

## **Community Governance Review of Bishop's Stortford Town Council**

### **Report on responses to initial consultation**

#### **Essential Reference Paper B(ii)**

##### **Documents attached:-**

- M5 - Copy of response from Bishop's Stortford Civic Federation
- M14 - Copy of response from Bishop's Stortford Town Council
- M17 - Copy of response from local resident
- M20 - Copy of response from Old Thorley & Twyford Residents' Association
- M23 - Copy of response from Thorley Parish Council
- M25 - Sample of proforma letter (M25)

# Bishop's Stortford Civic Federation

Registered Charity Number R264557

[www.stortfordcf.org.uk](http://www.stortfordcf.org.uk)



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*John Williams*

THORLEY PARISH COUNCIL  
BOUNDARY ALTERATIONS

8 March 2018

I am writing on behalf of the Bishop's Stortford Civic Federation to comment on the proposal to transfer a part of what is currently Thorley Parish Council to Bishop's Stortford Town Council.

Thorley, although adjacent to Bishop's Stortford, is a largely rural village, unfortunately bisected by the bypass since the development of St Michael's Mead. A major development has been proposed in the Draft District Plan on land south of Whittington Way which is currently within the Green Belt. The site is also largely within the Parish of Thorley.

The Bishop's Stortford Civic Federation has objected to the removal of this site from the Green Belt for purposes of development on various grounds. These include the fact that no very special or exceptional circumstances have been demonstrated to justify overturning the decisions of two previous Planning Inspectors and the Secretary of State to retain Green Belt protection.

However, there is an additional objection, namely that the Draft Plan designates Thorley as a Group 3 village. Within such villages the plan proposes that only limited infill development as identified in neighbourhood plans will be permitted. The Neighbourhood Plan covering this site, as well as the rest of southern Bishop's Stortford, makes it clear that the local population is strongly opposed to any development on this site, and by no stretch of the imagination could the development proposed be regarded as limited infill or sanctioned by the Neighbourhood Plan.

There is therefore an inherent contradiction in the Draft Plan between the proposed development of 750 homes, two schools and a neighbourhood centre, and the policy on Group 3 villages which is applicable to most of the site. The consultation currently taking place on proposed main modifications to the Draft Plan includes nothing which would resolve this inherent contradiction, and it remains to be seen what conclusions the Inspector will reach on the matter.

It therefore seems to the Civic Federation that the underlying reason for the proposed boundary changes is not administrative tidiness but to provide a retrospective legitimisation of an inherent flaw in the Draft Plan as it stands. Given that we object to the development of the Whittington Way site we can see no justification for the boundary change which appears to seek to anticipate the Inspector's decisions on the Draft Plan.

I should also add that if, against our wishes, and following consideration by the Inspector, EHDC adopts the Plan with this major development included in it, we would also question the rationale for the boundary change. The development will have a devastating impact on the village of Thorley. It would therefore seem to us contrary to natural justice that, with the development having trashed the village, a smash and grab raid should be launched, so as to deprive Thorley Parish of any compensating financial benefit that would arise from it.

12 MAR 2018

**Williams John**

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**From:** James Parker <james.parker@bishopsstortfordtc.gov.uk>  
**Sent:** 05 April 2018 10:59  
**To:** Williams John  
**Cc:** 'James Parker'  
**Subject:** Community Governance Review of Bishop's Stortford Town Council  
**Attachments:** Bishop's Stortford Ward Boundary Maps.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear John

Further to our recent discussions it occurs to me that, for the avoidance of doubt, I should formally set out the Bishop's Stortford Town Council response to the consultation.

For the avoidance of doubt:

1. Bishop's Stortford Town Council considers that a review of the boundaries as set out in the consultation is essential having regard to existing and future planned developments which are contiguous with the built up area of Bishop's Stortford
2. Bishop's Stortford Town Council considers that the boundary of the parish of Bishop's Stortford should be amended so that the whole of the current Bishop's Stortford South District ward (which currently is bisected by the parish boundary) is included within the Parish of Bishop's Stortford. It does not consider that any other amendments to the parish boundary should be made. The rationale for this is
  - a. The existing development at St Michaels Mead which is contiguous with the built up area of Bishop's Stortford is currently partly in the Parish of Bishop's Stortford and partly within the parish of Thorley, representing an unnatural administrative division within a single housing area
  - b. The proposed area within the Bishop's Stortford bypass known as 'Land South of Bishop's Stortford', which is allocated principally for housing in the emerging District plan, is contiguous with the built up area of Bishop's Stortford yet would lie partly in the parish of Bishop's Stortford and partly in the parish of Thorley creating an unnatural administrative division within a single contiguous housing area
  - c. The residents of the above developments do already/will (in the Case of the proposed new development) inevitably expect to take advantage of the services provided by Bishop's Stortford Town Council, with which these developments are contiguous
  - d. The proposed boundary and in particular the bypass forms a more natural and defensible boundary for the parish to the south/west of the Town, representing the boundary between an area with a distinctly rural character and the contiguous built up area of Bishop's Stortford
  - e. The current parish boundary to the south/west of the Town fails to meet the criteria for parish boundaries set out in the document "Guidance on community governance reviews" published by the Department for Communities and Local Government
  - f. The parish boundaries other than as specified above represent natural and defensible boundaries meeting the criteria set out by DCLG
3. Bishop's Stortford Town Council considers that minor adjustments should be made to parish ward boundaries within the Town to correct anomalies which have arisen due to the pattern of development. These are set out in detail below and on the maps in the attached document.

- a. Changes to roads which have residents in more than one ward and where it is requested that the boundary be re-drawn so that all properties are in the ward which currently has the largest number of electors:

Street/Road	Current Properties	Proposed Properties
Collins Cross	All Saints: 13 Meads: 37	Meads: 50
High Street	Central: 3 Meads: 1	Central: 4
Parsonage Lane	All Saints: 70 Meads: 2	All Saints: 72
Wentworth Drive	Central: 6 Silverleys: 72	Silverleys: 78
Westfield Road	Meads: 19 Silverleys: 4	Meads: 23
Dane O'coys Road, Whitehall Road	Meads: 3 Silverleys: 20	Silverleys: 23
Great Hadham Road (Honeysuckle House)	Silverleys: 2 South: 1	Silverleys: 3
Lea Grove	All Saints: 8 Meads: 5	All Saints: 13
South Road	Central: 40 South: 5	Central: 45
South Street	Central: 26 Meads: 11	Central: 37
Potter Street	Central: 1 Meads: 3	Meads: 4

- b. Changes to roads which have residents in more than one ward and where it is requested that the boundary be re-drawn so that the road(s) are in the ward from which access is gained or for some other reason as noted

Street	Current	Proposed	Note
Bells Hill, Regency Close, Windhill	Meads: 35 Silverleys: 73	Silverleys: 108	Bells Hill & Windhill are split; Regency Close is accessed from Bells Hill so logically should move with Bells Hill
Styleman's Farm (Hallingbury Road)	South: 2	All Saints: 2	Properties are separated from South ward by the River Stort. Access is from All Saints
Mulberry Court	South: 16	Central: 16	Access is from Central Ward only

Street	Current	Proposed	Note
The Thatchers, Stockmen Field, Drovers Way, Wainwright Street, Brewers Close, Thresher Close, The Carpenters, Tailors	Central: 224 South: 119	South: 343	Several roads in this natural group are split. Access is from South Ward
Tanners Wharf	All Saints: 76 Central: 19 South: 10	Central: 105	Access is from Central Ward
Priory Court	Silverleys: 35	Central: 35	This is a 'backland' development the Monastery estate from Access is from Central Ward
Thorley Hill	Central: 28 South: 54	Central: 26 South: 56	Change boundary so that split is at a natural point (a road)

4. Bishop's Stortford Town Council considers that equivalent minor amendments to the County division and District Ward boundaries should be made so that they coincide with the amended parish ward boundaries set out in point 2.
5. Bishop's Stortford Town Council does not at this stage wish to comment on the number of Councillors in each of the amended wards but may do so at the second consultation stage

Please take this as a formal response by Bishop's Stortford Town Council to the consultation.

Yours sincerely

James Parker  
Chief Executive Officer

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@stortfordtc

Bishop's Stortford Town Council  
The Old Monastery  
Windhill  
Bishop's Stortford  
CM23 2ND



## ***Bishop's Stortford Ward Boundary Changes Maps***

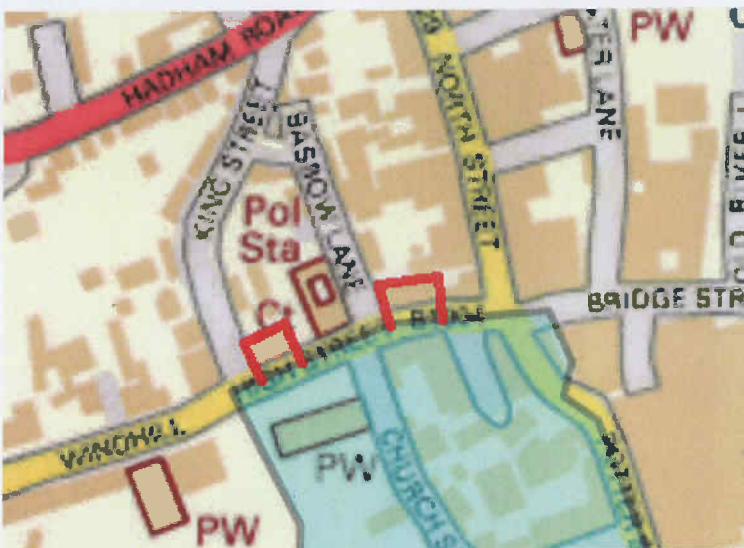
In all cases change ward boundary to red outline

### **Collins Cross (Transfer to Meads, blue)**



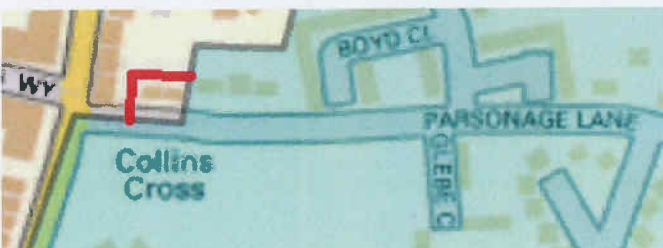
Transfer to Meads (blue)

### **High Street**



Transfer to Central (blue)

### **Parsonage Lane**



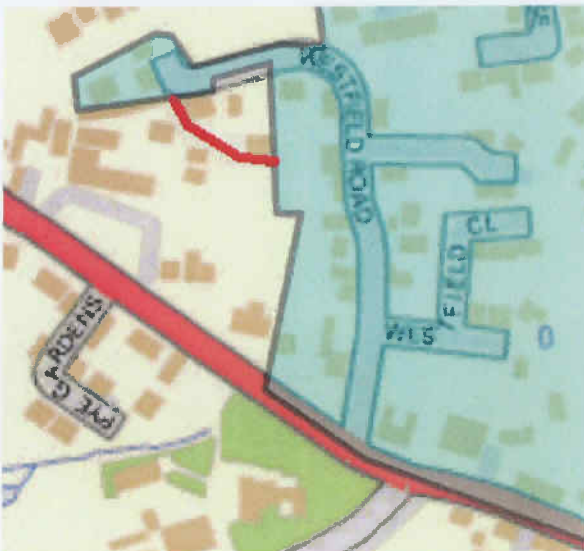
Transfer to All Saints (blue)

## Wentworth Drive



Transfer to Silverleys (blue)

## Westfield Road



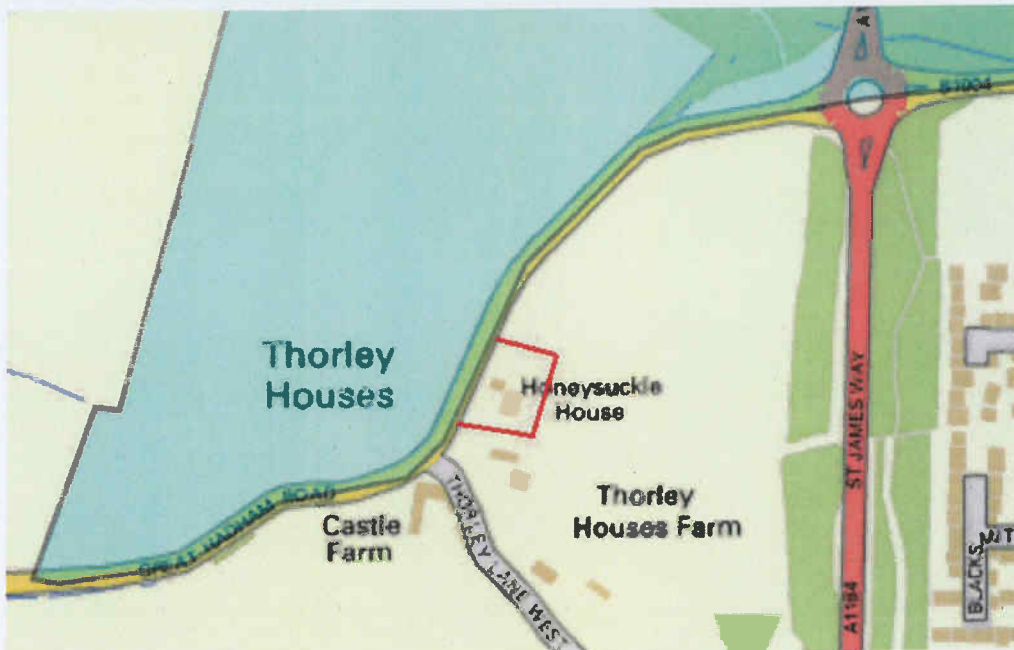
Transfer to Meads (blue)

### Dane O'Coys Road, Whitehall Road



Transfer to  
Silverleys (blue)

### Great Hadham Road (Honeysuckle House)



Transfer to  
Silverley  
(blue)

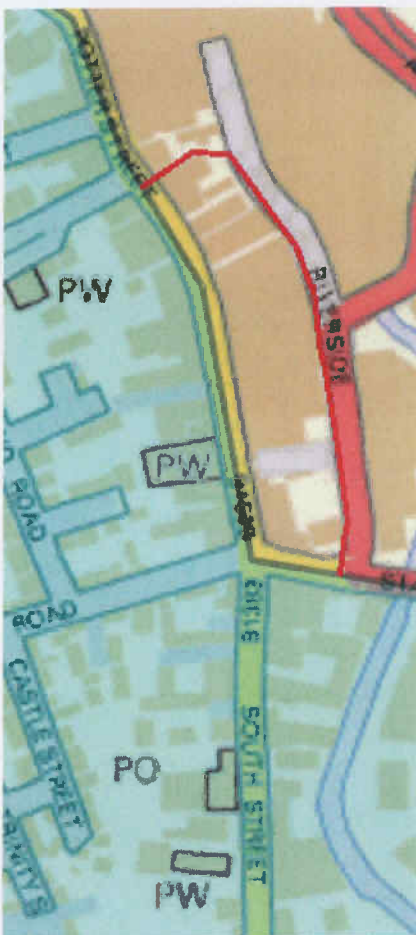


## Lea Grove



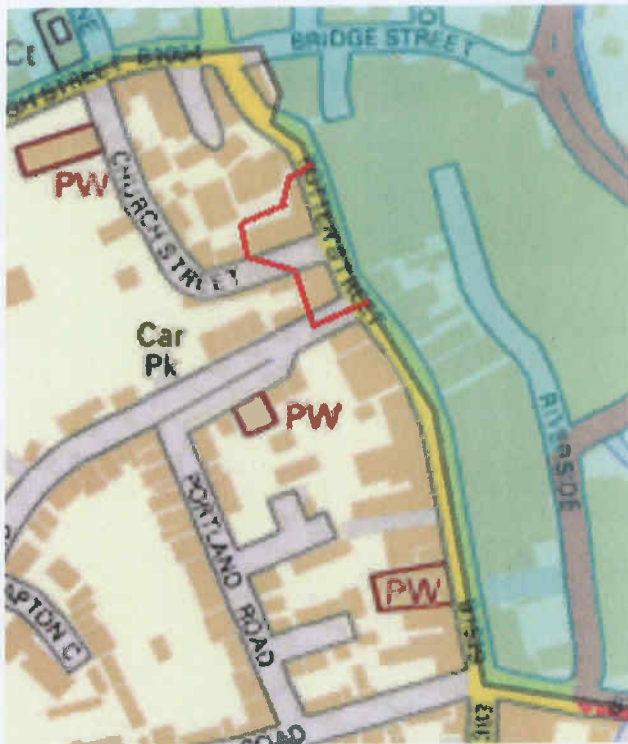
Transfer to All Saints (blue)

## South Street



Transfer to Central (blue)

## Potter Street



Transfer to Meads (blue)

## Bells Hill, Regency Close, Windhill



Transfer to Silverleys (blue)

## Styleman's Farm (Hallingbury Road)



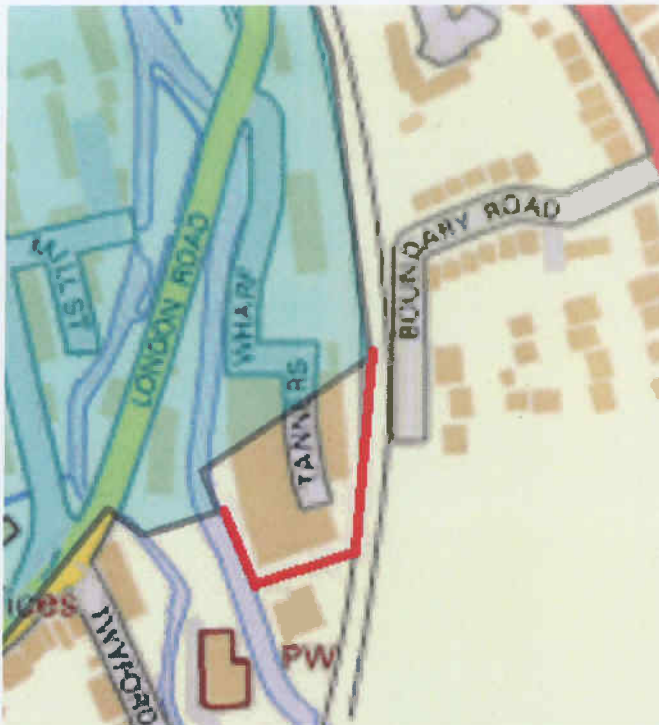
Transfer  
to All  
Saints  
(blue)

Transfer to Central (blue)

Transfer to South (blue)



## Tanners Wharf



Transfer to Central (blue)

## Priory Court



Transfer to Central (blue)

## Thorley Hill



Transfer to South (blue)

## Community Governance Review of Bishop's Stortford Town Council April 2018

In response to HAVE YOUR SAY leaflet that I, just by chance, picked up at the library in Bishop's Stortford. As effectively the leaflet, in my view, only concentrates on their proposal that consideration be made 'to consider whether the southern boundary of Bishop's Stortford parish should be re-drawn to follow the existing district ward boundary. If agreed, this would mean that the whole of the district council's Bishop's Stortford South ward, part of which is currently with Thorley parish, would instead be included in Bishop's Stortford Town Council's area.'

*My view is that this was very misleading since this would mean that effectively Thorley Parish would become non-viable since it would leave the Parish with less than five councillors. With reference to the Terms of Reference 1.2 I feel that it has not been made clear that this could be the case.....by not outlining this in the leaflet or the formal request (email to Kevin Williams 20 December 2016 09:29) point 1 – whilst point 2 of the formal request is very specific, detailed – with maps and the approximate effect of the changes on the numbers of electors (based on the 2015 electoral register) set out in a table. However, it is not clear to me whether these figures relate only to point 2 or point 1 as well. To the general electorate one would have to know where exactly the line drawn of the whole of the district council's Bishop's Stortford South ward actually lies – or that Thorley Parish urban is in effect this area. There is no history as to why this up to this point has been excluded.*

The HAVE YOUR SAY leaflet then shows a very small map – showing the area identified by the town council for consideration in the review – shaded and labelled A on the map.

The formal request by the Town Council attached very detailed maps (17 in total) but states that no map is attached in respect of the change in the Parish boundary (Thorley?) as this is already an established electoral line.

Even though the leaflet refers to **How to find out more** stating that **Full** information about the Community Governance Review including the terms of reference and detailed timetable together with **maps** of the area under review and the town council's suggestions for minor ward boundary changes are on the website here.....OR available at the East Hertfordshire District Council offices. The Terms of Reference 1.4 cites 'terms of reference will be published on the Council's website and in hard copy and will be made available at the District Council offices and at other venues within the area under review.'

*I did quickly look at the web site and realised that the view of the map was impossible to understand on the web site so first of all I rang EHDC – I was on the phone to them for over half an hour – even the customer services denied that this was a matter for the District Council it was the Town Council. They actually transferred me to the Town Council. I did speak to James Parker – he rang me back – and he was able to talk to me and answer some of my initial queries. The following day I visited the BS library but they only had the Have your Say leaflets. They offered to ring electoral registry to see whether they could obtain any more information. I then visited EHDC offices in Bishop's Stortford but they had no reference to this – no Have your say leaflets, no Terms of Reference, definitely no maps. They did, however, put me through to John Williams as it appears that he was the only*

person who could help (but only on a Monday or Tuesday). He offered to send me the terms of reference and anything else that he thought might be helpful, I believe this included a larger map but still not one that could identify clearly to me the actual area that was being put forward for consideration. Definitely not to the level of the individual changes proposed by the Town Council.

My recollection of my queries to James Parker were based on different references being made to Bishops Stortford Parish Council and then to BS Town Council in the leaflet. Were they the same organisation – if so why a change of their names. Quite small points but seemed to me to confuse my understanding of what I was being asked to have my say on. There were other points – eg what about the developments in the north of the town – I was assured that this was already in the domain of the Town Council and thus no reference needed. This is still not clear to me as to whether this review will be also focussing on the new developments and whether point .....sorry hard to reference as numbering system does not follow any logical/normal system.....reference formal request email....not a,b or c,.....not 1. 2. Or 3. But then the next point 1. 'Changes to roads which have residents in more than one ward and where it is requested that the boundary re-drawn so that all properties are in the ward which currently has the largest number of electors. Again, I may be wrong but I am not sure that this has been outlined in as much detail for the boundary change proposed for Thorley. There is a point 2. As well. You might see why I might be having problems HAVING MY SAY. So there may be properties that actually will still not be part of the ward with the largest number of electors or neighbours in one road being in Thorley Parish and others in Bishops Stortford Parish. He made it clear that this was not to do with loss of green belt or any proposed developments. I feel that the leaflet is actually that any submissions providing evidence of community identity or local linkages are therefore important considerations in this review which may be that any loss of Thorley parish community would be seen as very important if new developments, access to Thorley village and loss of green space would be a 'consideration'.

The leaflet then outlines information based on electors registered as on February 2018. Unfortunately I am unable to understand why this information was given to help me to HAVE MY SAY.

If I compare this then to the data given in the formal request by the Town Council in their unlabelled table – based on the 2015 electoral register – I believe there is at least 2,100 electors difference. How am I supposed to know that the current proposed review is up-to-date and covers the point

**Why your views are important** that the council must seek to ensure that any proposals:

Promote effective and convenient local government;

Take into account any other arrangements for community representation or engagement in the area.

So as you can see, I am struggling to find actual evidence as to how any of the proposals will meet - what is written in Have your say - as to why my views are important when the TOR



refer to 'key documents to be made available' but as I am not sure what was a key document then as helpful as people tried to be the task became impossible. This included James Parker, CE of the Town Council – saying that East Herts would be the contact regarding this. As of yesterday he was unable to say what key documents were being referred to. Lack of any communication regarding where information is held has hindered my ability to make a reasoned and factual view of the proposal. Where is the evidence that the four criteria mentioned in the leaflet will be met by the proposal. Both levels of council are saying that it is up to the other to state these. In particular I was perturbed that members of the council felt that this proposal would

- reflect the identity and interest of the community in the area
- promote community cohesion

but omitted to add as an Aim of the Review 1.9 TOR that they should also consider any proposals on

The impact, the size, population and boundaries of a local community or parish.

As far as I understand, from the leaflet, there is the implication that the change to taking over Thorley Parish Urban Ward the above would seriously impact on Thorley Parish as a whole – leaving less than 5 councillors in Thorley Parish Rural and consequentially leaving a redundant parish (ie less than 5 councillors for the parish). Also, by omitting (I think? As not totally clear to me) detailed data on developments to the North of BS then this proposed review cannot cover this criteria? Is this a partial review or a whole one. Due to the rapid developments being enacted or envisaged in the area, how often would these costly reviews have to occur – particularly if not many facts are made available. I am not sure who pays for this and whether the Town Council has any spare money to make their contribution? This will, I am sure be one of the points in the Report by Head of Democratic and Legal Support Service (DLSS) 16 December 2015 - as the Principal council with a consideration 2.2 conducts a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate, when finances are also considered – report dated December 2015 in essential reference paper A. Other than the anomalies of St Michaels Mead I am not sure that the population of Thorley parish has changed considerably since 1998 and the actual reasoning for the Town Council to now be focussing on making Thorley Parish council redundant has not become any clearer.

Sorry but I am still struggling 3.3 (Report DLSS) refers to other bodies ....'voluntary organisations – such as schools or health bodies' and whilst the Boys High School may have a vested interest in trying to move to the current Thorley Parish area – ie new premises funded by the sale of current land and new development I am not sure how much weight any of their views are given or only if their parents have their say as (DLSS Report) 4.3 'Council should seek to ensure adherence to the principle that ' each person's vote should be of equal weight....'. So whilst the schools in the area may have a view it would not meet any of the electorate management criteria.

It is only because I have requested more information about the review that I have received detailed proposal of the ward boundary changes. The Town Council offices only had one copy of the Have Your Say leaflet - outside on their Notice Board - but were unable to say or suggest that I try the Tourist Information shop. I used my initiative and they did in fact have a pile tucked in the corner. They were helpful and sent me an email of other sources of information. The library only had the Have Your Say leaflet. East Herts DC offices didn't have anything but did put me through, on the phone to the Electoral offices to John Williams. I felt only after they felt they should try and help me due to my insistence.

No-one has been able to provide me with a distribution list of what to whom has been sent. One comment from the DC was that 'we could not afford to send out this leaflet to everyone', when I said that I felt that although I live in South Ward – Thorley edge – that I and other local residents would be one who might have strong views of this proposal.

I am struggling. I cannot - other than the planned new development – comprehend why the Town Council can be said to be representing the local electorate and that they have outlined any reasons for making Thorley Parish in effect 'redundant or moribund'. Perhaps they have not even considered that this may be the effect. In their Plan Summary leaflet of BS Town Council Neighbourhood Plan for All Saints, Central, South and **part of Thorley 2016-2032** that states the District Plan 'envisages the removal from green belt of the site at Bishop's Stortford South. This is a very controversial part of the draft District Plan and likely to face severe opposition. The survey undertaken in December 2014 showed that the majority of residents oppose this.' However this proposal, in my opinion, is not going to 'protect the heritage of a medieval town, which is a large part of what makes it desirable.' (Town Council Neighbourhood Plan). There is then reference to 'well maintained rights of way' as 'Residents of the area have excellent access to a number of rural areas around the town and to the riverside.....including the Hertfordshire Way which runs south through Thorley Parish to the River Stort.' An article in this week's local paper is already talking about lost footpaths and the Hertfordshire Way in Bishop's Stortford.

Anyway quite interesting but I do feel strongly that Thorley Parish Council should remain intact with their two wards - with perhaps even a view to taking back some of its lost parishioners to previous developments so that they will be able to help ensure that this rural parish continues to provide a voice for a very small part of Bishop's Stortford but one that has a huge identity, strong community links, history for their own parishioners alongside many of their old parishioners that border their boundary. Taking the church as one example of the rural ward's own community centres for all ages, the Barnabus and Emanua Centre, local public house and the Hertfordshire Way are just a few of the interests that bring people to this side of town along with businesses (in buildings and I am sure private residences. Many of the residents and others adjoining the Thorley parish also gain many social activities that are run by charities for health and social events. These include, and by no means an exhaustive list, Sunday coffee/tea afternoons for locals and walkers alike (church), brownies, cubs etc, over 60s club, toddlers groups, cancer charities, educational activities, singing groups, flower festivals, U3A Thorley - set up as Bishop's Stortford was oversubscribed but I believe they link together. Many of these activities/events have very easy access for everyone - particularly elderly or the disabled.

Not many references made to actual solutions for the ageing society that we are supposed to be in – unless a care home is supposed to be the solution.

Extract of first two paragraphs re Barnabus Centre from web site  
<http://www.stbarnabasbarn.co.uk/>

This website is the result of research into the architectural and social significance of a large 16th century farm barn in Thorley, near Bishop's Stortford, Hertfordshire.

The restoration and conversion of a pig barn into a stunning church and community centre in 1996 was the inspiration of the then Rector, Rev. Clive Slaughter. The St. Barnabas Centre now serves the parish as a church on Sundays and is used throughout the year by the community as halls for weddings, youth groups, conferences, music exams, school workshops, art and craft fairs and festivals. The cost of restoration, which amounted to approximately £1 million, was met by church fundraising and a substantial donation by a local benefactor.

#### Other extracts from St James's Church

Thorley in the early 14th Century was a relatively affluent settlement being a neighbouring parish to the important and prosperous market town of Bishop's Stortford.

the 15th Century, Thorley Manor acquired one of its most illustrious Lords, Sir Richard Whittington. As the legendary Dick Whittington, three times Lord Mayor of London, he made most of his fortune lending money in the City of London. His name, however, now lives on at Richard Whittington School and on Whittington Way. Popular folk lore likes to adopt the successive cats that frequent the church as the local descendant of Dick's famous cat!

19th century The cost of these very necessary repairs and additions were largely borne by the Lord of the Manor, Lord Ellenborough and by Mr. B.J.L. Frere of Twyford House, whose family have continued to endow the church for over a hundred years. Shows a historic links between Thorley and Twyford (ie Pig Lane and the Mill)

20th century Our church should not be regarded only as a memorial to the heritage of the past. It has to serve as the living, spiritual focal point for the expanding parish of Thorley. Parishioners who lost their lives in the century's two World Wars are remembered on the war memorials inside the church and similarly, tended graves outside are indications that loved ones are not forgotten.

<http://www.stbarnabasbarn.co.uk/>

I believe that the *Emmaus Centre* (run by St James's Church) was built due to donations from Thorley Parishioners – probably mostly the urban ward of Thorley. Thorley has a very deep history being named in the domesday book. It is one of the 100 parishes in Hertfordshire, their aim being to ..... It would seem that the nature lane run by Herts and Middx Wildlife Trust would be split in half with the proposed new boundary.

## History of Thorley

Thorley is listed in the Domesday book as "Torlei", belonging to Geoffrey de Mandeville, a notable Norman baron. During the reign of Edward the Confessor, Thorley Manor belonged to Earl Tostig.

I have read elsewhere that Whittington Way was named in memory of Dick Whittington as the link to Thorley village. I am not a historian of the area but I am sure that there are many Thorley people who could relate why for this side of Stortford, Thorley, is their identity. They do not say they live in Stortford, they live in Thorley – an area of Bishops Stortford.

As part of the Millennium celebrations, a decision was made at the annual *Thorley Parish Meeting* in 1999 to produce a book about the past 100 years of *Thorley*. An East Herts District Council Millennium Fund grant was received for the project.....perhaps acknowledging the history of Thorley by the District.....

Thorley is one of **the hundred parishes** charity's parish - The Society aims to increase awareness, enjoyment and care of the Hundred Parishes. We encourage people to learn about the area's character and history and to appreciate its heritage first-hand by visiting. We particularly encourage healthy recreational activity and this website includes a series of interesting walks, linked to public transport. We aim to expand this series and in due course also to offer cycle routes. From time to time we arrange guided walks for Society members.

To promote for the benefit of the public the conservation, protection and improvement of the physical and natural environment of The Hundred Parishes, especially its features of historic, architectural and wildlife interest.

The Hundred Parishes Society is incorporated in England and Wales as a company limited by guarantee (number 8124462). It is Registered Charity number 1157891. Its registered office is 2 Greenfields, Stansted Mountfitchet, Essex CM24 8AH

**Herts & Middx wildlife Trust** – I believe, but due to lack of more detailed maps, that this area will be split by the proposed new boundary.

A Site of Special Scientific Interest (SSSI) just south of Bishop's Stortford, noted for its botanical diversity.

Herts and Middlesex Wildlife Trust's Thorley Wash Nature Reserve has been designated as being in good ecological condition by Natural England, the Government's advisers on nature conservation. The reserve is a site of special scientific interest being one of best examples of 'wash grassland' in the UK.

I have not had the time to contact either of these last two organisations but will, as a follow up to my initial research will be contacting them.

**Summing up** – Thorley has deep history and should not, in my view, be renamed, lost or be a convenient planning ploy to meet central government targets on housing that the District and Town Council seems to deem more important than the views of the local electorate of Thorley and surrounding areas who rely on this beautiful parish that enables people to enjoy their day-to-day leisure and activities whether they be walkers, runners cyclists, horse



riders, bird watchers, and so on. Currently this green space has many footpaths and starts from a site of special interest, through farmland meeting the Southern Country Park that has access to the burial footbridge to St James's Church alongside Thorley village pond meeting the edge of St Michaels Mead but easily able to access footpaths and farmland to Sawbridgeworth and Much Hadham ward. The boundaries should remain as they are in the South and the Town Council should not merge the South Ward with Thorley Parish urban ward. There has been no information available to members of the electorate as to how the Town council would meet any of the four criteria listed in the Have Your Say leaflet and in particular has, for whatever reason, chosen to confuse the review process by focussing only on the south of town boundaries with no reference to the new developments to the north of the town. I did expect some evidence by the town council as to how this proposal would meet the guidance given by the 2007 act along with perhaps thought of how new developments would ensure existing links and the required cohesion of new groups, individuals and businesses within its boundaries and adjoining ones so that other planned developments in the districts can meet expansion of other major, international infrastructures whether that is Stansted Airport or faster train services and so on.

For a sustainable review to go towards meeting any of the criteria mentioned in the leaflet then there should, in my view, take a holistic view of all new developments and in particular the larger ones in the North. Adjacent links to other parishes should be shown, at least that there has been consultation with them at this stage.

I only hope that if there has been a strong voice to those who have the time to take part in this part of the consultation is followed in this decision process – albeit that there might be only a difference of a few percentage as to for or against what, at this stage, has been proposed – that the District Council listens to the local electorate on this important proposed change and then makes the appropriate democratic decision.

# OTTRA

## OLD THORLEY & TWYFORD RESIDENTS' ASSOCIATION

John Williams Esq  
Electoral Services Officer  
East Herts District Council  
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Hertford  
Herts SG13 8EQ

4<sup>th</sup> April 2018

### **Ref: Community Governance Review – Town Council proposed changes to Thorley Parish Civil Boundary**

#### **BACKGROUND ON OTTRA**

1. I am Sylvia McDonald, Thorley parishioner, formerly parish council chairman. I write as chairman and representative of OTTRA [Old Thorley and Twyford Park Residents' Association], putting forward in this first part of our submission OTTRA comments on conduct of the Review.
2. OTTRA first existed as the Old Thorley Community Association, formed in 1994 to give community support to Thorley Parish Council in its fight against continual threat over the years from town coalescence, encroachment and urban sprawl into Thorley parish greenbelt countryside and farmland.
3. After the war, farmland in the Plantation area of Thorley was sold and Twyford Park housing built on the north side of Thorley Lane. Old Thorley and Twyford Park dwellers eventually joined

forces to become OTTRA. The feeling of local community spirit pervades, as the second part of our submission will show

## **FOREWORD**

4. The Community Governance Review of the town boundary with Thorley is a momentous and complex matter having import for hundreds of people. It has sprung from the blue, heralded by a flyer referencing directly or indirectly numerous on-line documents and inviting electorate response within a 7-week period, 3 weeks of which would be taken up with school and national holidays.
5. It has not been possible, given the difficulties met with information accessibility described below, for OTTRA to collate, before the initial submission deadline of 6<sup>th</sup> April, the plentiful evidence from its membership that we would wish to provide in support of our argument of strong opposition to the town council's request for boundary alteration.
6. Recent events pertaining to Examination in Public of the draft District Plan have complicated understanding of the electoral issues now being raised. In the view of many local people, the 'Thorley' story is central to the reason why this Review is being carried out.
7. OTTRA, in spite of best efforts, can only in this first part of our submission provide outline of membership views. I respectfully request that EHDC accept the second part of our submission after the end of school Spring holidays.

## **DIFFICULTIES WITH ACCESSING INFORMATION**

8. The leaflet Have Your Say tells readers that "full" information on TOR, timetables and maps is available at EHDC offices, and invites readers to 'raise any queries' with Electoral Services. In the TOR it is written that "[hard copy] of terms of reference will be made available at the district council offices and at other venues within the area under review". This was not so.
9. Members have contacted both district and town council offices, but without satisfactory outcome. It was found that the district council offices had no information on the Review at all; that ill-informed officers could not provide a list of "other venues" or even the TOR reference to "key documents to be made

available”; that leaflets had not been received by all households [one council officer volunteering the information that the council could not afford to send copies out to everyone]; that leaflets were available in town only at the tourist Information centre and library; that in the leaflet narrative, the words parish, town, and ward were used indiscriminately throughout, leading to confused understanding of textual meaning by layman readers; and that maps provided were too small for boundaries to be identified in any detail.

## TIMING

10. We would question the timing of the town council’s request.

From a report in October 2015 by the head of Democratic and Legal Support Services we learn that boundary change was first mooted three years ago. It was written that BSTC had *“resolved formally to request a review of the ward boundaries within the parish of Bishop’s Stortford and of the parish boundary of Bishop’s Stortford having regard to: Development which has occurred since the boundaries were last reviewed, which has ‘crossed’ the parish boundary and, members argue, caused ward boundaries to be inappropriate, and Development likely to occur either as already consented in outline or full or envisaged within the draft District Plan, which breaches the parish boundary particularly towards the South.* Why has this lain so long in the town council’s pending tray?

11. Also with regard to timing, we note that under the 2007 Act periodic reviews can take place every 15 years or sooner, and that “reviews must take into account impact on community cohesion, size, population and community boundaries [in order to] provide effective local government”. Effective government in itself depends on town/parish spending of precept and value for money as perceived by residents. Data given in the Have Your Say leaflet takes no account of the massive increase in population to be brought about by town development in north and south. It follows that whatever the Review recommendations made in October 2018, the effects on residents gauged in this Review will change and another be needed.



12. Moreover, how will residents confidently know what they will be voting for in May 2019?

### **REASON FOR REVIEW**

13. The only reason given in the Have Your Say leaflet is found in the section Issues under consideration, where it is written "The town council identified areas of development to the south of the town that cross the current boundary and asked EHDC to consider whether the southern boundary of Bishop's Stortford ?parish? should be redrawn to follow the existing district ward boundary". In the Terms of Reference, however, also written by EHDC, the reason is written differently as "Parts of the areas identified [for development to the south of town] are currently in Thorley Parish but the Town Council considers the developments are, or will be, seen as part of Bishop's Stortford". Further it should be noted that, significantly, Section 2 of the Guidance on Community Governance Reviews recognises only a need for "reviews in circumstances such as where there have been changes in population", not where there may/will be in the future.
14. With reference to who would have opportunity to read the above extracts, EHDC should take into account that (a) not all householders received the Have Your Say leaflet, (b) TOR were not made available or easily accessible to enquirers, and (c) the 54-page Guidance document is a remote publication.
15. OTTRA believes that the town council, in its long-held determination to manage and control development to the south of town, which OTTRA residents know as the Whittington Way site and which was refused planning permission at ministerial level in 2011, has been making decisions that run contrary to expectation of ethical behaviour and are demonstrably only in the town's interests, not those of the parish. From this point of view, boundary alteration is therefore relevant only with respect to which authority can claim control of the development and accordingly add to its precept.
16. Yes, the position regarding boundary anomalies would be stated correctly if in the Have Your Say leaflet the reason had been written: "The town council identified an area of development to the south....". because this is a reference to the 200 or so

houses in the St Michael's Mead estate, built in a remote corner to the west of the parish in the 1990s when the town bypass was also constructed across parish land.

17. The fact is being ignored that the town council has been remiss in its responsibility for effective governance for over twenty years. The sad result has been a split across three town wards for a 911-house development that was marketed by Countryside Properties as a new village but which did not take on any semblance of community in all that time. Para 15 of the Guidance on Community Governance Reviews is especially relevant to this situation. In the interests of St Michael's Mead cohesion, OTTRA would support the town council's wish to 'put right' this anomaly.

#### **OUTLINE OF OTTRA COMMENTS**

18. Many OTTRA residents are confused about why a boundary change is being considered. In a local newspaper, the town council's justification is given as "tidying up urban boundary anomalies" and "making governance easier", but nowhere does EHDC make reference to implications for the rural areas of Thorley parish. The latest threat facing Thorley would seem to be from enforced parish redundancy and consequential abandonment of a small number of rural settlements.
19. Seeing that OTTRA comprises residents in both parish and town jurisdictions, what we do know from local knowledge is that existing Thorley parish governance is rated as being community supportive with there being no perceived need for change, while on the other hand, however, urban town governance has generally been rated as unsatisfactory for a long while. On this basis why would parishioners or town residents see extension of town jurisdiction through boundary change as advantageous?
20. It is not surprising that OTTRA, and also other Civic Federation members, consider that town council motivation for making this proposal is suspect and underhand. It is being seen as a way to transfer, from parish to town council, jurisdiction of the coveted Whittington Way site that draft East Herts District Plan policies [still under examination] have allocated for development, thereby ensuring that development in Thorley would be under

town council control before the town and district council elections in May 2019

21. In the meantime, the town council has stayed confident that the Examiner will allow development in Thorley and believes that in readiness it already has two good reasons for claiming control.
22. First, some while ago, for purposes of representation at district level, Thorley parish urban ward [comprising Thorley Street and Pig Lane] was included in the town's South Ward.
23. Secondly, and expressly for the purpose of enabling town to control all aspects of the development at town/parish level, the town council had, in breach of the Localism Act, drawn the boundary of the town's Southern Neighbourhood Plan to include the same area [at the same time omitting the parish rural ward] and had developed NP policies without the participation of any parishioner except the parish council chairman, whose agreement was required in law and who was then persuaded to accept the situation and take a seat on the town NP committee.
24. Then came the breach of policy in the draft District Plan regarding policy disallowing housing development in Class 3 villages. The late acceptance by EHDC that Thorley is a Class 3 village should have removed threat from Thorley. But no. EHDC and town council are attempting to remove the site from the parish by proposing an alteration to the town civil boundary.
25. OTTRA cannot see why, in the unwelcome event of massive new build at Whittington Way, Thorley parish should give up its autonomy to the town council. This would be tantamount to telling Thorley people that their parish council was inefficient as a civil authority.
26. This is undeniably untrue, given the lone achievements of the parish council during St Michel's Mead development in the 1990s listed below:
  - preservation of our rich footpath/bridleway network,
  - planting of roadside bunding,
  - stopping of preserved tree felling in Thorley Lane,
  - initial reed design and birdlife care by the owner of Brook Farm on the developers' balancing pond in Moor Hall Lane [now an attractive lake for fishing and photography],

- retention of landscape vista where possible in the open greenbelt space area later 'sold' by developers to EHDC with a large sum for its future maintenance as the Southern Park,
- stopping of usage of same open greenbelt space for formal or intrusive activities [such as football, indoor bowling, amphitheatre] needing clubhouse building, loudspeakers, lighting, outdoor seating, toilets, carparking and road access [Note: it was the parish vision of a beautiful tranquil place for wildlife and community wellbeing that has given the townspeople a wonderful place, Southern Park, set in an extensive greenbelt countryside of footpaths in all directions, for their families to enjoy in perpetuity on their doorstep],
- retention/diversion of the developers' haul road to give to hamlet dwellers a narrow B road access [Obrey Way] to the village and Church, and to village dwellers in a severed part of Thorley Lane access in the other direction to the new bypass [Note: EHDC is now claiming Obrey Way as a 'natural' boundary, doubling up for the 'containable' new community and new greenbelt edges that will delineate the town's new land grab],
- acquisition of footbridge across the bypass to the Church, an invaluable and hard fought-for asset for everyone.

27. Community Governance Guidance, citing the 2007 Act, says that principal councils will "need to take account of the views of local people". In this first part of our submission OTTRA would suggest that EHDC give careful consideration to:

- i. prudence of the proposed boundary alteration, given the 'abandonment' of the rural ward of Thorley parish, and
- ii. validity of the town council's justification for civil boundary alteration, given the explanatory paras written above.

### **NEW COUNTER PROPOSAL**

28. Given OTTRA membership distrust of town council motivation and EHDC's decision to carry out a Review, OTTRA is considering the feasibility of proposing a counter boundary alteration. In this

regard, OTTRA would draw the attention of EHDC to the following paragraphs in the Guidance on Community Governance Reviews:

- Para 28. Principal councils should use their knowledge and awareness of local issues when deciding whether to undertake a review.
  - Para 35. Principal councils must consider the wider picture of community governance in carrying out their reviews. In some areas there may be well established forms of community governance such as local residents' associations.....
  - Para 16. A community governance review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove anomalous parish boundaries that exist in England. Reviews also offer the chance to principal councils to consider the future of what may have become redundant or moribund parishes.
29. OTTRA will produce the second part of its submission with all speed and trusts that it is acceptable to Electoral Services to receive OTTRA response in two parts.



Appendix to Consultation form.COMMUNITY GOVERNANCE REVIEW – RESPONSE FROM THORLEY PARISH COUNCIL 4/4/18Reasons for response to boundary change proposals.

It is with great surprise that when the Thorley Parish boundary changes proposals were notified to us that it was as a request from Bishops Stortford Town Council which seemingly had its conception at a BSTC- Localism and Strategy Committee meeting in 2014. Present at this meeting were 3 councillors and BSTC- C.E.O. – no chairman, and a temporary chairman was appointed for the meeting. I doubt whether the proposal would have been made if there had been a full attendance. BSTC's stated reasons for requesting the review seem to be ironing out wrinkles and tidying up anomalies. The official reason, is as stated in EHDC's CGR of BSTC's Terms of Reference 1.6 which clearly indicates the desire to take over the new developments in Thorley Parish, and thus, the parish itself. The wrinkles and anomalies are inferred as being that some residences and residents are in a different electoral ward or parish from their neighbours. Moving the boundaries will not prevent this, there will always be someone whose neighbour is in a different parish or ward. The numbers of houses quoted in the general ward boundary changes is minimal and do not justify a review. The largest change is in the South ward where a takeover of all, apart from about 20 houses in Thorley Parish is proposed. This proposal shows that the proposal has not been clearly thought through, unless BSTC wish only to have control of the undeveloped BS South site, otherwise, there is no apparent justification.

The proposals demonstrate no apparent advantages to any residents or improvement of services provided. The proposals do not demonstrate anything that is reflective of identity or interests of the community in the area concerned. The proposals do not cite any provisions for effective or convenient local government or local services improvement of the area. Recognising that statement para. 8.4 in the terms of reference, does not automatically change the electoral ward areas within the proposed new parish boundaries, there is no guarantee that BSTC will get what they are purportedly seeking.

Suggestions on changes as proposed by BSTC.

The boundary change as proposed is illogical. If the proposed new developments in B.S. South gain approval, then the far more logical proposal would be for the fringe areas of B.S. adjacent to Obrey Way and Whittington Way, to be incorporated into Thorley Parish and making those existing main roadways the Thorley Parish boundary – This proposal would fulfil all county requirements for a CGR, it would involve a very small number of dwellings and it would have minimal effect on electoral wards. Thorley Parish Council will in the near future request a Community Governance Review to propose just that.

Cllr.R.Lumsden,

Thorley Parish Council

[chair]

## THORLEY PARISH COUNCIL

Your ref:

Date: March 2018

Electoral Services  
East Herts Council  
Wallfields  
Pegs Lane  
Hertford  
Herts  
SG13 8EQ

For the attention of John Williams

Dear Mr Williams

Thorley Parish Council endorses the decision below.

REFERENCE TO: COMMUNITY GOVERNANCE REVIEW OF BISHOPS STORTFORD TOWN COUNCIL  
BOUNDARY

Name:-

Address:-

I object to the proposed Thorley boundary change – the proposed changes do not demonstrate any of the terms of reference

Signed :-

I agree with the proposed Thorley Parish boundary change

Signed:-