



# A PARISH FOR WINCHELSEA

## Review of Parishing Arrangements in Icklesham Parish

### To members of Rother District Council's Licensing and General Purposes Committee

Dear Councillor,

The Parish of Winchelsea Action Group urges the Licensing and General Purposes Committee to adopt one of the following courses of action:

- Acknowledge the weight of objective arguments and the strength of local feeling in the Ancient Town of Winchelsea by recommending the restoration of a parish of Winchelsea after a gap of 120 years. Any questions about the boundaries of the residual parish of Icklesham should be referred to the Electoral Commission.
- Instruct officers to revisit the issue and produce an assessment of the quality of arguments, so that the Committee can make an informed decision.
- Defer a decision on this review until the government clarifies its proposal in the recent White Paper to broaden the Council's power of review, and until the Department for Communities and Local Government issues the guidance that will replace Environment Circular 11/97.

### 1 The report agrees that Winchelsea meets the criteria laid down by government for a separate parish

- The Local Government Commission is clear that, in order to ensure adequate community representation, as well as effective and convenient local government, a parish should be "a small, distinctive and recognisable community of interest with its own sense of identity". In para.48, the report says that, if Winchelsea were not already part of a parish, it **"would undoubtedly reflect a small, distinctive and recognisable community of interest with its own sense of identity and it is also likely that effective and convenient local government would thereby be secured."**
- However, the report suggests that objective arguments and the wishes of the majority of the people of Winchelsea could be set aside because Winchelsea's separation from the other three wards would leave an unusually shaped parish. Geography should not obstruct democracy. Moreover, if one looks at actual residential areas, rather than just artificial ward boundaries (see the map at Appendix C), it can be seen that the configuration of the current parish is already very peculiar. If neater boundaries are so important, then the transfer of a couple of fields from Winchelsea to Icklesham (and possibly from Pett to Winchelsea Beach) would do the trick without distorting democratic representation. In the circumstances, it would seem best to refer the problem to the Electoral Commission.
- The report also suggests that the wishes of Winchelsea could be set aside because of the wishes of the other wards. This would be the only time that a demand for devolution has not been based solely on the wishes of the community seeking devolved government.

### 2 The District Council is under a duty to assess the quality of arguments but the report fails to do so

- At a parish meeting on 2<sup>nd</sup> May 2006, Trevor Elliott was clear that the review would focus on the quality of arguments for and against the proposal, and would not be "a numbers game". This point is reaffirmed in para.47 of the report, which states that the District Council "must weigh up the quality of arguments put forward..." However, the report then takes completely the reverse tack: it focuses on numbers and completely fails to assess the quality of arguments. About 4 pages (pp6-8 and 11-12) discuss the various numbers, but only one page is devoted to the arguments.

- Nor does the report provide Councillors with the information needed to make their own assessment. It merely sets out a list of assertions (para.30) and makes no attempt to assess the quality of the underlying arguments. This means that assertions which are factually wrong or duplicate each other are given the same implicit weight as assertions based on facts, figures and careful argument (see the analysis in the Appendix to this letter).
- The report also ignores some key arguments submitted to the Council in favour of a separate parish, namely, that:
  - the original 19<sup>th</sup> century rationale for the composition of Icklesham parish is outdated in view of the greatly increased size and diversity of the current parish in the 21<sup>st</sup> century;
  - the wish for a separate parish is not a recent disturbance but has existed for 120 years;
  - the size and diversity of the current parish structure makes the council remote from residents, who therefore tend to set up ad hoc action groups to deal with problems rather than go to the council;
  - the remoteness of the council means that it cannot attract enough councillors, so rarely has contested elections and is usually dominated by co-opted councillors (currently 7 out of 13 including one non-resident of the parish).
- The report also duplicates four assertions (2, 3, 7 and 9) against the proposal. This allows the report to show 11 against and only 8 for, giving the incorrect impression that there are more arguments against than for.

### **3 The report fails to address the objective criteria laid down by central government**

- The District Council is obliged to have regard to guidance given by the Secretary of State. The current guidance takes the form of Environment Circular 11/97. This document lays out in detail the criteria for identifying a community and its boundaries. Submissions to the Council offered large amounts of data for this purpose. The report --- in particular, the background descriptions of each (para.19) --- should have analysed the proposal for a separate parish of Winchelsea against these criteria. Failure to do so means that the Council will have failed to comply with a key legal obligation in the process of conducting the review.
- Even the background descriptions of the four wards are lamentably weak and inaccurate. For example, the report (para.19) says Icklesham is “well-served with shops”: in fact, it lost all its shops some years ago. The population numbers appear to be grossly understated (the report claims in para.20 that Winchelsea has 518 residents, but the Town Plan has published a definitive number of over 600).
- It would be prudent if the Council deferred a decision until the Department for Communities and Local Government and the Electoral Commission issues the joint guidance that will replace Environment Circular 11/97.

### **4 New governance arrangements are needed in Icklesham Parish to assuage the lack of confidence in Winchelsea in the current parish**

- The majority of people in Winchelsea clearly want a separate parish (65% in the Parish Poll). If that democratic wish is opposed by Rother District Council, the lack of confidence in Icklesham Parish Council will not go away. Indeed, it will be compounded if the democratic wishes of the majority are frustrated on pretexts such as boundaries and the wishes of non-residents. In the recent Local Government White Paper, central government promises to “broaden local authorities’ review powers, so that in the course of a review they will be able to consider whether other forms of community governance are more appropriate”. While any solution other than a separate parish would be seen as second best; a second-best solution must be preferred to the current situation where Icklesham Parish Council lacks the support of the majority of Winchelsea.

*The Parish of Winchelsea Action Group  
12<sup>th</sup> November 2006*

## Other points of which the Committee should be aware

- Icklesham Parish Council's submission significantly failed to mention the result of their "consultation" in Winchelsea, which was emphatically in support of a separate parish.
- The MP raised the issue of the impact of a separate parish of Winchelsea on **Winchelsea Corporation**. Concern had been expressed to him that a Winchelsea parish council would rename itself a "town council" and seek to elect its own mayor, or would try to take-over or abolish the Corporation. At a meeting on 10<sup>th</sup> November, it was made clear to the MP that this is a red herring. The Action Group has made no proposal for a town council or an elected mayor, and does not intend to do so, not least because such a proposal is unlikely to command majority support in Winchelsea. Moreover, Winchelsea Corporation is established by Act of Parliament and could not be abolished by a parish council.
- At the meeting, the MP commented that he had been surprised by the strength of support in Winchelsea for a separate parish as revealed by the **Parish Poll**. He had been led to believe that the proposal was supported by a vociferous minority only.
- As confirmed in the report, the need to "drill down" into arguments was the rationale for employing a **household survey** rather than a democratic referendum. In the event, the only "drill down" that has been achieved is on the topic of residual arrangements (para.8, second bullet point). The survey method therefore failed to achieve its main aims. This will further undermine the confidence of the many residents who expressed concern that a survey was not a transparent and therefore democratic measure of opinion. These concerns (which led to the call for a Parish Poll) are also likely to be increased by the lack of checks on the accuracy of the survey returns about the numbers of adults in each household, the fact that the numbers of forms sent out clearly mean that the survey did not reach all households (eg in Winchelsea, it seems to have out missed the large number of static caravans that are occupied for several months in the year) and the lack of a published analysis of the survey returns (eg it is important to know which organizations replied in order to judge the relevance of their comments).
- Another key argument made in favour of a **household survey** rather than a democratic referendum was the expectation that it would achieve wider coverage of the population (para.8, first bullet point). However, despite allowing an extended 10-week period for households to reply, the survey elicited replies from only 1,069 adults, whereas the Parish Poll secured 863 votes. The ratio is 56:44. Interestingly, this is exactly the same as the ratio of pro versus anti-separation votes cast in Winchelsea in the Parish Poll --- which the report states is "not an emphatic majority". Presumably, the author of the report must concede that the survey was not emphatically more successful than the poll.
- Councillors Glazier and Ramus are reported as stating that the proposal for a separate parish of Winchelsea went against Government "locality policy" and that the demands being placed on parishes put a premium on larger Councils and the resources that go with that. Their understanding of government policy is at odds with the recent White Paper on Local Government. They also appear to be confused about proposals for "clustering" parishes. "Clustering" does not require parishes to merge. Rather, it is about the sharing resources such as qualified clerks while remaining independent and close to their communities. The demands being placed on parishes to take on devolved responsibilities only require Quality Parish Council status, for which size is irrelevant (note Playden Parish Council). Will Councillor Ramus be seeking to merge his parish of Rye Foreign (which is smaller than the smallest ward in Icklesham Parish and third smallest in the District).

## APPENDIX

	<b>Assertion in report</b>	<b>Assessment</b>
1	Existing Parish as a whole is wholly against separation, as demonstrated by the Poll, and the clear feeling of the majority should be respected.	The Parish Poll did not ask other wards about the separation of Winchelsea. It asked each ward whether it wished to become a separate parish as well.
2	The combined four Ward Parish Council has served the community well, the four Wards together being a greater force than a small individual Ward standing alone.	Obviously the majority of voters in Winchelsea do not feel Icklesham Parish Council has served them well and numerous examples of its failure have been submitted. The influence of a Parish Council does not depend on size but on how well it engages with other bodies: Icklesham Parish Council is completely introverted.
3	Considerable costs in separating Winchelsea Ward from Icklesham Parish Council would far outweigh any possible benefits.	No one has produced an estimate except for the Action Group. Drawing on professional advice, including that of Icklesham Parish Council's own solicitor, the costs were estimated at less than £1,000.
4	Winchelsea is the centre of the Parish connecting the other villages of the Parish & having strong ties and links with them which residents wish to maintain.	A separate parish of Winchelsea will not prevent movement between the other villages. Nor will it sever links between villages (we have very strong links with Udimore or Rye despite their being in separate parishes).
5	Could undermine the Winchelsea Corporation.	How? The Corporation is established under its own Act of Parliament.
6	The current Parish Council is evenly balanced.	The fact that each ward is a minority has proved a recipe for inaction and conflict. But why should there be a balance of power between villages?
7	Present arrangements have worked well for a long time for the benefit of the residents of all four Ward.	This repeats incorrect assertion 2.
8	No good reason seen why present arrangements should change; why fix something that is not broken.	This repeats incorrect assertions 2 and 7.
9	Waste of time and money.	This repeats incorrect assertion 3.
10	Would incur extra cost for everyone and will not benefit any Ward; the community would be weaker for it.	This repeats incorrect assertions 3 and 9, as well as 2.
11	The four villages are a contiguous entity and any separation would reduce administrative effectiveness.	The four villages are separated by tracts of open countryside and are clearly not contiguous. There are no economies of scale as the different needs of the four villages mean everything has to be done four times in different ways. Indeed, there administrative diseconomies of scale in the form of the extra costs of co-ordinating four villages.