

COTTERED and THROCKING PARISH COUNCIL

Community Governance Review of Buntingford Town Council

DRAFT RECOMMENDATIONS

Second Stage Consultation Submission by Cottered and Throcking Parish Council

To East Hertfordshire District Council

July 2018

(1) The strongly held belief of Cottered and Throcking Parish Council (CTPC) is that the draft recommendation of East Herts District Council (EHDC) in respect of Area A is ill-considered, unjustified, inappropriate and simply wrong. Equally strongly held is its belief that the process by which EHDC has arrived at this draft recommendation is opaque and defective.

(2) We have found absolutely no indication that the views expressed and submissions made by CTPC and by other local organisations and individual residents have been assessed against the criteria set out in published guidance or weighed against opposing views and submissions. This is certainly not for want of trying on our part. When we queried this with your Electoral Services Officer (John Williams) he directed us to the minutes of meetings of the Overview and Scrutiny Committee (17 April) and of the Executive (24 April). Those minutes contain no trace of any material discussion or comparison to validate their draft recommendation. Nor had Mr. Williams made any recommendation (with or without reasons) which might simply be adopted at those meetings. The source of and justification for the draft recommendation are wholly unclear at that stage. We also watched the webcast of your Council meeting (16 May). At that meeting the responsible councillor did no more than refer to some aspects of published guidance with which the draft recommendation was not inconsistent. There was certainly, as before, no discussion or assessment of evidence. That seems to us a very low standard to set when considering whether to adopt a draft recommendation, particularly when a considerable body of evidence has been provided by respondents which may justify a different draft recommendation.

(3) We attach as Appendix 1 a print-out of the exchange of emails on these subjects between EHDC and our Councillor Colin Bayles. These make clear that we have by no means waited until now to bring these concerns to your attention and that we have not had satisfactory answers to our questions.

(4) For clarity, we accept that your Electoral Services Officer (John Williams) reported consultation responses fully and accurately. He did not make a recommendation, presumably because he was not invited to do so.

(5) The methods used to make local organisations and residents aware of the review and then of the draft recommendation - for instance a small batch of leaflets delivered to the local Rector - were far from thorough and were certainly ineffective to judge from door-to-door visits made and repeated by our councillors. The methods used to encourage and collect responses were defective - for instance a website process which was difficult to access and understand and which frequently failed.

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(6) Please be aware that in preparing to give our views on the draft recommendation, our councillors have within the last week or so again visited and spoken to residents in Parkside and on the new development. Several were unaware of the review and the draft recommendation – this underlines what we have said above about EHDC’s failure genuinely to encourage local input. None supported the draft recommendation – this is consistent with what we reported to you in our earlier submission. It also justifies our reminding you of published guidance that attention is to be paid to the views of residents in the area potentially to be moved from one council’s area to another. Mr. Williams confirmed, when asked by our Councillor Colin Bayles, that the weight to be given to the views of any particular respondent was a matter for EHDC members but that he intended to highlight in his report the views of residents in Area A. Sadly but unmistakably, CTPC has found no indication in your minutes or elsewhere that your members attributed any weight whatsoever to the express views of Area A residents sent direct to you and/or as collected and reported by us.

(7) We noted that during your council meeting (16 May), EHDC members who are also members of Bishops Stortford Town Council announced that they would not speak about the proposed re-positioning of the Bishops Stortford/Thorley boundary, presumably in case they might be thought biased. In contrast, East Herts and County Councillor Jeff Jones, whose enthusiasm for subsuming Parkside and the new development into Buntingford has long been well known, spoke in support of the Buntingford draft recommendation but without explaining why. Whilst we do not presume to comment on the correctness of this or otherwise from a procedural point of view, it has certainly not helped to convince us that EHDC was determined to see our feeling and the feelings of area A residents taken into account. We regret to say that our own East Herts ward councillor, in spite of our repeated requests that he ensure EHDC heard and understood our position, spoke only to welcome and congratulate your new chairman.

(8) On 30th June 2017 our Councillor Colin Bayles had what seemed a very useful meeting with your Chief Executive Liz Watts and your Legal Services Manager Victoria Clothier. It was explained to him exactly which published guidance would inform the review process and where to find it. It was also suggested that it would be appropriate to look at examples of the process in practice and the decisions made, particularly in reviews carried out recently in South Cambridgeshire and St. Edmundsbury. In making its previous submission CTPC took great care to study and understand all this guidance and to show how it should be applied appropriately in the circumstances. It also examined the South Cambridgeshire and St. Edmundsbury reviews, set out for your council the respects in which the circumstances of those reviews reflected or differed from the circumstances of the Buntingford review and demonstrated where the decisions in those reviews did or did not amount to powerful precedents for a decision in the Buntingford review. We attach as Appendix 2 a print-out of the exchange of emails about this between Victoria Clothier and our Councillor Colin Bayles.

(9) As far as we can tell this time and effort were entirely wasted. We might in due course have to accept that your council was not persuaded by this substantial part of our submission but we certainly find it wholly unacceptable that, as far as we can ascertain, what it contained was not analysed or weighed against other factors seen by other respondents as supporting the draft recommendation now made by your council.

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(10) When the review process was already well advanced and in the light of the draft recommendation which by then seemed likely to be adopted, you proposed a corresponding re-positioning of the district council ward and county council division boundaries. Our understanding of the relevant guidance is that these should have been proposed and considered at and from the outset of the review as part and parcel of the parish/town council boundary proposal.

(11) In the view of CTPC the draft recommendation adopted is wrong and the process by which it has been reached is wrong. Such is the strength of public feeling in our communities that we may feel duty-bound to use all available mechanisms to challenge the process and the recommendation.



Signed

Chairman Cottered & Throcking Parish Council

Date

26th July 2018