

Subject:	Update on Administrative Boundary Review at Saltdean		
Date of Meeting:	28 September 2010		
Report of:	Acting Director of Strategy & Governance		
Contact Officer:	Name:	Oliver Dixon	Tel: 29-1512
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Wards Affected:	All	Rottingdean Coastal	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report is an update on the council's request for an administrative boundary review at Saltdean, submitted to the Boundary Committee for England on 17 December 2009 following resolutions to that effect by the Governance Committee and Cabinet earlier that year.
- 1.2 This report fulfils the request of Governance Committee for a progress report in autumn 2010.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the report.
- 2.2 That officers be instructed to continue to liaise with the Local Government Boundary Commission for England over the timescale for a potential review.
- 2.3 That officers be instructed to bring a further report to Governance Committee when the Commission's capacity and capability to carry out a review becomes known.
- 2.4 That officers be instructed to update the Local Government Boundary Commission with the resolutions of the Committee following consideration of this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Local Government Boundary Commission for England (LGBCE) is now the body responsible for performing administrative boundary reviews, having taken on over the functions of the Boundary Committee for England in April this year.
- 3.2 At its meeting on 17 November 2009, the Governance Committee agreed to recommend that Cabinet support a request from Saltdean Residents' Association (SRA) for a review of the administrative boundary that runs north/south through Saltdean, and that officers put this request to the Boundary Committee for England.

- 3.3 On 9 December 2009, Cabinet agreed this recommendation and, in light of a deputation by SRA, further agreed to conduct a survey on the matter among Saltdean residents at the appropriate time and in association with Lewes District Council and East Sussex County Council (ESCC), subject to these authorities consenting to do so.
- 3.4 On 17 December 2009, the Head of Law wrote to the Boundary Committee to communicate the Cabinet's decision to support SRA's request for an administrative review, and asked that it be expedited. The request is now with the LGBCE for consideration.
- 3.5 Officers have kept Lewes DC and ESCC, as affected parties, informed of Brighton & Hove City Council resolutions and correspondence. In turn, and in response to correspondence from SRA, these other councils have progressed the matter through their own decision-making bodies as follows:

In February 2010 the Cabinet of Lewes District Council agreed a position identical to that of Brighton & Hove City Council, subject to the costs of carrying out a survey or referendum of Saltdean residents being shared between the three authorities affected.

At a full council meeting in May 2010, ESCC agreed to file a request for an administrative boundary review of the Saltdean area but chose not to commit to sharing in the cost of a survey pending further guidance from the Local Government Boundary Commission on the conduct of official reviews.

- 3.6 In response to a query from the Head of Law in May about capacity to conduct a review at Saltdean, the LGBCE replied as follows:

"We do have some scope for undertaking administrative boundary reviews either late this financial year or next year. This cannot happen until we have worked on the policies and procedures the new Commission would follow in such reviews. Given that a comprehensive programme of administrative boundary reviews has not occurred for about 20 years, we will want to ensure we have robust procedures in place first. The Commission is in the process of considering this issue." (15 June 2010)

- 3.7 The reply from LGBCE included details of a meeting between their Review Manager and SRA held in Saltdean on 26 May. LGBCE used the meeting to explain the situation from the Commission's perspective; key points as follows:
- The Commission will take a number of issues into account in deciding whether to carry out a review but would look positively on a situation where all relevant authorities agree that a review should take place
 - Although a local survey could help to demonstrate the strength of support for change, LGBCE would simply take it into account as one piece of evidence amongst all other evidence that supported a review
 - The actual timescale for conducting a review is dependent on the development of associated policies and procedures. The Department for

Communities and Local Government are responsible for leading on this. A period of consultation would follow, prior to their implementation.

- If a review did take place, the outcome could be any of the following:
 - all Saltdean residents moved within Brighton & Hove City Council area
 - all Saltdean residents moved within Lewes District Council area
 - no change to current arrangements

3.8 The Commission's stance, particularly regarding the weight they would attach to a local survey, was confirmed in a letter to SRA from their Director of Reviews in June 2010 – see Appendix 1.

3.9 In their latest update to the council (September 2010), the Commission sets out their plans for consultation over guidance on administrative boundary reviews. Given the need for that exercise, the Commission advises that it is unlikely they could entertain any such reviews in the current financial year – see Appendix 2.

3.10 In view of the current position, officers consider it advisable to wait until –

- (i) the policies and procedures for conducting administrative boundary reviews have been developed; and
- (ii) LGBCE have informed us of a definite timeframe for being able to carry out a review of the administrative boundary at Saltdean before the Governance Committee considers when it might be appropriate to conduct a survey of local residents on the issue.

4. CONSULTATION

4.1 All ward members for Rottingdean Coastal, and the relevant officers at Lewes DC and ESCC, have been informed of the latest advice received from LGBCE.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 If, as advised in the report, a survey of Saltdean residents is not conducted until LGBCE confirm that a review has been scheduled, it is anticipated that the costs of that survey would be split three ways between BHCC, ESCC and Lewes DC.

5.2 The cost of the review itself would be met by the Boundary Commission.

Finance Officer Consulted: Peter Francis

Date: 04/0810

Legal Implications:

5.3 This report comes before the Governance Committee as the council body responsible for considering local governance issues, and for reasons of continuity, having previously considered the Saltdean issue in November 2009. Any future decision relating to when and how a survey of Saltdean residents might take place is for Cabinet to make, having regard to any recommendation the Governance Committee may make.

5.4 The establishment of the LGBCE is provided for in section 55 of the Local Democracy, Economic Development and Construction Act 2009. Section 60 of

the Act details the transfer of functions from the Boundary Committee for England to LGBCE.

Lawyer Consulted:

Oliver Dixon

Date: 03/08/10

Equalities Implications:

5.5 None arising directly from this report

Sustainability Implications:

5.6 None arising directly from this report

Crime & Disorder Implications:

5.7 None arising directly from this report

Risk and Opportunity Management Implications:

5.8 As explained at 3.7 above, at present there is a lack of certainty as to when the policies and procedures for conducting an administrative boundary review might be forthcoming. Until they are developed, consulted upon and agreed, it is unlikely that LGBCE will be in a position to perform a review of this type.

Corporate / Citywide Implications:

5.9 The council continues to liaise closely with Lewes DC and ESCC on this issue, in order to maintain a consistent and shared approach wherever possible.

SUPPORTING DOCUMENTATION

Appendices

1. Letter from LGBCE Director of Reviews to SRA, 14 June 2010 (*published by permission of SRA*)
2. Email from LGBCE Review Manager to the council, 4 September 2010

Documents In Members' Rooms

None

Background Documents

1. Report to Cabinet – 9 December 2009
2. Minutes of Cabinet meeting – 9 December 2009