

# **CHESHIRE EAST COUNCIL**

## **Local Service Delivery Committee - Macclesfield**

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<b>Date of Meeting:</b>	25 November 2011
<b>Report of:</b>	Vivienne Quayle:- Head of Performance, Customer Services and Capacity
<b>Subject/Title:</b>	Update on Local Service Delivery
<b>Portfolio Holder:</b>	Cllr Rachel Bailey Cllr David Brown Cllr Michael Jones

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### **1.0 Report Summary**

- 1.1 The report and appendices are intended to provide members of the committee with responses to the main issues raised at the previous meeting and provide further clarification on the most up to date financial issues
- 1.2 It is acknowledged that the role of the Committee encompasses the monitoring of performance and a forum for debate about those services. However, the focus for the next two meetings leading up to a recommendation to cabinet needs to be focused on the issues relating to special expenses payment.
- 1.3 Based on the information previously provided and the current position, members of the Committee alongside the views of ward members present, need to make an informed recommendation on those existing services that they wish to see be provided in the currently unparished area of Macclesfield (consistent with those transferring to parished areas).

### **2.0 Decision Requested**

- 2.1 The Committee is asked to agree a recommendation to Cabinet on the level of service and related budgets they wish to see continue to be provided in the unparished area of Macclesfield.

### **3.0 Reasons for Recommendations**

- 3.1 Macclesfield is currently an unparished area and as such has no local Council at present to represent the area. In order to ensure that the area of Macclesfield has similar opportunities and choices as the other parished areas and that all areas of Cheshire East are treated consistently, it has been necessary to set up specific committees to carry out the functions as outlined in the Terms of Reference.

- 3.2 A prime role of the Committee is to make a recommendation to cabinet (and ultimately Council) on the level of service in the unparished area and any enhancements leading to a special expenses levy. This is part of the overall framework for Council Tax setting and, will therefore be finally agreed in the February cycle of meetings alongside the Council's budget and Council Tax decisions. This Committee has an opportunity to influence that decision within the Macclesfield unparished area
- 3.3 Previous meetings have given background information and financial analysis. This is a changing picture as financial assumptions are being made across the authority in all services in order to formulate the overall Cheshire East budget. It is important to position this Committee's work in the context of the overall business planning process and acknowledge that the draft budget is not yet finalised. Therefore, all figures are at this stage the most accurate position that can be provided but may be subject to changes in the context of the overall budget position. Clearly the Committee will be kept up to date on any necessary changes.

#### **4.0 Wards Affected**

- 4.1 Macclesfield West and Ivy
- 4.2 Macclesfield Hurdsfield
- 4.3 Broken Cross and Upton
- 4.4 Macclesfield South
- 4.5 Macclesfield Central
- 4.6 Macclesfield Tytherington
- 4.7 Macclesfield East

#### **5.0 Local Ward Members**

- 5.1 All Macclesfield members

#### **6.0 Policy Implications including – Carbon Reduction - Health**

- 6.1 This initiative aligns with the first priority of the Sustainable Community Strategy "nurturing strong communities" and is part of Cheshire East's stated drive to ensure that working locally is at the heart of what we do.
- 6.2 National policy is designed to decentralise government and give communities power to make a difference in their area. This initiative clearly aligns with this national drive.

#### **7.0 Financial Implications (Authorised by the Director of Finance and Business Services)**

- 7.1 At the last meeting members asked for a detailed explanation around a number of items: The up to date financial figures are still being considered and will be circulated prior to the meeting. The following

points are in response to the specific queries raised and are those of the service leads:

### **Support services Cost**

This will be provided to members prior to the meeting as further work needs to be undertaken alongside the budget setting process.

### **Markets**

Overtime is used to bridge the gap between contracted hours and the hours required to manage the market. Additionally payments to erect the outdoor markets are overtime as the personnel involved have other contractual employment in the authority.

Grosvenor Centre Service Charge – This is a legacy agreement, which determined that the markets pay 2/3rds of the charge and the car parking service the remaining third. The reasoning behind this is not known however if it is based entirely on surface area then a further redistribution would be required.

### **Vacant Stalls**

Currently 2 out of 50 indoor stall are vacant. The outdoor market is subject to more fluctuation although trader numbers are generally around 10% down during this financial year.

### **Income**

The current trend in market trading performance is in line with the National Trend, namely the market is suffering and in particular the Indoor market is facing very challenging retail conditions. Against this financial setting it is anticipated that market performance will remain challenged. Local investment and measures to increase the vitality and visibility of the market could help to improve this position.

### **Toilets**

Overtime is used to bridge the gap between contracted hours and the hours required to clean the facilities over a 7 day period.

### **Allotments**

Appendix A gives members detail clarification around the question raised in relation to allotments and Appendix B provides further background information on the allotments in Macclesfield and is split into 3 parts:

- Illustrates tenancy & catchment area of tenants on site.
- A brief summary of charges.

- A summary of the breakdown of charges last year (2010/2011) and indicators of discounts given to tenants on our sites.

## **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 The position on legal implications was provided at the first meeting of this Committee in recognition of the context for setting a special expenses levy.
- 8.2 Since this advice there is a further consideration which is the announcement of a Council Tax freeze. As any special expenses levy is part of Council Tax legislation and conditions we await the definitive view of the Department for Communities and Local Government on the detailed conditions for a Council Tax freeze and the consequent grant to fund the freeze. This may affect the Council's ability to set a special expenses levy.

## **9.0 Risk Management**

- 9.1 There is a potential risk that inconsistencies could occur where there are parished and unparished areas within the authority. This Committee has been set up to ensure that consistency issues are properly considered and also to give the unparished area a voice given that there is no Town or Parish Council to provide this function. If these issues are not tackled there is a risk that parished areas could unfairly fund services that continue to be funded in unparished areas.
- 9.2 There is a risk that the DCLG guidance on the Council Tax freeze will prevent the setting of a special expenses levy for 2012/13 and that any enhancements to services recommended by this Committee become a further pressure on Cheshire East's overall budget. This will be closely monitored and we are awaiting clarity on this issue from DCLG.
- 9.2 There is a risk that any charge on the people of Macclesfield is unclear given the potential for a special expense and a charter trustee level as well as the usual Council Tax. This is part of the reason for setting up this Local Delivery Committee and communication of the agreed position will focus on giving clear information to residents.

## **10.0 Background and Options**

- 10.1 At the second meeting of Local service delivery committee for Macclesfield, Members of the committee asked for further detailed financial information on the services that will form the special expense payment.
- 10.2 As part of Cheshire East Council's initiative to transfer and devolve services to Town and Parish Councils, Full Council agreed that Local Service Delivery Committees are required to represent the unparished

areas in the Borough to determine the level of local services required by communities. This decision was taken in November 2010.

- 10.3 The list of such services in this area is as the report to Cabinet on 5<sup>th</sup> September 2011. (The report was circulated to Members of the Committee prior to the last meeting)
- 10.4 In order to be consistent with the overall Cheshire East policy unparished areas need an assessment of the cost of the relevant services and consideration by this local service delivery committee. This may result in a special expense levy on the CEC Council Tax bill. This is designed to be an equivalent to a precept for local services provided by a Town or Parish Council.
- 10.5 If and when a Town or Parish Council is established in these areas, the local service delivery committee will no longer be required.

## **11.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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