

c/o Winchelsea Community Office
Castle Street
Winchelsea
East Sussex
TN36 4EL

24th May 2006

Mrs Wendy Miers
Chair of the Licensing and General Purposes Committee
Rother District Council
Town Hall
Bexhill-on Sea
TN39 3JX

Copies to:
Mr Trevor Elliott
Mr Trevor Leggo (SALC)

Dear Mrs Miers,

Review of the proposal for a separate Parish of Winchelsea

We, the undersigned residents of Winchelsea, attended the Icklesham Annual Parish Meeting at Icklesham Memorial Hall on 2nd May 2006 at which Trevor Elliott of Rother District Council spoke about his plans for reviewing the proposal that Winchelsea should become a separate parish.

We were grateful to Mr Elliott for attending the meeting, but much of what he said on behalf of the District Council made us deeply uneasy.

Referendum versus household survey

We are very concerned about the dismissive way in which the fundamental democratic concept of *one person, one vote* was rejected as a “numbers’ game” and registered electors were dismissed as “those who happen to fulfil electoral requirements” (as though this was some random and discriminatory process of social exclusion). We simply cannot accept the statement that a household survey --- in which it was planned to give a say to each household, but not to each person in each household --- is “far more democratic” than a referendum.

The views of registered electors should be given special weight. It is wrong, for example, that people who visit Winchelsea for holidays should have the same say in deciding long-term local government arrangements as permanent residents. This is why there is such a thing as the electoral register. If there is a strong desire among occasional residents to participate in such decisions, it is perfectly open to them to join the electoral register, especially as this has been made so much easier with a rolling register.

A referendum of registered electors would provide a clear and objective basis for measuring the public will. A household survey of an unknown population leaves too much room for doubt and will undermine the credibility and legitimacy of the result.

Indeed, we have the impression that the household survey is in fact a referendum in disguise, but without the normal rules of fairness and transparency. On the one hand, Mr Elliott tried to justify the household survey by saying that it would allow him “to drill down” to the detailed views of respondents in a way that a referendum would not. On the other hand, he suggested that the survey form would simply ask respondents to say yes or *no* to the proposal for an independent parish for Winchelsea and ask a question about what should happen to the other three wards. Such questions could easily be asked in a referendum.

We do not accept the District Council’s reasons for rejecting a referendum. The previous local government reviews which have been cited ---- the structure of local government in East Sussex in the mid-1990s and of District and County electoral arrangements in 2001 and 2004 --- were very different in purpose to the review of arrangements in Icklesham Parish. The earlier reviews were not about the devolution of local government. Perhaps, someone at the District Council can tell us of any devolution consultation in the UK or elsewhere that has been handled other than by referendum? Then, perhaps someone at the District Council could point to a devolution referendum in which residents of a larger composite entity were asked to approve the devolution wishes of a smaller component entity. Why should residents of Icklesham, Winchelsea Beach and Rye Harbour be given a veto over the residents of Winchelsea? The District Council appears to be *moving the goal posts*.

It has to be added that County and District electoral arrangements are rather remote and the reviews of these arrangements would have been perceived as having little local impact. To be frank, they really just *reshuffled the pack* slightly. Re-organising the parish will have a more direct and radical impact on people.

The cost of a referendum needs to be re-estimated. Given that parish elections cost about £750, it seems unlikely that a referendum in four wards should cost as much as £4,200. In any event, this is not high enough to justify the curtailing of democracy. We would suggest that the cost of the household survey needs to be re-estimated as well. It is surprising that the compilation of a list of respondents and their addresses, the printing of forms, the insertion of forms into envelopes, postage, the processing and analysis of returns --- a far more complex process than a referendum --- all comes to a modest £1,000.

Structure of the household survey

There is much unhappiness at the apparent lack of rigour behind the methodology of the proposed household survey.

It became clear at the meeting that the proposal for a household survey had not been thought through. Mr Elliott was visibly thrown by the question from the floor about whether the household survey would include residents of local caravan sites. Prior to this question, he said that he planned to send one survey form to the owner of each caravan site. After the question, he had completely changed his mind. The truth, as Mr Elliott admitted, was he “had not thought about it”.

By the end of the meeting, it was also being suggested that the household survey would be amended to include a box for the number of adults in each household, moving closer to the idea of a referendum.

It is disturbing that the District Council should have agreed to a particular form of review without adequate consideration of its scope and structure.

There also seems to have been a lack of forethought about participation by businesses and other organisations in the survey. The initial intention was to send a survey form to each of these entities. When questioned, however, he retreated from that proposal and said that organisations would receive only the covering letter.

This raises the question as to what is the difference in the weight to be given to a completed structured survey form from a household and an unstructured submission by letter from some other organisation?

Criteria for the review

It appears to us that the District Council review is in danger of becoming a *black box* process. With Mr Elliott saying that “it’s not the majority vote that wins the case: we will take the generality of views”, many of us came away from the meeting with the impression that the essential message from the District Council was that *we know best*. This surely cannot be an acceptable way of determining democratic representation.

It was also disturbing that so little was said at the meeting about the criteria laid down by DETR Circular 11/97. This states that parishes should:

- *reflect the identities & interests of local communities*
- *secure effective and convenient local government*

It further states that, *for both purposes, it is desirable that a parish should reflect a small, distinctive and recognisable community of interest with its own sense of identity. Moreover, the feeling of local community and the wishes of local inhabitants are the primary considerations.*

These seem fair and reasonably objective criteria. In contrast, terms such “the generality” and “holistic” approaches are dangerously vague and allow scope for an arbitrary interpretation of the results of the household survey. Will the likely apathy in other wards be interpreted as implicit satisfaction with the status quo? There is now a strong suspicion that the perceived *inconvenience* for the residual wards of Icklesham Parish of the emparishment of Winchelsea could be used as an excuse to frustrate the will of the majority of the electors of Wincheslea despite their strong *feeling of local community*.

We expect to see the District Council’s review address only the criteria laid down in DETR Circular 11/97 and to do so in a direct, objective and transparent way. Any other approach will discredit the District Council, expose it to the charge of maladministration and the risk of a judicial review, and damage the legitimacy of whatever arrangements emerge from the review. We hope that the District Council will therefore reconsider the arrangements for the review and agree to conduct a referendum of registered electors in each ward, possibly giving time for those not on the electoral register to join.

Yours sincerely

