Silverleys	Central
"17"	Central	South

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to recommendations made by East Hertfordshire District Council for the alteration of the area of the parish of Bishop's Stortford and the area of the parish of Thorley within the district of East Hertfordshire.

The parishes of Bishop's Stortford and Thorley will be altered with effect from 1 April 2019. The electoral arrangements apply in respect of parish elections to be held on and after the ordinary day of election of councillors in 2019.

Article 4 provides for parish elections in the parishes of Bishop's Stortford and Thorley in 2019, and then to continue according to the established system of parish elections every four years.

Articles 5 and 6 specify the altered numbers of parish councillors to be elected for the parish of Bishop's Stortford and for each ward of the parish of Bishop's Stortford.

Articles 7 and 8 specify the altered numbers of parish councillors to be elected for the parish of Thorley and for each ward of the parish of Thorley.

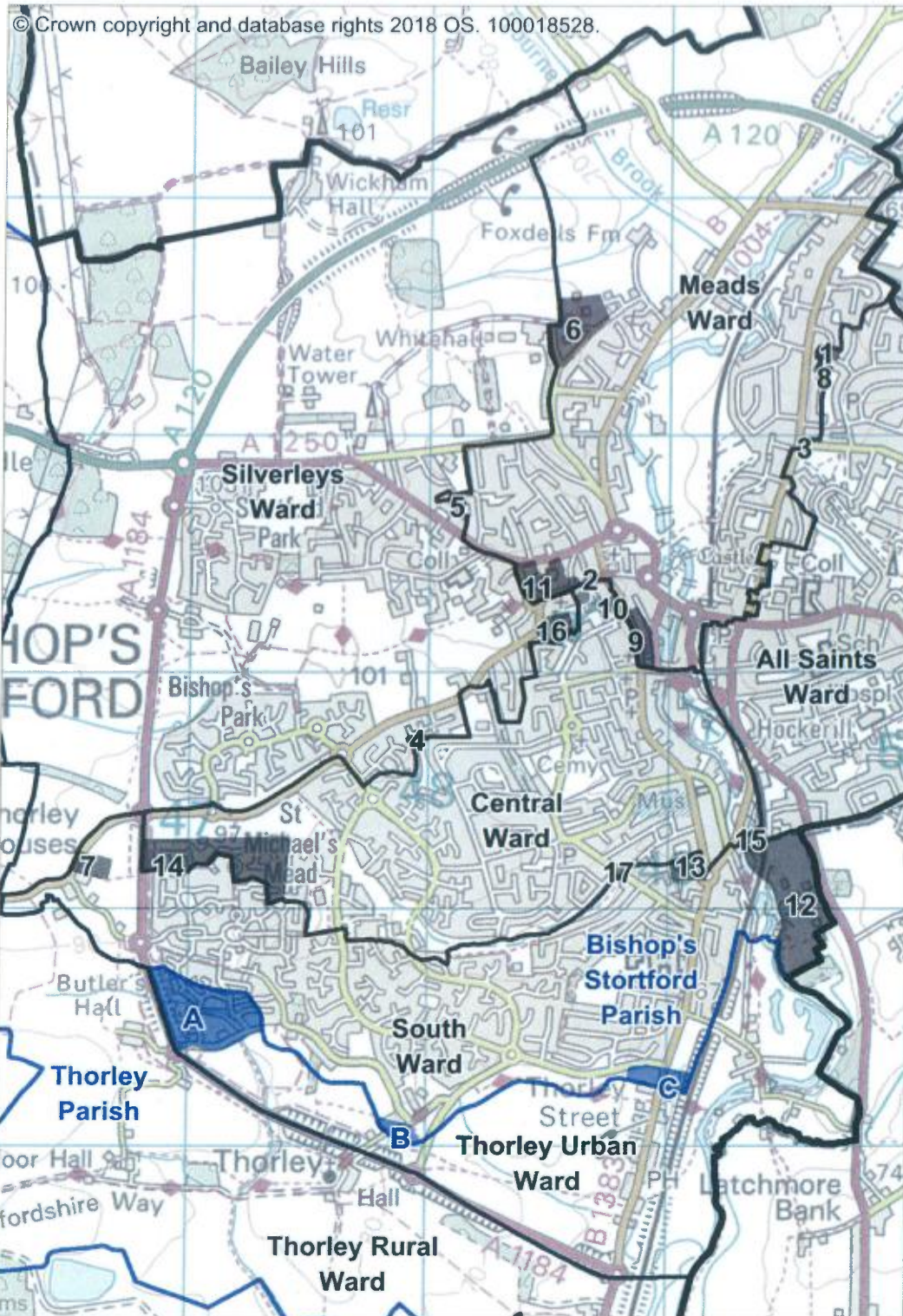
Article 9 and the schedule and the map establish the revised areas of the parishes of Bishop's Stortford and Thorley and the wards of the parishes of Bishop's Stortford and Thorley.

Article 10 obliges the Electoral Registration Officer to make any necessary amendments to the electoral register to reflect the new electoral arrangements.

The map defined in article 2 shows the changes to the areas of the parish of Bishop's Stortford and the parish of Thorley and of the wards of those parishes. It is available, at all reasonable times, at the offices of East Hertfordshire District Council.

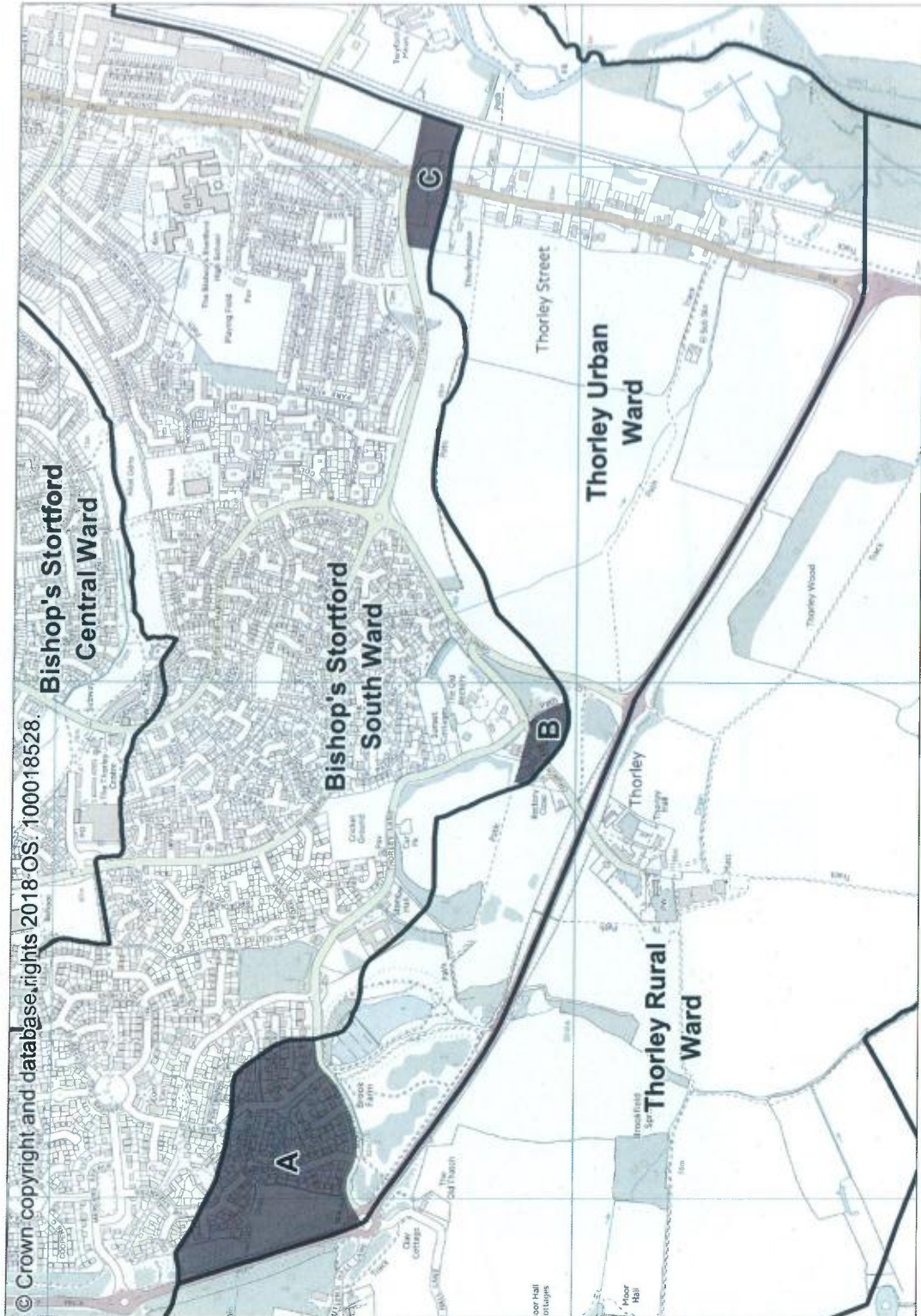
MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 1 – GENERAL OUTLINE



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 2 – ALTERATION OF PARISH AREAS



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 3 – ALTERATION OF AREAS OF PARISH WARDS
(Collins Cross and Lea Grove)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 4 – ALTERATION OF AREAS OF PARISH WARDS
(High Street)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 5 – ALTERATION OF AREAS OF PARISH WARDS
(Parsonage Lane)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 6 – ALTERATION OF AREAS OF PARISH WARDS
(Wentworth Drive)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 7 – ALTERATION OF AREAS OF PARISH WARDS
(Westfield Road)



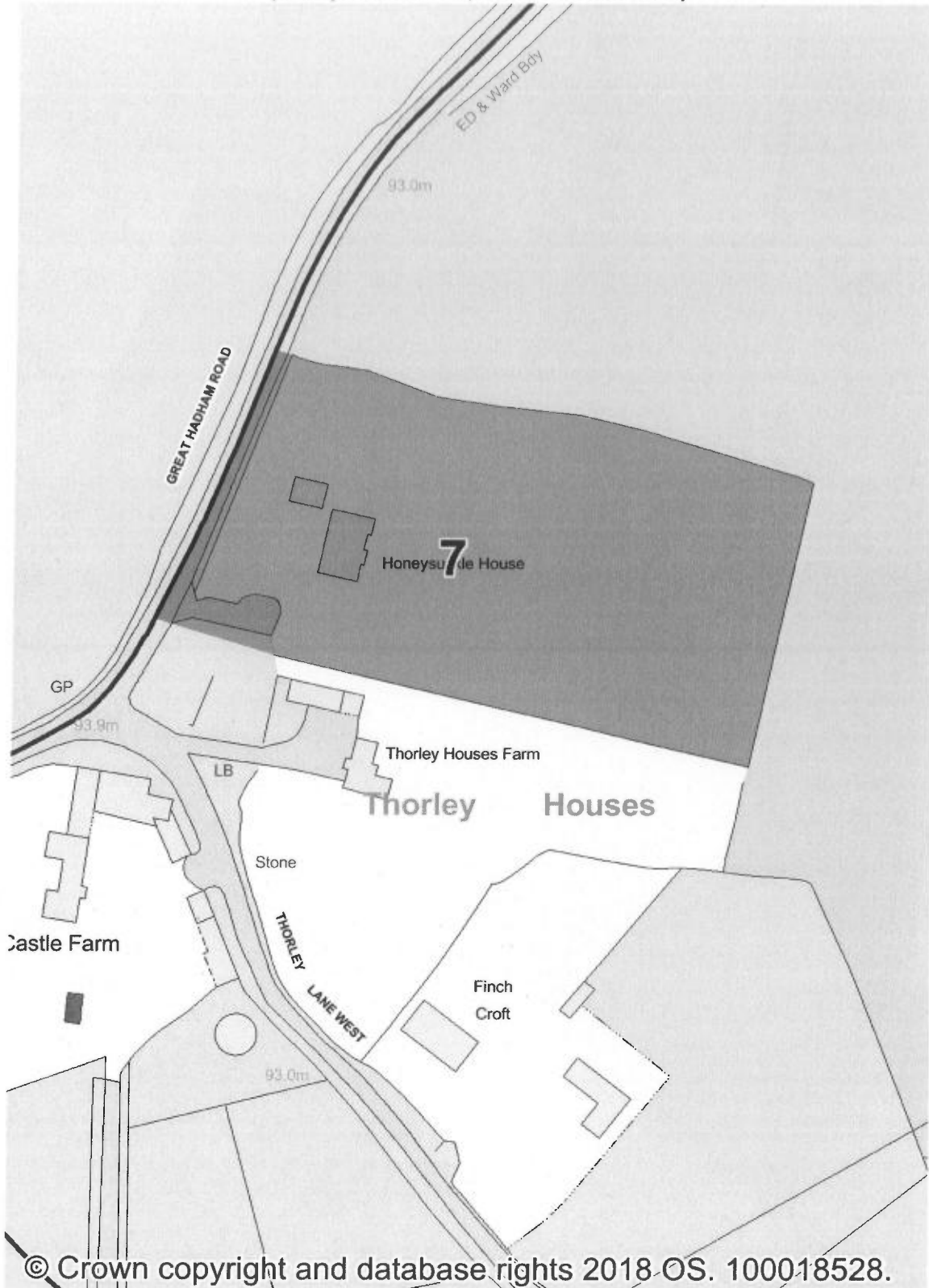
MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 8 – ALTERATION OF AREAS OF PARISH WARDS
(Dane O'coys Road and Whitehall Road)



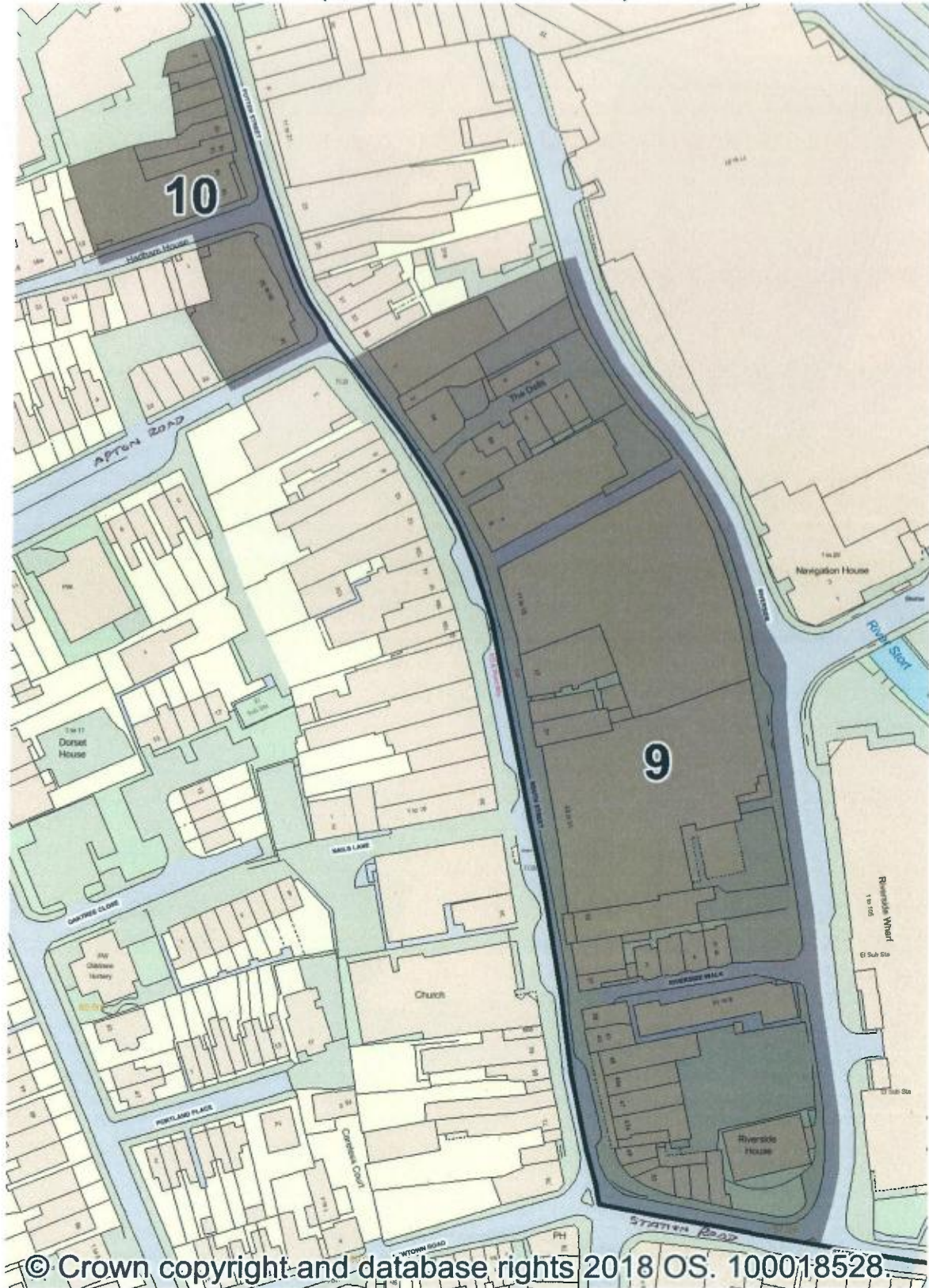
MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 9 – ALTERATION OF AREAS OF PARISH WARDS
(Honeysuckle House, Great Hadham Road)



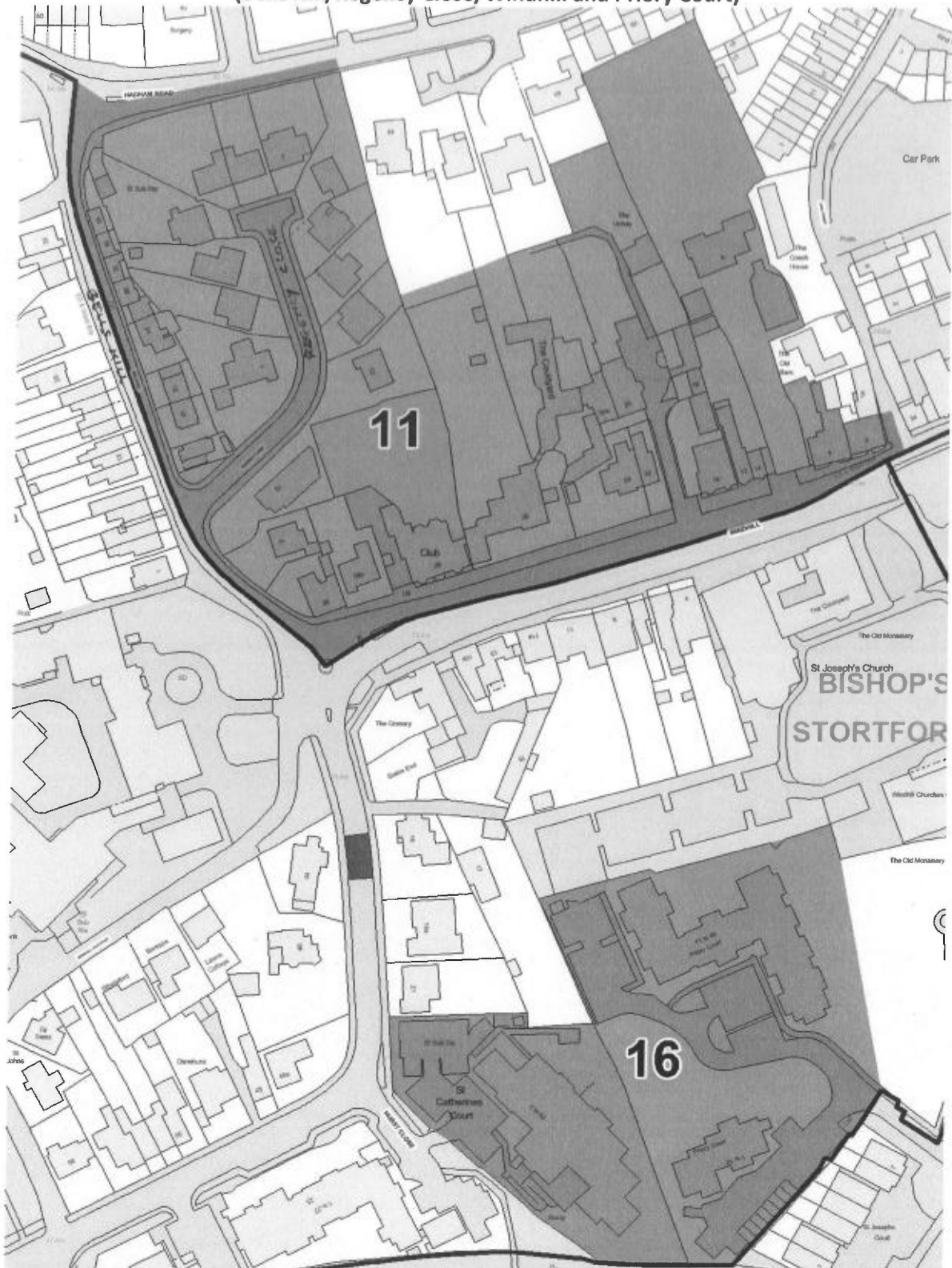
MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 10 – ALTERATION OF AREAS OF PARISH WARDS
(South Street and Potter Street)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 11 – ALTERATION OF AREAS OF PARISH WARDS
(Bells Hill/Regency Close/Windhill and Priory Court)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 12 – ALTERATION OF AREAS OF PARISH WARDS
(Styleman's Farm, Hallingbury Road)



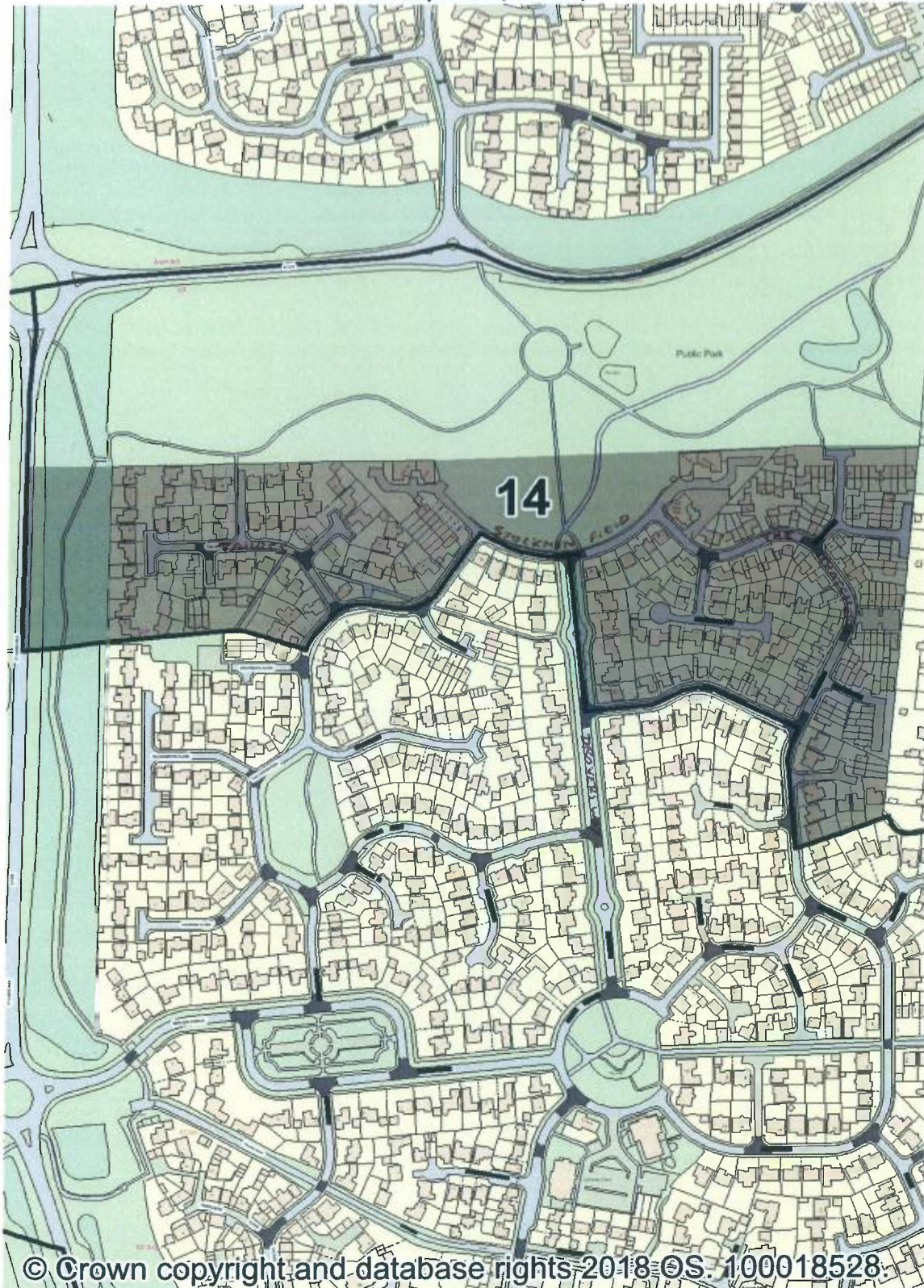
MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 13 – ALTERATION OF AREAS OF PARISH WARDS
(South Road and Mulberry Court)



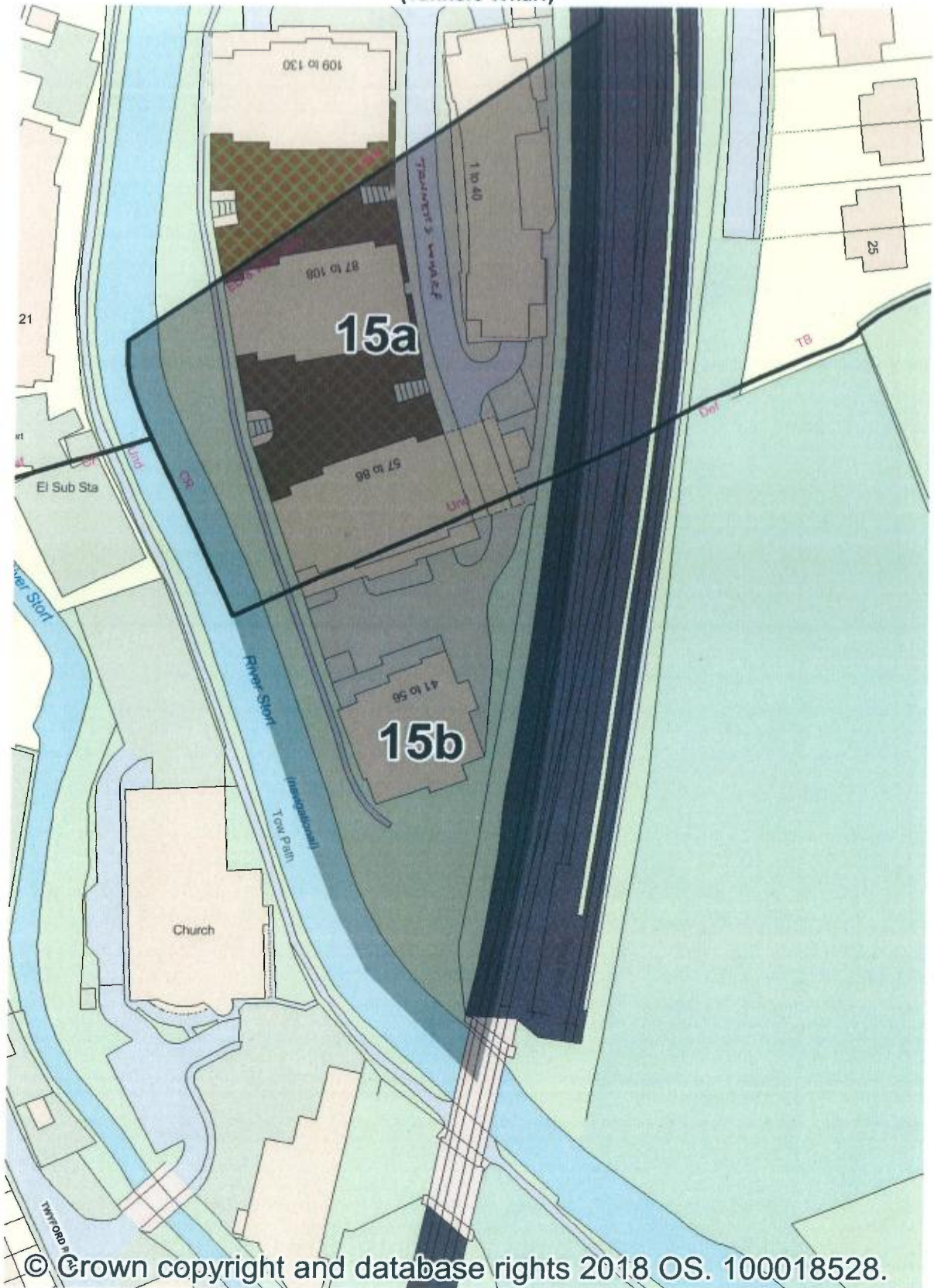
MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 14 – ALTERATION OF AREAS OF PARISH WARDS
(The Thatchers, Stockmen Field, Drovers Way, Wainwright Street, Brewers Close, Thresher Close, The Carpenters, Tailors)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 15 – ALTERATION OF AREAS OF PARISH WARDS
(Tanners Wharf)



MAP REFERRED TO IN THE EAST HERTFORDSHIRE (REORGANISATION OF COMMUNITY GOVERNANCE) (BISHOP'S STORTFORD AND THORLEY) ORDER 2018

SHEET NUMBER 16 – ALTERATION OF AREAS OF PARISH WARDS
(Thorley Hill)

