

Governance & Constitution Committee

Agenda

Date: Thursday, 15th October, 2009
Time: 11.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

4. **Minutes of Previous meeting (Pages 1 - 12)**

To approve the minutes of the meeting held on 30 September 2009.

5. **Memberships of Committees**

To note recent changes to the memberships of committees.

6. **Crewe Community Governance Review** (Pages 13 - 74)

1. Recommendations from the Community Governance Review Sub-Committee

To receive the minutes of the Community Governance Review Sub-Committee meeting of 5 October 2009.

2. Report of Partnerships and Chief Executive's Business Manager on Community Governance Arrangements for Crewe

To note the report of the Partnerships and Chief Executive's Business Manager (to follow).

3. Recommendations to Council

For the Committee to make recommendations to Council upon the Community Governance Review.

7. **Community Governance Review – Handforth Petition** (Pages 75 - 80)

To consider the receipt of a petition calling for a Community Governance review in respect of the unparished area of Handforth.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Governance & Constitution Committee**
held on Wednesday, 30th September, 2009 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor A Kolker (Vice-Chairman) (in the Chair)

Councillors M Asquith, D Cannon, R Cartlidge, S Jones, R Menlove, G Merry,
R Parker, R West and P Whiteley

In attendance

Councillors F Keegan, H Davenport and A Thwaite

Apologies

Councillors A Ranfield, W Livesley, A Moran and D Topping

Officers present

Brian Reed, Democratic Services Manager
Andrew Leadbetter, Legal Services Manager
Lisa Quinn, Borough Treasurer and Head of Assets
Vivienne Quayle, Internal Audit Manager
Lindsey Parton, Elections and Registration Team Manager
Paul Mountford, Democratic Services
Joanne Wilcox, Corporate Finance

123 DECLARATIONS OF INTEREST

No interests were declared.

124 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public wishing to speak or ask a question.

125 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting held on 25 June 2009 be approved as a
correct record.

126 **2008-09 ANNUAL GOVERNANCE REPORTS FOR THE FORMER
AUTHORITIES OF CHESHIRE EAST BOROUGH COUNCIL**

The Committee received a report on the 2008/09 Annual Governance Reports produced by external auditors for the former authorities of Cheshire East Borough:

- Cheshire County Council
- Crewe and Nantwich Borough Council
- Congleton Borough Council
- Macclesfield Borough Council

Following the approval of the draft accounts on 25 June 2009, the external audit had now taken place. The auditors were responsible for giving an opinion on whether:

- the accounts presented fairly the financial position of the authority and its expenditure and income for the year in question; and
- the accounts had been prepared properly in accordance with relevant legislation and applicable accounting standards.

The findings, conclusions and recommendations from the audit work undertaken by the appointed auditors for the former authorities of Cheshire East Borough Council had been included in the Annual Governance Reports, which had been circulated to Members.

Cheshire West and Chester Council was the responsible authority for the closure of accounts for Cheshire County Council. The Department of Communities and Local Government had recognised that issues could arise during the audit that could have a material impact on the opening financial position for Cheshire East Council and therefore the Audit Commission was required to report on the Annual Governance report for Cheshire County Council to both authorities.

Judith Tench of the Audit Commission presented the annual governance report for Cheshire County Council; Keith Ward of Baker Tilly Presented the reports for Crewe and Nantwich and Congleton Borough Councils; and Ged Small of the Audit Commission presented the report for Macclesfield Borough Council. Each highlighted key messages and indicated any necessary adjustments. It would not be possible to issue the certificate for the Macclesfield audit by 30 September but this would not prevent the Council from publishing its accounts.

Judith Tench advised Members that the amount of work carried out in relation to exceptional items and significant changes in balances had both had a significant impact on the audit fee. If it was not possible to accommodate the cost within the existing fee, she would notify the Council in due course.

At the conclusion of the presentation, the Chairman on behalf of the Committee thanked the audit representatives and the Council's Finance and Audit staff for their respective contributions.

RESOLVED

That

- (1) the Annual Governance Reports for 2008/09 for the former authorities of Cheshire East Borough Council be received and noted;
- (2) the final Statement of Accounts for 2008/09 be approved and accordingly the Vice-Chairman of the Committee sign the letters of representation for the following former authorities of Cheshire East Borough Council:
 - Crewe and Nantwich Borough Council
 - Congleton Borough Council
 - Macclesfield Borough Council
- (3) the position regarding the audit fee be noted.

127 **INTERNAL AUDIT STRATEGY**

The Committee considered a report on the Internal Audit Strategy.

The CIPFA Code of Practice for Internal Audit in Local Government suggested that it was good practice to have terms of reference for Internal Audit as well as an Internal Audit Strategy document. The Terms of Reference had been approved by the Committee in June.

The Internal Audit Strategy covered: scope and authority; status; delivery; contribution to corporate governance, risk management and internal control; relationships and linkages; and culture and working practices.

RESOLVED

That the Internal Audit Strategy be endorsed.

128 **INTERNAL AUDIT PLAN 2009/10 AND UPDATE REPORT**

Members received an update on the full audit plan 2009/10, summarising work during the first five months, highlighting key audit issues arising and describing future working arrangements.

The report covered the planning process, progress against the interim plan and the full audit plan for 2009/10. It also summarised findings to date, work relating to anti-fraud and corruption, work on other policies and procedures, and future issues and ways of working.

RESOLVED

That the approach to internal audit planning and the content of the internal audit plan be endorsed and the internal audit findings to date be noted.

129 **DELEGATION OF LICENSING FUNCTIONS (EXPEDITED REVIEWS)**

The Committee considered a report on the delegation of functions in relation to expedited reviews under the Licensing Act 2003 from the full Licensing Committee to the Licensing Sub-Committee. The report sought approval for the resulting changes to the Constitution.

The Licensing Committee at its meeting on 22 May 2009 had resolved to delegate certain functions in relation to 'expedited' review applications (i.e. applications for the urgent review of a premises licence or club premises certificate) to the Licensing Sub-Committee established under the Licensing Act 2003. Although the Licensing Committee had the authority to delegate its functions to a sub-committee, any consequential amendments to the Constitution had to be approved by Council on the recommendation of the Governance and Constitution Committee.

RESOLVED

That

- (1) the delegation of functions in relation to expedited reviews under sections 53A, 53B and 53C from the full Licensing Committee to the Licensing Sub-Committee be noted; and
- (2) Council be recommended to approve the consequential changes to the Constitution as set out in Appendix 2 to the report.

130 **FUNDING PARISH ELECTIONS**

The Committee reviewed the Council's policy on recharging for parish elections.

The practice of the three former district authorities had been to recharge the cost of by-elections but to bear the cost of all-out combined elections themselves.

The annual cost of parish by-elections could be around £40,000 a year, assuming 8 by-elections at an average cost of £5,000.

In future, the Council and all parish councils would have all-out elections on the same day. If parish councils were recharged for all-out elections, the potential cost to parish councils would currently be approximately £200,000.

The current available budget for elections in Cheshire East was £498,000 and the implications of this proposal and how best to use this budget were still being assessed.

Members considered the relative merits of recharging or otherwise for by-elections and all-out elections. Members noted in particular the impact that recharging for all-out elections could have on parish council budgets and on participation in local democracy.

RESOLVED

That

- (1) the policy of recharging parish councils for parish by-elections be continued; and
- (2) the cost of all-out combined elections be not recharged to parish councils.

131 **REVIEW OF APPOINTMENTS TO OUTSIDE ORGANISATIONS**

The Committee considered a progress report on the work of the Task Group (Outside Organisations), including the Task Group's recommendations on appointments to a number of organisations.

RESOLVED

That

- (a) one Councillor, as identified below, be appointed to each of the following Cheshire Association of Local Councils' groups –
 - (i) The Quality Accreditation Panel (Councillor A Moran)
 - (ii) The Quality Forum (Councillor S Jones)
 - (iii) The County Training Partnership (Councillor D Flude)

(on the basis set out in paragraph 11.4 of the report)
- (b) Councillor C Tomlinson be appointed to the Fence Trust (Macclesfield);

(on the basis set out in paragraph 11.5 of the report)
- (c) Cheshire East Council join Groundwork Trust as a full Company Member;
- (d) Councillor P Whiteley be appointed to the Wilmslow Aid Trust;

- (e) Evans Arts Trust be reinstated as an outside organisation (Category 3) to which appointments should be made, with two Councillors being appointed;
- (f) Councillors J Crockatt and P Whiteley be appointed to the Evans Arts Trust;
- (g) the Citizens Advice Bureaux (CAB) in Cheshire East be informed that this Council would be appointing two Councillors to each of its two branches;
- (h) Councillors A Thwaite and M A Martin be appointed to Cheshire East CAB and Councillors J Goddard and C Tomlinson be appointed to Cheshire CAB North;
- (i) the Cabinet be recommended to include “Dial-a-Ride”, currently a Category 2 organisation, within its remit as a Category 1 organisation, in view of its strategic importance within the Local Transport Plan;
- (j) the Cabinet be recommended to appoint 1 Cabinet Member and 1 Local Member to each of the two branches of “Dial-a-Ride”, subject to the constitutional requirements of the organisation;
- (k) the new request from Bollington Cross Youth Project be declined and the request from Senior Voice be addressed by the Task Group in due course when further information is available; and
- (l) it be noted that Cheshire and Warrington Local Access Forum, a statutory organisation, has been added to the schedule of outside organisations as a Category 1 organisation, which falls within the remit of the Cabinet.

132 **MEMBER DEVELOPMENT STRATEGY 2009/2010 AND POLICY STATEMENT 2009/2010**

Members considered a proposed Member Development Strategy and Policy Statement for Cheshire East Council.

The Member Development Panel had been working towards the creation of a framework for the delivery of Member Training and Development at Cheshire East Council. The elements which made up the framework had now been brought together to form the Member Development Strategy 2009/2010, which had been circulated to Members. The Strategy would enable the Council to realise the full potential of its Members and was tailored to the Council's needs.

Its key aims and objectives were to:

- establish a culture whereby continuous elected Member Development was seen as a key component to the success of the organisation;
- identify individual and common learning needs; ensuring that the Member Development Programme consistently addressed these needs and the Council's strategic themes;
- provide Members with the opportunity to access events and activities that were appropriate to their roles and responsibilities, recognising the importance of their role within the Council, their constituencies and with partner organisations;
- enable Members to be fully conversant with the Council's key strategic themes, in order that their activities as Councillors were consistent with Council priorities; and
- ensure that the ongoing requirements of the North West Charter on Elected Member Development were met.

The Strategy would be used primarily at induction as a means of explaining to new Members the Council's commitment to Member training and development. However, to ensure that all serving Councillors were similarly informed, the Committee was invited to approve the document so that it could be issued to Members.

For ease of reference, a short policy statement had also been produced which summarised the commitments outlined in the document. The statement had been circulated to Members.

RESOLVED

That the Member Development Strategy 2009/2010 and associated Policy Statement 2009/2010 be approved and adopted with immediate effect.

133 APPOINTMENT OF MEMBER DEVELOPMENT CHAMPIONS

The Committee considered the nominations for the position of Member Development Champion for Cheshire East Council.

The Member Development Panel had recently agreed in principle to the drawing up of role descriptions for Members of Cheshire East Council. Work was currently underway on drafting the descriptions which would be shared with Members before being submitted to the Governance and Constitution Committee for consideration in due course.

The Member Development Panel had considered ways of establishing formal links between the Officers tasked with supporting Member training and development and the Members themselves. Its conclusion was to recommend the appointment of Member Development Champions, who

would act as advocates for Member Training and Development and who would work with Members and Officers to deliver the commitments outlined in the Member Development Strategy. A draft role description for Member Development Champions had been circulated with the report. It was proposed that a Champion should be nominated from each of the political groups.

RESOLVED

That

- (1) the role description for the position of Member Development Champion be approved; and
- (2) Councillors Wesley Fitzgerald, Ainsley Arnold, Paul Edwards and Dorothy Flude be appointed as Member Development Champions for Cheshire East Council.

134 **MEMBERS' ALLOWANCES SCHEME 2009/2010**

The Committee considered proposals to reconvene the Independent Remuneration Panel for the purpose of reviewing the Members' Allowances Scheme for 2009/2010, and considering a number of additional allowances.

The Members' Allowances Scheme had been approved by Council on 2 April and had been in operation for six months; it was now due for review.

Whilst the Independent Remuneration Panel had made recommendations on the formal elements of the Scheme in line with Regulations, there was now a need to review a small number of additional allowances such as telephone/broadband connections and consumables. It was also proposed that the Panel be asked to consider options for determining and quantifying these associated allowances/expenses.

RESOLVED

That

- (1) the Independent Remuneration Panel be reconvened for the purpose of reviewing the Members' Allowances Scheme 2009/2010;
- (2) a report be submitted to the Independent Remuneration Panel for the purpose of clarifying and quantifying the range of additional allowances which are claimable by Members; and
- (3) until such time as Council considers the report of the Independent Remuneration Panel, the current arrangements for the payment of Members' Allowances/additional Allowances continue to apply.

135 **LOCAL WARD MEMBERS' PROTOCOL AND THE COUNCILLOR
CALL FOR ACTION PROTOCOL**

The Committee considered a report proposing a Local Ward Members' Protocol and a Councillor's Call for Action Protocol which would strengthen Member involvement at Ward level through the provision of timely, relevant information on local issues.

The Local Government and Public Involvement in Health Act emphasised the importance of the role of Ward Members as community leaders and advocated their empowerment to deal with local issues. The proposed Protocols would illustrate how Members, with officer support, could achieve this.

The Local Ward Members' Protocol had received the informal comments of the Leader and Cabinet and their suggestions had been incorporated. The Councillor Call for Action Protocol had been considered by the five Scrutiny Committee Chairmen and appropriate revisions had been made.

RESOLVED

That Council be recommended to adopt the Local Ward Members' Protocol (Appendix A to the report) and the Councillor's Call for Action Protocol (Appendix B) for incorporation into the Constitution.

136 **PUBLIC AND MEMBER QUESTIONS AND STATEMENTS AT
MEETINGS**

The Committee considered a report setting out the recommendations of the Corporate Scrutiny Committee and Cabinet with regard to public and Member questions and statements at meetings.

At its meeting on 16 April 2009, the Committee had reviewed the arrangements for public and Member questions and statements at meetings following proposals to disapply those provisions of the Constitution from the meetings of planning, licensing and scrutiny bodies. The Committee had decided to seek the views of the Corporate Scrutiny Committee and the Cabinet. The matter was subsequently considered by the Corporate Scrutiny Committee on 12 June and the Cabinet on 14 July. The Cabinet had concurred with the recommendations of the Corporate Scrutiny Committee and the recommendations of both bodies to the Governance and Constitution Committee were considered.

RESOLVED

That Council be recommended that

- (1) the recommendations of the Corporate Scrutiny Committee and Cabinet in relation to public and Member questions and statements at meetings be approved as follows:

1. That the existing Planning and Licensing Protocols which override the member and public speaking and questioning provisions that apply to other committees, should be retained;
2. That the facility to allow questions by Members of the Public at meetings of Overview and Scrutiny Committees should be removed, but a period of 15 minutes be provided at the beginning of meetings to allow members of the Public to make a statement(s) on any matter that falls within the remit of the relevant committee, subject to individual speakers being restricted to 5 minutes each;
3. That whilst acknowledging that Planning and Licensing Committees have separate arrangements in place for public involvement, in all other cases, members of the Public should provide 3 clear working days notice, in writing, if they wish to ask a question at any other decision making meeting, in order for an informed answer to be given, but they should not be required to give notice of intention to make use of public speaking provision (although as a matter of courtesy, a period of 24 hours notice should be encouraged);
4. That members of the Council should, in accordance with the current rules, be required to provide 3 clear working days notice in writing if they wish to ask a question at a full Council meeting or Cabinet in order for an informed answer to be given;
5. That the existing provisions of the constitution relating to the way in which questions may be answered be preserved.

(2) the relevant provisions of the Constitution be amended accordingly.

137 **CABINET DECISION-MAKING ARRANGEMENTS**

The Committee considered a proposed change to the existing Cabinet Decision-Making arrangements.

Despite Council having agreed that individual Cabinet Members should have their own decision-making powers, the collective Cabinet was still being expected to deal with many decisions which could be dealt with on an individual basis. Despite a series of training sessions, Officers were still reluctant to refer decisions to individual portfolio holders rather than collective Cabinet. Cabinet Members were themselves reticent in using their powers and often deferred to full Cabinet.

A further reduction in the volume of Cabinet business could be achieved by removing paragraph (d) of the existing restrictions on individual Cabinet Member decision-making. This related to decisions which “are significant in terms of their effect on communities living or working in an area comprising two or more wards”. Many decisions were “significant in terms of their effect on communities” but could readily be taken by the relevant

portfolio holder. By removing this provision, Council would bring clarity and certainty to its executive decision-making arrangements. There were no implications for the Council's call-in provisions which would continue to apply to all executive decisions whether taken collectively or individually.

Cabinet Members would also be given some assurance in the use of their individual decision-making powers by:

- (a) the opportunity to discuss a proposal first at an informal Cabinet meeting; and
- (b) the scheduling of regular weekly Cabinet Member decision days on Tuesdays.

RESOLVED

That Council be recommended that

- (1) an amendment be made to the decision-making powers of individual Cabinet Members by the removal of paragraph (d) from the existing restrictions on individual Cabinet Member decision-making, the revised restrictions being as follows:

“Cabinet Members may make all executive decisions in respect of their portfolio areas except:

- (a) Decisions already taken by Cabinet or an officer acting under delegated powers.
- (b) Decisions involving a departure from the Council's Budget and Policy Framework or any Cabinet or regulatory committee policy.
- (c) Decisions involving expenditure or savings of £1 million or more.
- (d) Decisions which the Leader wishes to be taken by full Cabinet.

PROVIDED THAT all such decisions shall be taken in public and that regard shall be had to the advice of the Borough Solicitor by the decision-maker in interpreting these provisions.”

- (2) the Constitution be amended accordingly.

The meeting commenced at 2.00 pm and concluded at 4.23 pm

Councillor A Kolker (Vice-Chairman)

This page is intentionally left blank

CREWE COMMUNITY GOVERNANCE REVIEW

Extract of the Minutes of Community Governance Review Sub-Committee which met on 5 October 2009

5. CREWE COMMUNITY GOVERNANCE REVIEW – FORMULATING THE COUNCIL’S DRAFT RECOMMENDATION

The Sub Committee considered a briefing paper based on the statutory guidance issued by the Department for Communities and Local Government that set out the points which needed to be taken into consideration in formulating the Council’s draft recommendation.

AGREED: That the procedures to be followed in conducting the Review based on the statutory guidance issued by the Department for Community Governance review be noted.

6. CREWE COMMUNITY GOVERNANCE REVIEW - FIRST STAGE CONSULTATION

Stage 1 of the consultation process had concluded on 30 September 2009. The results and the feedback received from stakeholder organisations were submitted to Members for consideration i.e.

- (a) The petition signed by 10% of the electorate requesting a Town Council for Crewe;
- (b) Results of the consultation with electors;
- (c) Results of the consultation exercise with stakeholders;
- (d) Other representations received;
- (e) Notes of the two public meetings held on 1 September 2009; and
- (f) Feedback from the Crewe Charter Trustees meeting held on 24 September 2009.

The Sub-Committee was invited to consider the report and forward its views to the Governance and Constitution Committee on 15 October 2009 in accordance with the recommendation set out on page 17 of the agenda.

AGREED: That

- (a) the matter be remitted to the Governance and Constitution Committee, together with the results of the Review, without any recommendation from the Sub-Committee; and
- (b) information be garnered on other alternatives for community governance for discussion by the Governance and Constitution Committee.

This page is intentionally left blank

CREWE COMMUNITY GOVERNANCE REVIEW – SUMMARY OF VOTING PAPERS RETURNED

8056 were returned out of 34, 960 voting papers issued, representing a response rate of 23%.

The attached spreadsheet shows the number of voting papers received and opened at each opening session. Electors were invited to respond to two questions on the voting paper as follows:-

Question 1 :

1. I want a parish council for my area
2. I want no change to the current arrangements (no parish council)

Question 2: You can still vote for your preference even if you have voted above for no change

- A.** A Single Town Council for the whole of the unparished area of Crewe
B. Four parish councils for the unparished area of Crewe

The total number of voting papers received and counted at each opening session are shown on the attached spreadsheet broken down into the following combinations of responses :-

1 & A
1 & B
1 Only
2 & A
2 & B
2 Only
A Only
B Only
Rejected

The spreadsheet shows the calculations to question 1 as follows:-

3655 electors indicated that they want a Parish Council (calculated by totalling votes for 1&A, 1&B and 1 Only).

4059 electors indicated that they want no change to the current arrangements (no parish council) (calculated by totalling votes for 2&A, 2&B and 2 Only).

In relation to question 2 the responses were as follows:-

5617 electors expressed a view for a single Town Council for the whole of the unparished area of Crewe (calculated by totalling votes for 1&A, 2&A and A only).

1475 electors expressed a view for four parish councils for the unparished area of Crewe (calculated by totalling votes for 1&B, 2&B and B Only).

This page is intentionally left blank

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Date of Opening	No of voting papers received	1 & A	1 & B	1 Only	2 & A	2 & B	2 Only	A Only	B Only	Rejected	Total	Do totals match?
2	07 September 2009	2577	808	392	32	884	104	261	80	3	13	2577	YES
3	10 September 2009	2012	548	340	41	688	79	238	69	4	5	2012	YES
4	15 September 2009	2044	612	255	27	792	59	200	86	3	10	2044	YES
5	17 September 2009	342	98	47	0	135	12	34	15	0	1	342	YES
6	21 September 2009	324	92	31	5	136	21	29	8	0	2	324	YES
7	25 September 2009	414	115	54	3	172	17	32	21	0	0	414	YES
8	29 September 2009	219	58	27	3	92	7	15	17	0	0	219	YES
9	01 October 2009	124	51	16	0	35	4	13	5	0	0	124	YES
10	TOTALS	8056	2382	1162	111	2934	303	822	301	10	31	8056	YES
11													
12	Want PC	3655		Adds columns c, d, e									
13	No change	4059		Adds columns f, g, h									
14	Expressed a view for 1 TC	5617	Adds columns c, f and i										
15	Expressed a view for 4 PC	1475	Adds columns d, g and j										

This page is intentionally left blank

Crewe Community Governance Review - Questionnaire Answers

Bearing in mind the information in the attached leaflet we would like to know what you think.

1. Which arrangement do you think would be most appropriate for Crewe?

- | | |
|---|-----------------------------|
| a) A single town council | 17 |
| b) More than one local council | 2 |
| c) Area committees | 0 |
| d) Neighbourhood Management | 0 |
| e) Tenant Management/Residents & Tenants Associations | 0 |
| f) Area/community/neighbourhood forums | 1 (if real power, if not a) |
| g) Community Associations | 0 |
| h) None of the above (please state if you feel there is any other option) | 0 |

i) No opinion

2. If you think that Option a) – a single town council - would be the best alternative, do you think that it would be better for councillors to

- | | |
|---|----|
| a) Represent the people for the whole of the area (unwarded)? | 3 |
| b) Represent the people of part of the area (warded)? | 15 |

3. (a) If you think that Option b, 'more than one local council', would be the best alternative, do you think that four parish councils would be the best option?

- | | |
|-----|---|
| Yes | 2 |
| No | 0 |

3. (b) If not, how many parish councils do you feel would be most appropriate?

3. (c) If you think that Option b – 'more than one local council' - would be the best alternative, do you think that it would be better for councillors for each of the councils to

- | | |
|--|---|
| a) Represent the people for the whole of each of the areas (unwarded)? | 0 |
| b) Represent the people of part of the each of the areas (warded)? | 1 |

If you want to make any further comments regarding this review please do not hesitate to contact Cheshire East Borough Council.

Thank you for your participation. Please complete and return this questionnaire by 30th September 2009. You can email your reply to: communitygovernance@cheshireeast.gov.uk

This page is intentionally left blank



Fire and Rescue Service Headquarters
Winsford
Cheshire
CW7 2FQ
Tel: 01606 868700
Fax: 01606 868712

Election and Registration Team Manager,
Cheshire East Council,
Westfields, Sandbach,
Cheshire
CW11 1HZ

Date: 22nd September 2009
Ref: DT/SD
Contact Susan Douglas
: 01606 868810
✉: susan.douglas@cheshirefire.gov.uk

Dear Sir / Madam

Crewe Community Governance Review - Response of Cheshire Fire Authority

Cheshire Fire Authority welcomes the opportunity to feed into the Community Governance Review of the Crewe urban area and supports the work undertaken by Cheshire East Council to provide local people/organisations with an opportunity to consider appropriate structure/s for local representation.

Rather than answer the questionnaire, the Authority, having considered the information provided, wishes to make the following contribution.

Elsewhere, our experience shows that parish government provides organisations such as the Fire and Rescue Service with an effective partner for consultation and a valuable means of raising and addressing a variety of local issues.

Establishing local arrangements in Crewe will put the town in the same position as other urban areas across Cheshire East and Cheshire West and Chester, and provide consistency for fire officers.

The introduction of local arrangements in Crewe will help to develop a greater community identity and provide local fire and rescue personnel with key contacts, whom they can work with to address a wide variety of local issues.

Through our work with parish and town councils elsewhere, we feel that it is important that any new structures are able to effectively represent the needs of a community.

However, while the Authority does not intend to set out what specific arrangements we feel would be most suitable, it is our experience that clear and simple structures are best placed to deliver effective partnerships.

We also want to highlight the work undertaken by Cheshire East Council and its partners in setting up the Crewe Local Area Partnership (LAP) and draw attention to the need for each tier of government or partnership to fit neatly with one another.



On the points relating to councillors, the Fire Authority has always aimed to work constructively with elected representatives from partner local authorities. In most cases our experience has shown that councillors with strong community/ward links have been best placed to deliver outcomes and progress initiatives and partnerships.

Once again, we appreciate the opportunity to feed into the Review and look forward to considering your refined proposals in the autumn.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'D. Topping', with a stylized flourish at the end.

Cllr David Topping
Chair of Cheshire Fire Authority

*Crewe west community group
A form of words*

The Crewe west community group held a meeting about the governance review and decided that we want one town one council, this because we the community coherence do not wish to be run by different councils who do not identify with them or know the problems this may bring.

We would not like the idea of a split between the other areas of Crewe, because of identification problems with four parishes because this would mean less money and funding for our activities, because we don't think the funders them selves would be able to understand why there is a split between neighbour hoods.

Even though different it may differ, we still feel that we are part of Crewe which in our eyes only need one authority to take care of our needs and interests at local level.

This is why we also proposed wardening of this area, and this may also lead to smaller areas with in it and that a champion may emerge with a larger town council.

Even community groups could find members in one parish area but representing in another parish and fighting for the same pot of money.

*Yours truly
Crewe west community group*



Union Street Baptist Church Crewe

Minister:

Revd. Andrew Taylor M.A.
11 Broadacres,
Broomhall, Nantwich.
CW5 8BH
Tel. 01270 781318
e-mail: andrewn.taylor@btinternet.com

Secretary:

Mrs. H.J. Birtles
43 Franklyn Ave
Crewe CW2 7NE
Tel: 01270 560865
e-mail:
helen@birtles6000.freemove.co.uk

8th September, 2009.

Dear Lindsey Parton,

Mark Thompson, the County Ecumenical Officer, has passed on to me your questionnaire in relation to the Crewe Community Governance Review, and the issues have been discussed within the church's leadership group.

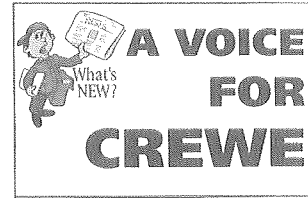
I attach the completed questionnaire, from which you will see that we are strongly of the view that there should be a single town council for Crewe. The concept of community is an important one. Union Street Baptist Church was established over 125 years ago to be at the centre of the community that was developing amongst the workforce of the North Sheds, and that call to serve our community, albeit now a very different one, remains a powerful one for us today. The wider community that is the town of Crewe equally needs to be recognised and served. The churches of the town have recently covenanted together in acknowledgement of that, and a Town Council would also serve that purpose.

We look forward to learning of the outcome of the review.

Yours sincerely,

Andrew Taylor
Minister

Lindsey Parton,
Election and Registration Team Manager
Cheshire East Council
Westfields
Sandbach
Cheshire
CW11 1HZ



ONE TOWN, ONE VOICE

OUR SUBMISSION TO CHESHIRE EAST UNITARY AUTHORITY re : CREWE TOWN COUNCIL / LOCAL GOVERNANCE REVIEW

1. Introduction

This statement is submitted to the Cheshire East unitary council on behalf of the petitioners for a single town council for Crewe. It argues in favour of a single town council for Crewe, and rejects the suggestion that it should be split. It draws on the experience of the past, reviews the current situation, and attempts to suggest how the future might develop.

Where it refers to “guidance”, this is the document issued by the Electoral Commission – “Guidance on community governance reviews”. That guidance sets a context (in para 122) by stating that town and parish councils are “an established and valued form of neighbourhood democracy with an important role to play in both rural, and increasingly urban, areas”.

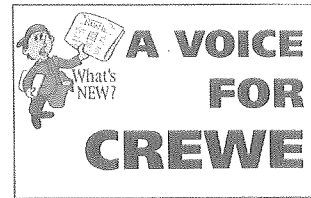
Our petition was presented to the former Crewe and Nantwich Borough Council on Tuesday March 31st. It contained 3672 signatures from eligible electors - well clear of the 10% threshold required by the Local Government and Public Involvement in Health Act 2007 (part 4, sections 79-102). It was conducted over around 6 months and involved events in the town centre and other venues such as Crewe Alexandra Football Club where local people might be found in large numbers. Most signatures, however, were collected on doorsteps.

The campaign was enormously popular, and only a tiny number of the people we asked did not wish to sign. Our challenge was only in physically getting the signatures within a reasonable timescale, not persuading people that a town council is right for Crewe. Of course, many were keen to find out how it would work and we took the time to explain to the best of our ability.

In fact, a great many more signed the petition but, when we checked them against the electoral register, several hundred were found to live in areas which already have a parish council – such as Leighton, Woolstanwood, Wistaston, etc. However, that also shows that there is also a significant amount of goodwill towards the aim of a “Voice for Crewe” from its neighbours.

The campaign was organised on an ad-hoc basis and, whilst it is true that members of the local Labour Party took the initiative and played a leading role, it was clear from the outset that it should be cross-party. It would be wrong for a matter of constitutional change to be interpreted as a matter for inter-party dispute. So significant activity was undertaken by people from the Liberal Democrats and former councillors who stood as Independents. A number of Conservative members of Cheshire East council informally indicated to us that they supported us, though regrettably they did not feel able to take an active or public role.

Whilst it is not surprising that people with experience of public life should find themselves in leading roles, we were very clear that it should not be misinterpreted as something organised for the benefit of people who have been involved as councillors before. So it was heartening to have many people with no political affiliations volunteering to collect signatures for us. The degree of local pride in the town of Crewe is often understated but should not be underestimated.



We were also very grateful to important organisations like the Chamber of Commerce, MMU Cheshire, Crewe Alexandra Football Club and the Crewe Chronicle, for declaring their support. That too helped us to prove that it has not been a party political issue, as did the statement which we were pleased to see (below) from Edward Timpson MP, following the successful outcome of the petition campaign.

The campaign had no officers, no finances and no wish to maintain an organisation once the petition was presented. However, it became clear subsequently that the consultation process now being undertaken would be best served by having a point of contact with the petitioners. It was therefore agreed that Peter Kent should act and speak on their behalf, having acted as the co-ordinator of the campaign. However, all statements (including this one) are subject to agreement with a consultation group of people who took an active role and wished to be kept informed of the progress of the campaign. As before, they represent a cross-section of political affiliation, and none.

2. The current consultation process

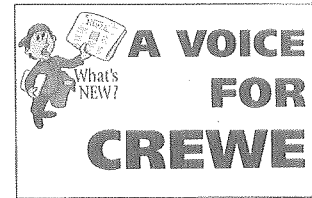
It is appropriate at this point to comment on the way in which the consultation process has been conducted. Officers of Cheshire East, still settling into their new roles, have a difficult situation. This is one of the first local governance reviews conducted since legislation transferred responsibility from the independent Electoral Commission to local councils.

Whilst its intention to devolve powers to local authorities is generally to be welcomed, Government sources have indicated to us that they are now aware that this could be an anomaly in certain circumstances and consideration is being given to introducing second-stage legislation to address it. This is particularly the case where a town or parish may be contested on political party lines and produce a council with different allegiances from its “parent” authority. Many people feel that this could be the case for Crewe. For that reason, the approach taken by Cheshire East will be the subject of some scrutiny and clearly it would be helpful to all concerned if its conduct of the review can be seen to be above criticism and non-partisan.

It is therefore with regret that we have to indicate a number of shortcomings in the process which cause us concern. For all the support given to the broad principle of “A Voice for Crewe” by the people of Crewe, most people are (perhaps regrettably) not familiar with the workings or the jargon of local government. It must therefore be the responsibility of the elected council to ensure that the process is clear and unambiguous, rather than to ignore those difficulties, or to insist that electors ought to take steps to improve their own knowledge.

A ballot has been held of all electors in the town. But it has been done at short notice, and therefore with inadequate opportunity for different views to be expressed and explained. It has been well expressed as “the only occasion when the vote has preceded the campaign” !

The first question asks if the elector supports a “parish council” for Crewe. This has caused a great deal of confusion since the campaign has been phrased as requesting a “town council” and it has not been made clear that for this purpose the words are virtually identical. Many people, including some who are involved in the life of a community on either a professional or voluntary basis, have told us that they answered “no” to this question on the basis that they support a town council and not a parish council. It is now too late for them to change their vote in the light of information given to them subsequently.



The obvious question for the ballot paper would surely have been “Do you support a town council for Crewe” with an option for people to vote Yes or No. However, for reasons which have been inadequately explained, a further option for more than one parish council has been included. Our objections to the principle of this option are included elsewhere. In terms of the process, however, it has served to make the ballot unnecessarily complicated and there is a feeling that this was deliberately included to confuse.

At the time of writing, this proposal has yet to draw a public expression of support from a single resident of Crewe. We therefore believe that the process has been significantly flawed when it has been given equal status on the ballot to a proposal for a single town council supported by a petition of over 10% of the electors, not to mention other leading local figures and stakeholder organisations.

Some information accompanies the ballot paper. Notably it includes some examples of costs, but the selection of parish and town councils used as an example is bizarre. In particular, the highest cost quoted is for Wootton Bassett, which is 131 miles distant from Crewe, not similar in size or demography and probably unknown to the majority of Crewe residents. When asked about this at the members group meeting, the only response from a member was to refer to the recent publicity for Wootton Bassett in relation to the return of casualties from the war in Afghanistan. It is difficult to see what relevance this has to the question about why it was chosen as an example of costs in Crewe !

A member working group was set up by Cheshire East to oversee the process of the ballot. This should have included final approval of the format and wording of the ballot paper but two of its members, the only ones not from the controlling group on Cheshire East council, have said that they would not have supported the final version of the document had it been presented to them.

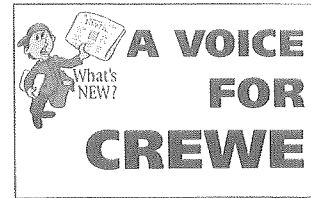
For these reasons, we are advised that there is a strong case to be made for the argument that the consultation process has been flawed and subjected to undue political direction.

3. History

Crewe does not have the long history of many towns in Cheshire. As everyone knows, its origins lie in the railway industry. Before 1860, the only local representation for Crewe was via Crewe representatives on the Nantwich Rural Sanitary Authority and the Nantwich Highway Board.

On 25th January 1860, the first members were elected to the newly formed Crewe Local Board. Then on June 30th 1877, the first elections took place for the Crewe Municipal Borough Council. With some boundary changes to reflect the rapid growth of the town, this council administered the affairs of the town until 31st March 1974. At this point, as a result of the reorganisation of local government, it was absorbed into Crewe and Nantwich Borough Council.

At that time, there was debate about whether or not there should be a separate Town Council for Crewe, as there was for Nantwich. However, the general view was that as Crewe had around 50% of the electors, and hence the elected representatives, its interests could generally be expected to be looked after by the successor authority. Although never quite unanimous, that was the reasoning that held sway throughout the life of C&NBC.



4. Current situation

The situation is of course now considerably different. With 12 councillors out of 81, it would be unreasonable to expect that any special interests for Crewe would consistently attract priority for the attention and consideration of Cheshire East council. That is not a criticism of the new authority, since it is in its early formative months, but more a mathematical fact.

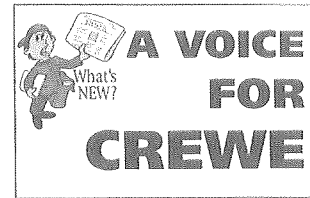
Crewe does indeed have special interests. Every piece of statistical analysis, every category used by the Office of National Statistics, shows that Crewe has distinctive characteristics and different issues of concern to the rest of Cheshire East. Their results show what might be expected in a town which has several areas of deprivation. Many relate to the former Borough of Crewe and Nantwich, or the area of the Crewe LAP (Local Area Partnership), so they include the surrounding parishes and therefore do not fully convey the degree to which the town of Crewe is different – nor, in some cases, the depth of its problems. This is well documented in many reports, to Cheshire East and its predecessor authorities. It seems unnecessary to list them all as a lengthy comprehensive statement of evidence. But, to give a flavour, a recent report to Cheshire East council on the Crewe LAP area showed significant differences between Crewe and the rest of the council's area in :

- Unemployment rates
- Average household income
- Proportions of people claiming benefits
- Educational attainment
- Teenage pregnancy rates
- Recorded crime incidents
- Life expectancy

The evidence from our petition clearly shows the degree of support that the creation of a town council enjoys, and the broad agreement that a town council would reflect the identities and interests of that local community, as required in guidance (paras 8b, 33 and 51). Signatures were analysed geographically and we also draw attention to the fact that they came from all parts of the town. Indeed, the 10% threshold was passed not only for the area as whole, but for each of the 4 current wards within it. With more time and resources we have no doubt whatsoever that we could have obtained the support of a majority of electors in every part of the town. That kind of analysis in depth will not be available from the ballot.

As further evidence of the desire for change, one of our supporters commissioned and paid for a reputable independent polling company to carry out research via telephone polling. From a trial group of 1995 people. 663 responses were obtained – a response rate of 33% which is considered to be a better response rate than the norm. 61% were in favour of one Town Council, 13% in favour of 4 parish councils, and 26% no change. At a time when people would normally have been expected to be reluctant to undergo further changes in local government, it is remarkable that 74% were found to be in favour of change, with support for a single council running at 4½ times that for four councils.

The 2007 Act and its associated guidance (paras 52-3 and 65-75) refer to “community cohesion” as a reason for creating town or parish councils, and states that this concept is linked strongly to the identity and interests of local communities (para 73). The evidence above demonstrates the feeling of common identity. Put simply, if someone from the area is asked where they live they will invariably reply “Crewe” and not “Crewe and Nantwich”, “Crewe East” or even “Cheshire East”.



The interests of the area may be demonstrated by the many local voluntary organisations and businesses serving the town. For example, several hundred local people are actively engaged in the various local history groups in the town. These are people who have the interests of the town of Crewe and its distinctive culture at heart, and want to preserve and enhance them. They have a strong sense of identity with the town and want to see its municipal traditions maintained in a Crewe Town Council and a Crewe Mayor with access to the Municipal Buildings and the regalia belonging to Crewe.

The guidance (para 73 again) goes on to discuss reasons why a principal council should decline to set up a town or parish council and can only suggest that it would be where the effect would be likely to damage community cohesion. Paras 94 and 95 expand on this and make clear that this refers to damage caused by dividing communities along ethnic, religious or cultural lines. Clearly this is not applicable for a Crewe Town Council.

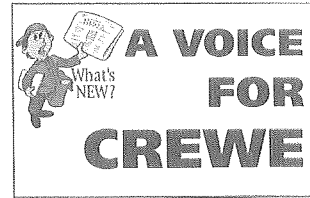
For the moment, the 12 councillors representing Crewe wards are operating in lieu of a Town Council as Charter Trustees, albeit with responsibility for ceremonial matters only (Guidance, para 133). Even this, however, can only be an interim arrangement. Councillors elected to Cheshire East council will have a degree of responsibility to the area as a whole, especially those who find themselves in a position of Cheshire-East-wide responsibility such as portfolio holders, scrutiny committee chairs, etc. They may sometimes be subject to Group discipline and thus inhibited from considering the interests of Crewe alone.

Three of the 4 wards covering Crewe also cover areas outside the town boundary. It is not inconceivable that future ward boundary changes could involve a small area of Crewe being warded with a larger area outside the town. This could lead to a councillor with only a very small vested interest in Crewe being a Charter Trustee, presumably with equal voting rights to another whose remit includes several thousand voters.

Boundaries may be reviewed at the time when Cheshire East begins its review of all parishes in the area. There are clear examples of out of date boundaries around the edges of the town and we would not expect that the Town Council would regard its currently proposed boundaries as inviolate, since our principle is that people should have "A Voice".

So far as electoral arrangements for the town council are concerned, we have no strong views on detail. There is no need for town ward boundaries which bear no relationship to Cheshire East's warding arrangements. So, far from being a further level of complexity, discussions about boundaries should not be complicated by imagining that there are two substantially different exercises - indeed that principle should make it much simpler. We would expect that for each Cheshire East ward, the number of representatives on the Town Council would be double the number of unitary authority councillors. Where a Cheshire East ward extends beyond Crewe, then the number of town councillors should be adjusted accordingly to maintain a reasonable equality of representation.

Based on the number of electors per councillor likely to emerge from the current boundary review, the number of Cheshire East councillors allocated to the unparished area of Crewe alone (i.e. excluding those areas such as Woolstanwood which are parished but associated with Crewe-based wards), would be 10. Given that unitary councillors would wish to have clear lines of communication with the town council, we therefore suggest that there should be 20. Some people have suggested that there should be 30 i.e. 3 town councillors per Cheshire East councillor. We would raise no strong objection to that, but it seems a little unwieldy.



5. The “four-parish” plan

We turn now to the alternative that has emerged during the consultation process. The proposal is for there to be four parish councils covering the presently unparished area of Crewe. However, there is no attempt to precisely define the areas to be covered by each of these parishes. Instead, there is an assumption that the forthcoming reorganisation of ward boundaries for Cheshire East will produce four wards covering the area, and the boundaries of the four parishes will match them. There are many flaws in that argument :

- a) The outcome of the ward boundary reorganisation is not known. There are a great many possible permutations and there may or may not be four wards covering Crewe.
- b) Ward boundaries are required to represent electoral equality, as well as a reasonable degree of community. For that reason, they change as a result of population shift. Parish boundaries represent less transient communities and, although boundaries would no doubt change from time to time, they would not be expected to change as frequently or, in some cases, as dramatically as ward boundaries.
- c) The guidance refers (para 16) to “strong, clearly-defined boundaries, tied to firm ground features”. When a proposal is put forward that does not even make a firm proposal on boundaries, it is clearly facile.

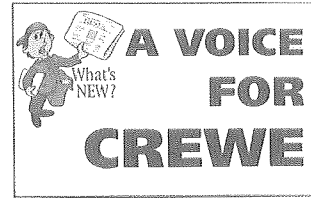
The guidance document refers in several places, para 57 being an example, to the sense of identity for an area. As evidence on this point, we draw attention to the business listings section of the local BT phone book. This includes 36 items with a title beginning with “Crewe”, ranging from Crewe Alexandra to Crewe Youth Centre. There are 7 others referring to “Crewe & Nantwich”, not including the former Borough Council, whose entries are discounted. In the interests of accuracy we record that there is indeed one other which refers to a part of Crewe. That is Crewe North Ward Workingmen’s Club, which is sadly no longer in existence, but was located in the present Crewe East Ward.

There are also complications regarding ceremonial matters. It appears that, under this option, then just one of the parishes will inherit the mayoralty and the mayoral regalia. Also, that parish will be chosen not by the retiring Trustees but by Cheshire East Council as a whole. We feel sure that this would outrage all those many local residents with a sense of local history, and the many more who simply have pride in their town.

It has been suggested that Crewe would be too big for a single council. Yet the guidance document (paras 48 and 152) points out that town councils exist with populations up to a current maximum of 70,000 (Weston-super-Mare). Furthermore, one of the many towns with its own council is Shrewsbury (used as an example in Cheshire East’s own information document) which also has a population of 70,000. The electorate of Crewe is just over 35,000 and the population no more than 50,000.

Guidance para 81 specifically discusses this and accepts that larger parishes would best suit local needs where “the division of a cohesive area such as a Charter Trustee town (see paragraphs 133 to 134), would not reflect the sense of community that needs to be lie behind all parishes”.

Although costs will be a matter for the council when elected, it is also suggested that four parish councils would be cheaper than one. Yet the arguments for unitary local government, now enjoyed by residents of Cheshire East, are precisely the opposite. Four parish councils would need four sets of overheads such as staffing, accommodation, etc., Given the certain financial pressures this cannot be justified.



Similarly, although functions are also a matter for elected representatives to agree and negotiate with Cheshire East, then if the principal authority wishes to devolve certain basic services on an agency basis to town and parish councils, it has a much better opportunity to do so with local councils with the size and resources to manage them properly.

Parishes are supposed to represent cohesive and coherent communities - and Crewe is that entity, without question. It is simply good governance to ensure that such a whole and complete community is given its voice.

6. Hopes for the future

There is a continuing theme in the 2007 Act to encourage the establishment of town and parish councils (see guidance paras 12, 23, 39, 44 and 54-6). A Crewe Town Council could fulfil a number of roles, and our campaign does not seek to pre-empt any of them. This will be a matter for local people to decide when candidates come before them with their views.

Cost is of course regarded rightly as a key issue, but the outcome will depend on who is elected and what support the parent authority is prepared to give to it. It may well be that both parties reach agreement for Crewe Town Council to run some local functions on a devolved basis. In his statement, Edward Timpson MP said "I'm delighted to see so many people taking part in local democracy and petitioning for a town council in Crewe. Their message will be helpful in my discussions with the new Cheshire East authority about town councils as real service providers." Although we are unaware of the outcome of these discussions, it is clear that service provision is a distinct possibility. However, it could be on an agency basis, simply running a service within a delegated budget from the principal authority, or the town council could decide to top up provision from its own resources.

Several parts of the guidance such as paras 51, 53 and 61-64 refer to arrangements which are "effective and convenient". This is partly linked to the sense of identity and local pride, but also to the possibilities of service provision. Service provision could be done singly, or for some functions it could be in partnership with neighbouring authorities. Town and parish councils tend to have less restrictions on their activities and might thus be able to take initiatives which would be difficult for those at a higher level of local government. Although we repeat that the campaign does not seek to prescribe any views on how the council would operate, there are nonetheless many exciting possibilities which can be developed with goodwill on both sides.

Currently, the approach taken by some members of Cheshire East council might be seen as harmful to this. Nonetheless, we hope that this will pass and that all sides will be prepared to work together. Political differences may well be expressed from time to time, and that is to be welcomed as a sign of a mature and intelligent democracy. But if local government generally can work well with national government in such a context, then surely we in Cheshire East can do likewise. We believe that the ball is now in the court of Cheshire East's councillors to demonstrate that they put the interests of local people at the forefront of their principles.

-----Original Message-----

From: Avril Devaney [mailto:Avril.Devaney@cwp.nhs.uk]

Sent: 29 September 2009 18:41

To: HAWTHORNTHWAITE, Gaynor

Subject: RE: Crewe Community Governance Review - consultation

Hi Gaynor,

The response on behalf of Cheshire And Wirral Partnership Foundation Trust is as follows.

We believe that having one town council is in the best interest of our Trust and the people we serve. As a large organisation providing mental health, drug and alcohol and learning disabilities services across Cheshire including Crewe, it would be inefficient use of our time to need to work with four different parish councils.

Regards,
Avril

Avril Devaney
Director Of Nursing, Therapies and Patient Partnership
CWP NHS Foundation Trust
Tel: 01244 364345
Email: avril.devaney@cwp.nhs.uk

The information contained in the e-mail may be subject to public disclosure under the NHS Code of Openess or the Freedom of Information Act 2000. Unless the information is legally exempt from disclosure, the confidentiality of this e-mail and your reply cannot be guarenteed.

**

From: Paul Colman [mailto:paul.colman@sccci.co.uk]
Sent: 30 September 2009 12:13
To: Parton, Lindsey
Subject: Community Governance Review

Dear Lindsey

I am writing on behalf of the South Cheshire Chamber of Commerce with regards to the Community Governance Review for Crewe.

Our Board have discussed the issue at our last meeting and we want to support local representation and the formation of a town council.

Regards

Paul

Paul Colman
Chamber Manager

South Cheshire Chamber of Commerce and Industry
Enterprise House
Wistaston Road Business Centre
Crewe
Cheshire
CW2 7RP

Tel: 01270 504700
Fax: 01270 504701

South Cheshire Chamber of Commerce & Industry Limited, Enterprise House Wistaston Road Business Centre, Wistaston Road, Crewe, Cheshire, CW2 7RP
Registered Company 2853340. Vat Number 625 3476 38

This e-mail is confidential and intended solely for the use of the individual(s) to whom it is addressed. Any views or opinions presented are those of the author and do not necessarily reflect those of South Cheshire Chamber of Commerce & Industry Limited. If you are not the intended recipient be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received it in error please contact the sender.

Whilst South Cheshire Chamber of Commerce & Industry Limited has taken reasonable precautions to minimise software virus being transmitted by e-mails, the company cannot accept any liability for damage caused as the result of such viruses. It is the responsibility of the recipient to undertake the appropriate preventative measures.

COMMUNITY GOVERNANCE REVIEW

From: Bason, Ralph [Ralph.Bason@cheshireeast.gov.uk]
Sent: 15 September 2009 10:42
To: COMMUNITY GOVERNANCE REVIEW
Subject: FW: Crewe CGR Consultation

Ralph Bason
Elections and Electoral Registration
Cheshire East Council
ralph.bason@cheshireeast.gov.uk
Tel: 01270 529671

www.cheshireeast.gov.uk

From: Joan Adams [mailto:jadamshp@yahoo.co.uk]
Sent: 15 September 2009 09:42
To: Bason, Ralph
Cc: Joan Adams
Subject: Crewe CGR Consultation

Hello Ralph

Thank you for your e-mail which I placed before the last meeting of the Parish Council.

Councillors instructed me to inform you that they support the residents of Crewe.

Joan Adams
Clerk-Haslington Parish Council

Wistaston Parish Council



Clerk:

Mrs. Andrea Cross,
4 Arundel Close,
Wistaston,
Crewe.
Cheshire.
CW2 8EY.

Tel/Fax 01270- 652098
email:wistastonpc@tiscali.co.uk

Elections and Registration Team Manager,
Cheshire East Council,
Westfields,
Sandbach.
Cheshire.
CW11 1HZ.

18th September, 2009.

Dear Sir,

Please find enclosed Wistaston Parish Council's views on the Community Governance Review.

Wistaston Parish Council support more than one local Council be established to represent the people of Crewe and they do not have a view on the remainder of the consultation.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'A. L. Cross'.

Mrs. A. L. Cross.
Clerk to the Council.



HOUSE OF COMMONS
LONDON SW1A 0AA

Lindsey Parton
Elections & Registration Team Manager
Democratic Services
Westfields
Sandbach CW11 1HZ

25 September 2009

Dear Lindsey,

CREWE LOCAL GOVERNANCE CONSULTATION

Thank you for your email of 26 August, and for asking me to contribute to this consultation.

The way that I have approached this exercise has been to take feedback I have received from constituents, and my observations of the consultation process, and give you an overview of that in this letter.

I simply have not taken a personal stance on this issue myself. It is for the people of Crewe to put their view and for the local government representatives they elected to make a final decision.

The last couple of months have seen a lot of activity in Crewe around the issue of first tier local government in Crewe. We have seen a lot of coverage in local media, public meetings, and political parties putting across their own views.

Clearly, prior to that, there was the drive to collect signatures for the petition that started this process.

That petition and subsequent feedback has shown me that there are indeed people who would like to see a form of first tier local government for the presently unparished areas of Crewe. A number of people have written to me, and called into my Crewe office, to say so.

However, the petition only represented 10% of those able to put their view, and other positive feedback I have seen and heard has been limited in number.

EDWARD TIMPSON
MEMBER OF PARLIAMENT FOR CREWE & NANTWICH
www.edwardtimpsonmp.com

I am also aware from the local media of an “independent” telephone survey conducted on the matter, the results of which stated the majority of Crewe residents were in favour of local governance reform. However, such a survey would be given very short shrift in Parliament were it ever discussed there, as it could not genuinely be described as independent. It was commissioned by a single-interest group and fronted by a Parliamentary Candidate for a political party.

This is unfortunate, as such a survey might otherwise have been of some use in assessing opinion.

I think it also worth pointing out that the majority of those who have taken part in this flurry of activity (on both sides of the argument) are those who have been close to or are currently close to the civic life of the town. They are not people one could genuinely describe as ‘ordinary residents’. An example of this would be at a recent well-advertised public meeting where 21 of the 26 people present to discuss the issue were councillors, ex-councillors, or council officers.

There are of course, too, those who do not wish to see a parish council or councils for Crewe.

A number of councillors have stated this view, but also many residents, with the amount of feedback I have received of this nature easily equalling (if not exceeding) the amount I have received for such an arrangement.

Their concerns seem mainly to focus on an increase in their council tax through the levying of a precept higher than that currently charged by the town’s Chartered Trustees, and also on the fact that there is no guarantee such a council or councils would provide substantive essential services that would add value to their lives as residents.

The backdrop of recession and shortage of money and work is normally referenced in such feedback.

To summarise, there are clearly people both for and against local government reform in Crewe.

However, when consulting on the imposition of fiscal change, as this consultation effectively is, those who have remained indifferent through a lack of understanding of the options or disillusionment with local government must also be taken into account.

This seems rather, in Crewe, to be the very large majority, and it would clearly be ill-advised to bring about any form of change without a clear mandate for such change. This is a point that the Cheshire East Council must debate.

Equally, if a legitimate majority of the population of Crewe state the same wish, this must be acted upon.

I hope this letter is of some assistance to the consultation process.

Yours sincerely,

A handwritten signature in black ink that reads "Edward Timpson". The script is cursive and fluid, with the first name and last name clearly legible.

Edward Timpson

**Response to the Cheshire East Council Questionnaire
as part of the Crewe Community Governance Review
from David Williams
Labour's Parliamentary Candidate for Crewe and Nantwich**

Background

I welcome the opportunity to respond to the Crewe Community Governance Review following the submission of a petition for a town council signed by over 10% of Crewe's electorate.

I am an ardent supporter of the establishment of a town council and have been since the *Voice For Crewe Campaign* was launched.

I am proud to have been an active participant in the campaign, which is supported by Labour, Liberal Democrat and politically independent people. I was responsible for the collection of approximately one-quarter of the signatures on the petition.

I have personally spoken to around 1,000 voters in Crewe about the town council proposal, mainly by visiting to people at their home, on stalls in the town centre and at the Carnival and at various meetings with Crewe residents.

This background means that I am well qualified to comment on the governance of Crewe and that the views expressed in my response are representative of a large proportion of the people of Crewe.

One Town Council for Crewe

Crewe needs one town council to provide a strong voice in the new Cheshire East Authority. When the former Crewe & Nantwich Borough Council (C&NBC) was abolished, the relationship of Crewe Town with its council fundamentally changed. In C&NBC, Crewe provided 36 of the 57 councillors. In Cheshire East, the town has only 12 of the 81 councillors.

This local government reorganisation has left a democratic deficit in Crewe, which Cheshire East Council now has the opportunity and duty to rectify. By comparison, other towns in Cheshire East are much better represented than Crewe:

Town	Estimated Population	Town and Borough Councillors
Nantwich	13,880	15
Congleton	25,750	26
Knutsford	19,607 (2001 census)	18
Middlewich	13,390	15
Sandbach	17,630 (2001 census)	24

A crucial part of democratic systems is the link between voters and their elected representatives. The towns listed above have the balance about right, which means Crewe's 50,000 residents are grossly under represented with a mere 12 councillors.

Opposition to a town council for Crewe

In all the conversations I have had with Crewe people very few opposed the idea of a town council for Crewe. I cannot accurately quantify the opposition I experienced, but I would estimate that less than 20% refused to sign the petition and many of those simply were not interested in local government arrangements and had no view.

I can however very accurately quantify the number of people who suggested that there should be more than one parish council for Crewe. Nobody told me that they wanted Crewe carved up.

Therefore I was amazed to see a proposal for four parish councils in Cheshire East Council's consultation paper. More than 10% of Crewe voters called for one town council. Cheshire East Council should tell us how many Crewe voters signed a petition for the four parish option. If it was less than 10%, they should explain why different thresholds applied to the two proposals.

The mysterious addition of this four parish option has merely served to confuse the consultation and the way that the ballot questions are worded confuses further. I have spoken to many Crewe residents who are absolutely committed to one town council for Crewe, yet were unsure about how to vote to support their view.

There are serious questions about the arrangements of the consultation that will cast a shadow over its validity and impartiality, which may lead to referrals to the Local Government Ombudsman, the Audit Commission or even a Judicial Review.

Cost of a town council

I was amazed to see this question raised in a consultation about the governance of Crewe. This is a question that will be answered by voters at the election of councillors to serve on the new Town Council.

Under current arrangements the residents of Crewe have practically no say in the level of the parish precept that is levied on them. There is virtually no democratic accountability for the £1.93 they currently pay or for the way that money is spent.

I was also shocked at the biased way in which the costs were presented in the consultation document. There was no mention of the 6 parishes in Cheshire East that levy a zero parish precept. There was no mention of the 39 parishes in Cheshire East that levy a precept lower than Knutsford. Yet the document highlights 17 examples of parish councils, two-thirds of which are not in Cheshire East, half of them are not even in Cheshire and two the parishes are over 100 miles away. What was the motivation for selecting these examples?

Again I state: There are serious questions about the arrangements of the consultation that will cast a shadow over its validity and impartiality, which may lead to referrals to

the Local Government Ombudsman, the Audit Commission or even a Judicial Review.

Conclusion

Crewe needs one town council. That is the overwhelming response I have received from extension discussions with residents of Crewe. They are telling me that the Town needs a strong voice in the new Cheshire East and they want their views to be heard. Crewe people want what many other towns in Cheshire East have.

I very much share their view. Crewe is currently grossly under-represented compared to other towns in Cheshire East. Crewe has suffered more than most Cheshire towns from last year's local government reorganisation and we now have an opportunity to rectify it. To give Crewe the voice it deserves.

If this unjust situation is allowed to continue, Crewe and its residents will suffer. Crewe has a long history of dealing well with dramatically changing circumstances. The current democratic deficit weakens the Town's ability to fight back. For the sake of jobs, inward investment and public services Crewe needs a voice.

This is not a time for party politics, this is a time to stand up for the people of Crewe and I hope all who share an aspiration in a thriving and prosperous Crewe will join the *One Town – One Voice* campaign.

David Williams
Labour's Parliamentary Candidate
for Crewe and Nantwich

16 September 2009

COMMUNITY GOVERNANCE REVIEW

From: Russell Greenwood [rpgreenwood@hotmail.co.uk]
Sent: 28 August 2009 10:51
To: COMMUNITY GOVERNANCE REVIEW
Subject: Crewe council

Hello

The proposed Crewe Council does not include Wistaston, Leighton and the area where Crewe Hall is situated. If these areas are not part of Crewe which I have always assumed to be so, what area or town do they fall under? I feel the proposed Crewe Council border should be extended to include Wistaston, Leighton, and the area where Crewe Hall is situated.

Regards

Russell Greenwood

Celebrate a decade of Messenger with free winks, emoticons, display pics, and more. [Get Them Now](#)

COMMUNITY GOVERNANCE REVIEW

From: D Brookshaw [d.brookshaw@sky.com]
Sent: 02 September 2009 17:06
To: COMMUNITY GOVERNANCE REVIEW
Subject: Town Council for Crewe

Having just received my ballot paper re parish council/town council I felt I had to email my disgust at the waste of time paper and money all this has cost. My understanding was we became Cheshire East and therefore were saving money. How can you save money by having a Town Council in Crewe. I and I feel a lot of people are quite capable of making our own points of view and also sorting our own problems. The local councillors before we became Cheshire East did nothing for my friends and I locally and I live in one of the areas that does not have a parish council. In fact we never knew who they were until election time and then did not see them personally. I expect that is how it would be again. I am not prepared to pay extra on my Council Tax so that people who do not know what to do with themselves now we are Cheshire East and they no longer attend meetings and get their expenses. There are plenty of voluntary organisations that would be grateful for their help!! We are Cheshire East now and therefore have to accept their ways and decisions not elect a few people who will not have much power but will cost the Council Tax payer more money. Progress always has casualties we just have to live with it my advice to the "old councillors" move on your job is done.!!!

①
 - To whom it may
 Concern.
 or who ever gets in
 To Look after CREWE
 and its peoples,
 I live where there is
 a playing Field at the
 Back of our Gardens,
 Kids Playing Football + Playing
 Folks taking there Pets for
 a walk on the Field.
 that is as it should be,
 not kind on motorbikes,
 Broken Glass, Grown men with
 motorized Cars, Toy cars
 that are louder than ~~some~~ ^{some}
 Bikes, you Tell them off
 and get a foul mouth + spat
 at or a Fraud your Car
 or home will be Broken into.
 Kids rule the Town this has to
 Be stopped.

P.T.O.

(2)

more Jobs To Be Found.
 parents. Taunt how To look
 after there children
 all you hear is
 mum + dads swearing at
 there kids, there is no
 respect any more to parents or
 parents To kids.

Needs doing Bus station -
 Park.

play areas for kids +
 places for young adults,
 To go To there is no
 cash about so they must
 be cheap kid + young adults
 Drinking Day + night.
 they need more empty properties
 allocated To them money put
 in to it - Find things for
 people to do,

P.T.O.

(3).

Folks must Be Taught To Look
 after and care for their pets.
 Help with nutureg all animals,,
 more care and respect,
 For our creatures in this
 town and worcswide.
 when is our park.
 Goinq To Be Finished?
 it is a lovely Place To
 Visit Trees & Plants, seeinq Birds
 Folks, kids, - dog, walkers,
 all enjoyng there lives
 there is enough folk out
 a work To help keep this
 Town clean, Give Free
 Ticket To cinema or Bowls
 swimminq ~~less~~ lessons.
 no smacked wrists any more.
 Give more lesson on ~~how~~ how To
 behave To others + pets The Town.
~~creatures~~
 create

TO CHESHIRE EAST
COUNCIL

259 ALTON ST
CW 2 7 PU

02-09-09

DEAR SIRS M^{RS} D^S

I WILL BE 92 IN NOVEMBER.. DUE TO INDUSTRIAL INJURIES, BADLY IMPAIRED VISION, AND NOISE DAMAGED HEARING, DISTORTION (NOT DEAFNESS) I AM UNABLE TO USE TELEPHONES, COMPUTER CONTROLLED COMMUNICATIONS ETC, I HAVE TO CONFINE MY CORRESPONDENCE TO THE WRITTEN WORD.. NOW YOU WILL NOTE I WRITE IN "UPPER CASE" OR CAPITAL PRINT. I REALISED SOME YEARS AGO, THAT IT WAS A GOOD EXCUSE FROM VARIOUS OFFICES (AND I QUOTE) WE CANNOT READ THESE OLD PEOPLE'S ARCHAIC HAND WRITING. WELL I SUPPOSE THAT IS TRUE IN MOST CASES, BUT NOT IN MINE. NOW FROM WHAT DEALINGS I HAVE HAD WITH CHESHIRE EAST. SO FAR I AM QUITE HAPPY I AND OTHERS I HAVE SPOKEN TOO HAVE AGREED THAT, IN THIS CASE A CHANGE HAS BEEN FOR THE BETTER... IT IS TO BE HOPE'D THAT THIS TREND CONTINUES.

DUE TO THE FACT THAT I OWN MY HOUSE, AND I MEAN OWN IT, I BOUGHT IT FOR CASH IN 1957 NO MORTGAGE NO DEBTS, FULL STOP. I WORKED TILL I WAS APPROACHING 80 SO

⑦ I RECEIVING PENSIONS, WHICH TILL RECENTLY
 I WAS ABLE TO LIVE ON, AND KEEP MY
 GRAND-DAUGHTER AND MY TWO DOGS, WHICH
 ARE MY EYES AND EARS, I PAY COUNCIL
 TAX, WHICH WAS MODIFIED RECENTLY TO
 FIT MY CIRCUMSTANCES. SO I HAVE NEVER
 HAD TO GO TO THE GOVERNMENT WITH
 THE OLD "BEGGING BOWL" AS SO MANY
 OLD UNFORTUNATES HAVE HAD TOO..
 TO BE PLAIN, ANYTHING THAT WOULD
 INCREASE COUNCIL TAX IS NOT ON. AGAIN
 FULL STOP. CHESHIRE EAST COUNCIL AND
 OTHERS, WERE CREATED TO ELIMINATE
 "DEAD WOOD". DON'T LET US CREATE
 ANOTHER BUNCH OF "TOOTHLESS TIGERS"
 AND PAY THEM GOOD MONEY... (OUR MONEY)
 NOW WHILE WRITING, THERE IS ANOTHER
 MATTER I WOULD LIKE AN ANSWER TO
 REGARDING THE FORMER CHESHIRE CO.
 COUNCIL. ? THIS OF COURSE APPLIES TO
 MANY OTHER COUNCILS AS WELL, THAT IS
 WHAT HAS BEEN DONE, IF ANYTHING

③ ABOUT THE DISCLOSURES LAST YEAR,
 AND I AM ONLY REFERRING TO THE OLD
 CO. COUNCIL, ABOUT THE £8 MILLION
 OR SO THAT SOMEONE IN AUTHORITY
 "INVESTED" WITH OUR MONEY INTO THIS
 "PHONEY" OR SHOULD I SAY "DODGY"
 BANK IN ICELAND OF ALL PLACES..
 I RECENTLY READ IN THE PRESS THAT
 THEY HAVE NO HOPE OF RECOVERING IT..
 IF THOSE RESPONSIBLE WERE COUNCILLORS
 ARE THEY STILL COUNCILLORS?
 HAS ANY INQUIRY EVER BEEN MADE?
 HAS ANY ONE BEEN "REPRIMANDED"
 "DISCIPLINED" ETC. PEOPLE ARE STILL CURIOUS..
 NOW, ABOUT THOSE "MODUS" PEOPLE
 THOSE "WEALTHY" PEOPLE WHO WERE
 GOING TO DO ALL THOSE "WONDERFUL"
 "HEATH ROBINSON" THINGS TO "REVITALISE"
 CROWE, CREATE A "DISNEYLAND" IN THE
 TOWN CENTRE, NOW WE FIND THEY WERE
 JUST LIKE ALL THE OTHER "DEVELOPERS".
 OPERATING ON BORROWED MONEY WHEN
 THE BANKS WENT BUST, SO DID THEY...

④ VERY FUNNY YOU SAY WELL PERHAPS
MANY PEOPLE HAVE NOT REALISED HOW
CLOSE WE WERE TO HAVING LARGE
AREAS OF THE TOWN CENTRE KNOCKED
DOWN AND WE WOULD HAVE BEEN
LEFT WITH PILES OF BROKEN BRICKS ETC
BELIEVING IT WAS ONLY THE DELAY
CAUSED BY THE MEMORIAL DISPUTE
THAT AVOIDED THIS, FULL STOP.

CNGWG IS ALL RIGHT AS IT IS, IT
WAS OK AS IT WAS BEFORE 1960'S
IT IS ONLY AN OLD RAILWAY TOWN
WHAT PEOPLE SHOULD BE INTERESTED IN
OR PROUD OF, IS THOSE OLD RAILWAYMEN
WHO BUILT THE PLACE, WHERE IS THERE
ANY MENTION OF EVEN THE MAN
WHO FOUNDED CNGWG JOSEPH LOCKE
I'VE SPOKE TO SCHOOL LADS 14 TO 15 YEAR
OLD WHO HAVE NEVER HEARD OF HIM...
I EVEN SPOKE TO ONE OF THEIR TEACHERS
RECENTLY HE DIDNT KNOW..

~~Harry Fortuna~~ ALSO KNOWN AS FH TWISS
HARRY FORTUNA

FH Twiss

WHY SHOULD PENSIONERS
BE EXPECTED TO PAY MORE
COUNCIL TAX FOR THIS
ADDITIONAL LAYER OF
GOVERNMENT (OR THIS CASE
NON - GOVERNMENT) ?

HAS THIS BEEN PROPOSED IN
ORDER TO RE-INFLATE THE
EGOS OF FORMER COUNCILLORS ?

NOT TO MENTION EXPENSES

From: KENNETH JONES [mailto:kejones@btinternet.com]
Sent: 04 September 2009 07:51
To: Parton, Lindsey
Subject: Local governance in Crewe

--- On Fri, 4/9/09, KENNETH JONES <kejones@btinternet.com> wrote:

From: KENNETH JONES <kejones@btinternet.com>
Subject: Local governance in Crewe
To: lindsey.parton@cheshireeast.gov.uky
Date: Friday, 4 September, 2009, 7:48 AM

Dear Ms Parton

I understand that you are the person to whom representations should be made about the public consultation on local governance for Crewe. I hope that an email is acceptable (if not I will willingly write) and that I have your email address correct.

As a former long-serving member and Chairman of Shavington-cum-Gresty Parish Council, I can assert the advantages to the people of a homogeneous area of having one voice to represent their views. With the greatest respect to your authority, there will be times when there is no common interest binding, let us say Prestbury, with Crewe. Crewe has a very distinct and homogenous identity. It has a common economic and cultural interest, and one that is very distinct from most of the Cheshire East council area. With only 12 councillors to represent it out of over 80, there is an overwhelming and - I would have thought - very obvious need for it to have a democratically accountable organisation whose remit is solely restricted to Crewe alone.

Despite having lived and worked away from the area for some years, I still take an interest in local matters through family and friends and I'm sure that the adjacent parished areas will want to support this and work with a Crewe Town Council.

Yours sincerely,

Ken Jones

Please forward to the office
who passed this form for use.

Mary Gill

345 Alton St.,

Crewe

CW2 7RS

4th Sept 09

Dear Sir/Madam

I would like to say
I felt this form was very
poorly put together.

I actually had to ring
for guidance in forwarding
my genuine wish.

I am sure I am not the
only person that felt like
this.

Sincerely
Mary Gill

COMMUNITY GOVERNANCE REVIEW

From: Pete [midgley@midgleypr.freemove.co.uk]
Sent: 06 September 2009 17:47
To: COMMUNITY GOVERNANCE REVIEW
Subject: Crewe community governance review

Hello Reviewers,

Thanks for your

I'm Peter Midgley of 32 James Atkinson Way; these are some thoughts on the subject, there may be others to follow:

1. A point about boundaries:

It makes no sense to mark the boundary in Leighton halfway through the 'Oakley Fields' (old Rolls Royce playing fields) estate, excluding Farmleigh and the new houses north of Bradfield Rd, Parkers Rd. Can't they be included? they all use the same services so it would be a lot more realistic. I think the same point applies regarding Wells Green and Berkeley Towers.

It appears from your website that Cheshire East have the devolved power to alter the boundary to reflect developments.

2. My neighbours and I wonder what value would be added to justify the extra expense, of having a Town Council. Can anyone answer that?

3. If there is no Town Council at present, how are the Allotments, bus shelters, local crime prevention etc being handled and how effectively?

4. If a Town Council also had judicial powers they could bring in local justice such as the stocks which would doubtless curb anti-social behaviour! This might seem a bit old-fashioned but you must admit it might take some radical thinking to re-engage 21st century urban dwellers into thinking they are actually part of a community.

sincerely

Peter Midgley.

Mrs J Parton,
Elections and Registration Manager,
East Cheshire Council,

Mr Peter Slackton,
37 Jennyson Ave,
Crewe,
Cheshire,
12-09-09,

Dear Madam
Subject: Crewe Community Governance Review.

The first I knew about the above, was when the voting forms arrived through my letter box on Saturday 29th of August, having read the voting papers, it appeared to be ambiguous and at the very least, to have a bias in favour of selecting either a new Crewe Town Council or a Parish Council.

I noted that of the four choices on the voting paper, three of those choices, would involve the Crewe rate-payers in paying an additional cost over and above the present Council Tax bill each year.

I have been given to believe a sum of £20 plus to £100 plus P.A for the most expensive option - a new Crewe Town Council.

Having recently voted for a change, from Crewe Town Council to our present Cheshire East Council, I find it a costly and backward move to now ask Crewe ratepayers to fund a new Crewe Town Council, since they have no purpose or no accurate costing.

Cheshire East Council now provide all Crewe's services, previously provided by the now disbanded Crewe Town Council.

Chestine East councillors are accountable for all the wards within the Crewe boundaries, any person can seek advice or discuss any concerns they may have.

I have received a Labour propaganda leaflet, posted through my letter box this week (please see enclosed). you will note that it fails to put the facts of the situation fairly, neglecting to point out the cost implication for the Crewe rate-payers, if the new Crewe Town Council were successful in its bid.

If the ex Crewe Town councillors think they have a valuable contribution to make to the people of Crewe, I suggest they stand for the position of councillor for Chestine East at the next opportunity.

If in the passing of time, the Chestine East Council choose in favour of setting up a new, and in my view unnecessary new Crewe Town Council, and in doing so passes this additional cost onto the Crewe rate-payers. I feel there will be great dissatisfaction and anger, not only with the ex Crewe Town Councillors, but also with the Chestine East Council.

In closing, I would say to the Chestine East Council, so far I have found the services provided by yourselves to be excellent, please continue with the good work.

Please do not add cost to an already costly Council tax bill, particularly at a time when we are all having to tighten our belts, with the current financial conditions within our Country at this time

Yours Respectfully
P. Stockton

COMMUNITY GOVERNANCE REVIEW

From: Parton, Lindsey [lindsey.parton@cheshireeast.gov.uk]
Sent: 28 September 2009 10:28
To: COMMUNITY GOVERNANCE REVIEW
Cc: Bason, Ralph
Subject: FW: Community Governance Review Crewe

From: FLUDE, Dorothy (Councillor)
Sent: 28 September 2009 10:01
To: Parton, Lindsey
Subject: Community Governance Review Crewe

Hello Lindsey

Please include in the submission my full support for One Town Council for the at present un-parished part of the town of Crewe.

Dorothy Flude
Councillor Crewe South
Leader of the Labour Group Cheshire East Borough Council

6 Tynedale Ave
Crewe
CW2 7NY
01270664121

From: Conquest, Steve Cllr (Cheshireeast)

Sent: 27 September 2009 16:43

To: HAWTHORNTHWAITE, Gaynor; Parton, Lindsey

Subject: RE: Crewe Community Governance Review

Dear Gaynor

I would like to confirm my belief that the creation of a single Town Council would constitute the best outcome for the people of Crewe.

I set out my views in more detail at the extraordinary meeting of Crewe Charter Trustees on 24 September and trust that the minutes of this public meeting will be made available to you and included in the consultation process.

Kind regards

Steve

From: HAWTHORNTHWAITE, Gaynor

Sent: 26 August 2009 13:03

To: Cheshire East Members

Subject: Crewe Community Governance Review

Dear Member

Cheshire East Council is conducting a review of Community Governance arrangements in response to a petition received from members of the public calling for a single Town Council for the unparished parts of the town.

The Council would welcome your views on community governance arrangements for Crewe and whether you feel that a single town council, multiple parish councils, or some other form of community governance should be created.

The Council is consulting electors, stakeholders and local organisations in the Crewe area throughout September and is seeking your views on this important issue. Your views will be taken into account in reaching any decisions.

Following this initial period of consultation, a draft recommendation will then be formed by the Council in October, following which there will be a second round of more limited consultation in the Autumn.

Any new arrangements would take effect from the date of the next local elections in May 2011, when elections to any new Town Council created would take place.

CHESHIRE EAST COUNCIL

Record of a public meeting for **Crewe Community Governance Review** held
in the Council Chamber, Municipal Buildings, Earle Street, Crewe
on 1st September 2009 at 2.30pm

Chairman:	Councillor Andrew Kolker
Legal Adviser:	Mr Chris Chapman, Borough Solicitor
Presenters:	Mr Mike Flynn, Review Team Officer Mrs Lindsey Parton, Elections and Registration Manager
Clerk to the Meeting:	Ms Diane Moulson, Democratic Services Officer

List of Those Present:

Honorary Alderman Ray Stafford

Councillor Terry Beard	Crewe Charter Trustee
Councillor David Cannon	Cheshire East Council
Councillor Roy Cartlidge	Rep. Crewe West Community Group
Councillor Dorothy Flude	Ward Councillor, Crewe South
Councillor Peggy Martin	Cheshire East Council
Councillor Robert Parker	Cheshire East Council
Councillor Ray Westwood	Cheshire East Council
Mr P Kent	A Voice for Crewe Campaign
Mr S Roberts	A Voice for Crewe Campaign
Mrs J Roberts	A Voice for Crewe Campaign
Mr S Hogben	Parish Councillor, Shavington-Cum-Gresty Parish Council
Mrs P Minshull	Crewe Historical Society/Valley CAP
Mr C White	Cheshire Association of Local Councils
Ms P Southgate	Resident

1. Introduction

The Chairman began by welcoming those present to the meeting and introducing the Officers in attendance. He briefly outlined the programme for the afternoon before inviting the Borough Solicitor, Mr Chapman to address the meeting.

2. Background

On 30 March 2009, Cheshire East Council had received a petition signed by over 3500 of the electorate of the urban area of Crewe asking that a Town

Council be set up, an action which had triggered the Community Governance Review.

Mr Chapman explained that previously, petitions of this type would have been determined by the Secretary of State in conjunction with the Electoral Commission but in accordance with new legislation, namely Section 87 of the Local Government and Public Involvement in Health Act 2007, responsibility for determining such petitions now fell to principal authorities; in this instance Cheshire East Borough Council.

The Community Governance Review, which would be the first of its kind conducted under the new legislation, would, due to the timing of the submission, be carried out in tandem with the Boundary Committee's review of ward boundaries within Cheshire East. Discussions had been on-going with the Boundary Committee to inform the work of both parties but the timeline within which the Community Governance Review had to be completed had been influenced by the deadlines set by the Boundary Committee, leaving little room for slippage.

3. Presentation

The Chairman then invited the Elections and Registration Manager and Review Team Officer to explain the procedure in more detail.

As the submission had been received on 30 March 2009, the review had to be concluded within a twelve month period i.e. 30 March 2010. However, as the outcome would have an impact on the work of the Boundary Committee, it would, in reality need to be completed by January 2010 for the findings to be submitted to the Boundary Committee during its public consultation period (February 2010).

A copy of the presentation had been made available to the public and it was to this that Mrs Parton & Mr Flynn spoke; expanding on a number of points as follows –

- The two public meetings being held today were intended to 'kick start' the process and provide an opportunity to answer any questions arising from the public following issue of the voting packs
- Information packs were to be sent to a range of stakeholders; to contain a slightly revised information leaflet form than that provided to electors and a questionnaire, in place of a voting form
- Whilst a number of alternatives had been put forward for governance arrangements in Crewe, the option selected would be a democratically elected voice for the town and would, therefore need to met the criteria set down by legislation i.e. the body would be expected to
 - promote community cohesion
 - be of adequate size for its purpose
 - possess a sense of place and identity
 - have the capability/capacity to deliver services

- Consultees were encouraged, where appropriate to provide evidence for their views to add weight to and strengthen the arguments put forward
- Responses received from the exercise would be submitted to the Governance and Constitution Sub Committee in October, the views expressed to form the initial recommendations submitted to Council in October. The public would be invited to comment on the decision emanating from the meeting as part of the second stage consultation process to be held in October/November 2009
- At this point in the process, consideration would be given to
 - whether a single or multiple Parish Councils should be constituted
 - what the electoral arrangements should be and the number of Councillors to be elected
 - how the mayoralty would operate
- Recommendations would be considered by the Governance and Constitution Sub Committee prior to the final report being taken to Council for decision in December 2009

Having completed their resume, the Chairman thanked the Officers for their presentation. He then invited questions and comments from the floor.

Questions

Q. Why had the voting papers been issued before the commencement of the consultation period (1 September) and before information was available for people to read?

A. Due to logistical demands (printing, posting etc) it was considered preferable for some households to receive their packs prior to 1 September rather than after the process had commenced. The need to respond to the Boundary Committee during its public consultation period had also driven the timeline for the exercise

Q. What form would the next phase of the consultation take?

A. The second phase of the consultation would not be as extensive as the first but details of the draft recommendations would be made available via different media formats, including the Council's website

Q. When would questionnaires be issued to stakeholder organisations?

A. A number of packs had already been despatched and it was anticipated that the reminder would be sent out by the end of the week.

Q. The questionnaires received by some stakeholder organisations had not made it clear to who it was addressed so it was difficult to know who should be responding on the organisation's behalf.

A. Officers had been made aware of this matter and steps had been taken to ensure that the remaining letters clearly stated to whom the questionnaire was being sent.

- Q. Although the public meetings had been arranged at the beginning of the consultation period, in view of the turnout, it could be argued that awareness of the meetings amongst residents was low. The timing was also questionable as many individuals would not yet have received their voting packs. Were there any plans to hold more meetings during September to enable people to ask questions?
- A. No plans at present but if there was sufficient demand, it would be considered.
- Q. What weight would be given to representations if respondents did not provide the evidence required? Would their opinions be disregarded by the Committee and would this requirement affect the weight given to the petition?
- A. Responses would have more credence if accompanied with a few lines of explanation. The number of signatories on the petition alone meant that it would carry significant weight but that decision would be for the Committee as the report prepared by the Officers would contain only details of the representations and evidence received.
- Q. Will the results of the vote be announced and would it be possible to break it down into wards?
- A. The information would be made publically available but as the voting paper did not identify the voter's ward, the latter would not be possible.
- Q. Did respondents have to complete both parts of the voting paper or was it possible to fill in just one part?
- A. As this was not a ballot, respondents' views would not be invalidated if both parts were not completed but it would reduce the amount of evidence upon which a reasoned conclusion could be drawn.

Comments

The four parish option on the voting paper had not been proposed by the 'One Voice for Crewe' campaign and questions were raised as to the origin of the proposal. In response, it was confirmed that the proposal had been raised and discussed at a meeting of the Governance and Constitution Sub Committee, and had been supported as a valid alternative for inclusion on the voting paper.

A view was expressed by some individuals that the wishes of the electorate seeking a single Town Council for the urban area of Crewe had been disregarded. No justification or evidence has been supplied with the papers to provide a rationale for the four parish proposal and because of this the subsequent wording of the voting paper was ambiguous and unclear. This, in the opinion of the member of the public concerned, had lead to confusion in answering the questions when, in his view, there should have been a straight yes or no answer required to the question "Do you want a Town Council for Crewe?"

There was concern about the timing of the voting paper despatch as it had occurred prior to the start of the consultation period and before any information had been released. Because the terms 'Town' and 'Parish' had been used in both sections of the form it had generated a great deal of confusion. A request was made for a press release to be issued to clarify the wording on the ballot paper in light of the comments made.

As the Community Governance Review was being conducted in accordance with new legislation, it was inevitable that the Council would be scrutinised over its handling of the matter. As there was no longer only one proposal under consideration a view could be taken that the process had become politically biased. The exercise needed to be carried out in a spirit of mutual respect and co-operation and if not handled correctly, could cause animosity between the Town Council(s) and Cheshire East for years to come.

A representative from a stakeholder organisation referred to the fact that many of the organisations which were being consulted did not meet on a regular basis and may not have received notification about the public meetings. It was possible that this, rather than a lack of interest, which could be attributed to the low turn.

The accompanying leaflet provided a list of precepts levied by Town Councils but was considered by many of those present to be flawed as the locations selected were not local to Crewe. It was stated that only examples from Crewe and Nantwich parishes should have been used.

An argument was put forward that, if the four parish model was adopted, the cost to the public would be four times greater but with reduced efficiencies. This view was not supported by others, as; potentially each parish could decide to levy no precept. However it was accepted that there would be four times the associated costs e.g. clerks, premises etc.

The four parish option suggested that the boundaries would match the existing ward areas but, following the conclusion of the Boundary Committee review, it was possible that this might change. Given the level of uncertainty, the validity of the proposal was questioned. If, however there was to be one Town Council for Crewe, it was not considered unreasonable to have four wards of Crewe North, Crewe South, Crewe East and Crewe West to reflect current arrangements.

The statement that the timeline had been affected by the Boundary Committee was challenged from the floor and the Council was criticised for not anticipating the time required to complete the exercise given that the petition had been received whilst the authority was still in shadow form.

4. Summing Up

The Chairman thanked everyone for their attendance and their contribution to the meeting, stating that the record of the meeting would be made available in due course to all those who had left contact details with the Clerk.

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Record of a public meeting for **Crewe Community Governance Review** held
in the Council Chamber, Municipal Buildings, Earle Street, Crewe
on 1st September 2009 at 7.00pm

Chairman:	Councillor Andrew Kolker
Legal Adviser:	Mr Chris Chapman, Borough Solicitor
Presenters:	Mr Mike Flynn, Review Team Officer
	Mrs Lindsey Parton, Elections and Registration Manager
Clerk to the Meeting:	Ms Diane Moulson, Democratic Services Officer

List of Those Present:

Councillor Margaret Simon	The Worshipful the Mayor, Cheshire East Council
Councillor Terry Beard	Crewe Charter Trustee
Councillor Derek Bebbington	Cheshire East Council
Councillor David Cannon	Cheshire East Council
Councillor Roy Cartlidge	Rep. Crewe West Community Group
Councillor Steve Conquest	Cheshire East Council
Councillor Dorothy Flude	Ward Councillor, Crewe South
Councillor John Jones	Cheshire East Council
Councillor Robert Parker	Cheshire East Council
Councillor Ray Westwood	Cheshire East Council
Mr P Kent	A Voice for Crewe Campaign
Mrs H Armonies	Resident
Mrs S Crum	Resident
Mr B Hughes	Resident
Mrs M Grant	Resident
Mr A Wood	Resident

1. Introduction

The Chairman began by welcoming those present to the meeting and introducing the Officers in attendance. He briefly outlined the programme for the evening before inviting the Borough Solicitor, Mr Chapman to address the meeting.

2. Background

On 30 March 2009, Cheshire East Council had received a petition signed by over 3500 of the electorate of the urban area of Crewe asking that a Town Council be set up, an action which had triggered the Community Governance Review.

Mr Chapman explained that previously, petitions of this type would have been determined by the Secretary of State in conjunction with the Electoral Commission but in accordance with new legislation, namely Section 87 of the Local Government and Public Involvement in Health Act 2007, responsibility for determining such petitions now fell to principal authorities; in this instance Cheshire East Borough Council.

The Community Governance Review, which would be the first of its kind conducted under the new legislation, would, due to the timing of the submission, be carried out in tandem with the Boundary Committee's review of ward boundaries within Cheshire East. Discussions had been on-going with the Boundary Committee to inform the work of both parties but the timeline within which the Community Governance Review had to be completed had been influenced by the deadlines set by the Boundary Committee, leaving little room for slippage.

3. Presentation

The Chairman then invited the Elections and Registration Manager and Review Team Officer to explain the procedure in more detail.

As the submission had been received on 30 March 2009, the review had to be concluded within a twelve month period i.e. 30 March 2010. However, as the outcome would have an impact on the work of the Boundary Committee, it would, in reality need to be completed by January 2010 for the findings to be submitted to the Boundary Committee during its public consultation period (February 2010).

A copy of the presentation had been made available to the public and it was to this that Mrs Parton & Mr Flynn spoke; expanding on a number of points as follows –

- The two public meetings being held today were intended to 'kick start' the process and provide an opportunity to answer any questions arising from the public following issue of the voting packs
- Information packs were to be sent to a range of stakeholders; to contain a slightly revised information leaflet form than that provided to electors and a questionnaire, in place of a voting form

- Whilst a number of alternatives had been put forward for governance arrangements in Crewe, the option selected would be a democratically elected voice for the town and would, therefore need to met the criteria set down by legislation i.e. the body would be expected to
 - promote community cohesion
 - be of adequate size for its purpose
 - possess a sense of place and identity
 - have the capability/capacity to deliver services
- Consultees were encouraged, where appropriate to provide evidence for their views to add weight to and strengthen the arguments put forward
- Responses received from the exercise would be submitted to the Governance and Constitution Sub Committee in October; the views expressed to form the initial recommendations submitted to Council in October. The public would be invited to comment on the decision emanating from the meeting as part of the second stage consultation process to be held in October/November 2009
- At this point in the process, consideration would be given to
 - whether a single or multiple Parish Councils should be constituted
 - what the electoral arrangements should be and the number of Councillors to be elected
 - how the mayoralty would operate
- Recommendations would be considered by the Governance and Constitution Sub Committee prior to the final report being taken to Council for decision in December 2009

Having completed their resume, the Chairman thanked the Officers for their presentation. He then invited questions and comments from the floor.

Questions

- Q. It was an affront that eighty one Councillors could take a view on what the residents of Crewe and, in particular those who signed the petition, wanted for the Town which was not to split it into four.
- A. The petition reflected the opinion of 10% of the electorate for the area which was why, in accordance with the legislation, all those affected by the proposal were now being asked for their views.
- Q. The amount of advertising for the public meetings had been poor; people did not understand the voting paper and there was a lack of awareness that there would be a second opportunity to comment on the proposals.
- A. The event had been advertised as widely as possible in the time allowed. Although the second consultation phase would not be as comprehensive as the first, draft proposals would be provided to all those attending the public meetings who had left contact details and would be circulated via the Council's website, notice boards and Ward Councillors.

- Q. Would there be any record as to who had voted for which option?
- A. Not individually but the responses received would be recorded to provide an audit trail showing the representations/evidence Council had taken into consideration in reaching its final decision.
- Q. The accompanying leaflet provided a list of precepts levied by Town Councils. This meant that the process was flawed as the examples selected were not local to Crewe.
- A. The examples selected were intended to be for comparison purposes only as a means of illustrating the wide variety of precepts which could be levied.
- Q. Irrespective of whether the final outcome was for one or four Parish Councils, would there be any difference in the responsibilities they would have? As the Council Tax was payable directly to Cheshire East Council, would any of that be transferred to the Parish Council(s) if it/they took over responsibility for some services?
- A. Parish Councils could exercise some powers but the level to which this was done was a matter of local choice. If the Parish Council(s) decided it/they wished to provide services over and above those provided by the Borough Council, then the cost would be raised via the levying of a precept.
- Q. What would happen if the Parish Council(s) wanted to take over a Borough function such as maintenance of pavements?
- A. The Borough Council would need to give its consent and would have to enter into an agreement with the Parish Council(s) to carry out the works on its behalf.
- Q. There was a lot of ambiguity associated with the voting paper which could be proved by the low turn out at the meeting and there was concern that this could be perceived as a lack of interest in the formation of a Town Council.
- A. Cheshire East would be cognisant of all the views expressed and a low response would not necessarily be considered to be a lack of public interest.
- Q. What weight would be given to representations if respondents did not provide the evidence required? Would their opinions be disregarded by the Committee and would this affect the weight given to the petition?
- A. Responses would have more credence if accompanied with a few lines of explanation. The number of signatories on the petition alone meant that it would carry significant weight but that decision would be for the Committee as the report prepared by the Officers would contain only details of the representations and evidence received.

- Q. If the proposal for one Town Council was supported, would there then need to be a decision made as to whether the Councillors elected would represent the whole area or a single ward?
- A. That decision would be taken by Cheshire East Council. However the decision would take into account the size of the area and the number of Councillors required to adequately represent the electorate; the public being able to comment on the proposals as part of stage two of the process.
- Q. Did respondents have to complete both parts of the voting paper or was it possible to fill in just one part?
- A. As this was not a ballot, respondents' views would not be invalidated if both parts were not completed but it would reduce the amount of evidence upon which a reasoned conclusion could be drawn.

Comments

On the assumption that a Town Council for Crewe was set up, it needed to have a good relationship with Cheshire East Council. Therefore, the exercise had to be carried out in a spirit of mutual respect and co-operation to ensure that a culture of mistrust was not created. The phrase 'natural community' had been referred to in the presentation. There was no doubt in the speaker's mind that in this instance, the natural community which should form the Parish Council was the town of Crewe and this was in danger of becoming irrelevant to Cheshire East Council.

As the four parishes option had not been proposed by the 'One Voice for Crewe' campaign, questions continued to be raised by those present as to the origin of the proposal. In response, it was confirmed that the proposal had been put forward at a meeting of the Governance and Constitution Sub Committee. It had been supported as a valid alternative for inclusion on the voting paper as it reflected the four existing wards of Crewe South, Crewe North, Crewe East and Crewe West.

Notwithstanding the comments made at the meeting, some of those present considered that clarification had still not been provided to their satisfaction, regarding the rationale for the four parish option. The more arguments put forward in favour of this option, the more the situation became factious. It was the opinion of some that there should have just been a straight yes or no answer required to the question "Do you want a Town Council for Crewe?" as the introduction of this unsupported option had confused the issue. It should not have been included given that it seemed to be the opinion of one individual.

A resident, who was also an ex- Crewe and Nantwich Borough Councillor, spoke of her experiences during her time on the Council in developing community cohesion, the overarching aim of the review. In her opinion, because the Town had areas which were both affluent and disadvantaged, people worked together for their mutual benefit and this would be under threat if the Town was split into four.

4. Summing Up

The Chairman thanked everyone for their attendance and their contribution to the meeting, stating that the record of the meeting would be made available in due course to all those who had left contact details with the Clerk.

**Minutes of an extraordinary meeting of the Charter Trustees
for Crewe
24th September 2009**

Present: The Mayor, Councillor D Flude
Councillors T Beard, R Cartlidge, S Conquest, E Howell, M Martin, J Jones, M Martin and C Thorley

Officers Present:

Bill Howie, Democratic Services, Cheshire East Borough Council

17. Apologies

Apologies for absence were received from Councillors D Bebbington, D Cannon and J Weatherill

18. Declaration of Interest

All Charter Trustees present declared a personal interest in the agenda item as Members of Cheshire East Borough Council.

19. Public Speaking

The Mayor, invited the members of the public present to make any comments. Honorary Alderman made a short statement regarding the role of the Charter Trustees and the need to secure a permanent body to reflect the views of the people of Crewe

20. Community Governance Review for the un-parished areas of Crewe

The Charter Trustees were informed that the in response to a number of queries regarding the powers and duties of the Charter Trustees regarding their involvement in the consultation being carried out by Cheshire East Borough Council, legal advice had been sought.

The advice given to the Charter Trustees indicated that there no legal reason that prevented the Charter Trustees from responding to the consultation.

Councillor Jones made a statement to the meeting that, in his opinion, the meeting of the Charter Trustees was not legal on the grounds that the Charter Trustees were acting in a political situation which he considered to be contrary to the Charter Trustee Regulations 2009 (SI 467/2009). Councillor Jones stated that, in his opinion, the legal advice provided to the Charter Trustees was incorrect. Having made this statement declined to participate further in the meeting and left the room (time 6:12pm).

It was noted that Charter Trustees who were unable to attend the meeting had been invited to submit any views or comments, in writing, to the meeting. Councillor Cannon had submitted comments in the form of an e-mail circulated to the Charter Trustees. Councillor Jones, prior to his departure

from the meeting had submitted a letter (unsigned) from Councillor Bebbington. The contents of the email and letter were read to the meeting.

Councillor Cannon – in summary Councillor Cannon felt unable to support the Four Parish option; if the Charter Trustees felt unable to support this option it should be actively opposed. He raised issues concerning the sustainability of the Charter Trustees to operate effectively in the long term. In his view a single town council would be able to draw potential members from a larger pool than the 12 Charter Trustees and would be able to devote more time to civic activities. Councillor Cannon supported the option of a single town council for Crewe.

Councillor Bebbington – it was his view that it was neither appropriate nor legal for the Charter Trustees to meet to consider this matter. The meeting, if it went ahead should be chaired by an officer who did not represent either a political party or any group actively campaigning in this matter. The view was also expressed that the meeting had been called to gain political support and influence public opinion. The final comments related to Councillor Cannon's views and the validity of any collective view expressed on behalf of the Charter Trustees without the full support of all Charter Trustees.

After hearing these comments the Mayor invited each of the Charter Trustees present to make a short statement on their individual views on the consultation.

Councillor Howell – stated that she had not made any public statement on this matter prior to the submission of the petition. However, it was her view that the Four Parish option was not viable. In principle, the idea of a single was a good idea but in the current economic climate the addition of an additional precept on the Council Tax would be an unnecessary burden on the people of Crewe. She also stated that it seemed unlikely that Cheshire East Borough Council would devolve any of its powers or functions to a town council thus reducing its role to that of a 'talking shop'. Councillor Howell was not in favour of either a single town council or four parish councils.

Councillor Cartlidge – stated that the notion of more than one town council would be potentially damaging to community cohesion. One town council, although adding to the Council Tax burden could lead to improved service delivery that addressed local priorities such as dealing with footway repairs and maintenance. Councillor Cartlidge was in favour of one town council.

Councillor Beard – stated that the petition related to a single town council and that there was no evidence of support for the four parish option. At the outset this issue had not been political but had been turned into one. With regard to the cost a precept would be levied by the Charter Trustees to meet the cost of their activities and the cost to the majority of the households would not be as high as had been asserted by others. Councillor Beard expressed support for one town council as providing a voice for Crewe within Cheshire East; particularly as Crewe provided the economic heart of Cheshire East.

Councillor Conquest – stated that the Charter Trustees had, at the very least, a moral obligation to put their views forward. A single town council represented an opportunity to have a single, democratically elected body to represent the people of Crewe. A single town council also provided a chance to provide the unity of purpose to help drive Crewe forward. The Four Parish option was a purely political move to dissipate power and marginalise the people of Crewe. Councillor Conquest supported a single town council.

Councillor Martin – stated that a single town council represented an opportunity for the people of Crewe to have a voice within Cheshire East. Her support was behind whatever the people of Crewe voted for in the consultation exercise.

Councillor Thorley – Stated that he would, as ever, support whatever the people of Crewe wanted.

The Mayor, noted that no motion had been put to the meeting. In addition although it would be possible for the Charter Trustees present would be able to take a view it could be characterised as a political vote representing the views of only the Labour Group and would not be representative of the Charter Trustees as a whole.

In view of this the Mayor moved that

Because of the lack of consensus among the Chartered Trustees as a body, each individual Charter Trustee make their own, separate views known to Cheshire East Borough Council in response to the Community Governance Review consultation. .

The motion was seconded by Councillor Beard. The motion being put to the vote it was

Resolved unanimously: That Cheshire East be informed that because of the lack of consensus among the Chartered Trustees as a body, each individual Charter Trustee make their own, separate views known to Cheshire East Borough Council in response to the Community Governance Review consultation.

* * * * *

The meeting concluded at 7:05pm

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Governance and Constitution Committee

Date of meeting: 15 October 2009
Report of: Borough Solicitor
Title: Community Governance Review – Handforth Petition

1.0 Purpose of Report

- 1.1 To consider the receipt of a petition calling for a Community Governance review in respect of the unparished area of Handforth.

2.0 Recommendations

2.1 That

- (1) for the purposes of Section 80 of the Local Government and Public Involvement in Health Act 2007 the petition be confirmed as valid or otherwise;
- (2) if the petition is confirmed as valid, confirmation of such be given to the petition organisers;
- (3) a Community Governance Review be carried out in respect of the whole of the Electoral Ward of Handforth, as known in 2007, to be completed by 20th September 2010;
- (4) consideration be given to recommending to Council that the Community Governance Review be extended to cover the whole of the unparished area of Wilmslow (i.e. the former Electoral Wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley and Styal); and
- (5) a Sub Committee of six Members be established (4 C:1 LD: 1 L: 0 I) to oversee the Review and to make appropriate recommendations to the Governance and Constitution Committee.

3.0 Background

- 3.1 On 21st September 2009 the Council received a petition which called for a Community Governance Review and identified the following recommendations arising from a Review:

1. That a new parish be constituted under Section 87 of the Local Government and Public Involvement in Health Act 2007.

2. That the new parish should have a parish council to be known as Handforth Community Council.
 3. That members of the Council will not be affiliated to any political party.
 4. That the area to which the review is to relate be defined as being the electoral ward of Handforth as known in 2007.
 5. That the Council will not precept the area, only use moneys granted, delegated, awarded or given for the benefit of the area.
- 3.2 The petition also included a map outlining the area to be reviewed.
- 3.3 Given that the area of Handforth forms part of the wider unparished area of Wilmslow (comprising the former electoral wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley and Styal), the Committee may consider it expedient to extend the remit of the Community Governance Review to encompass the whole of the unparished area as specified. This would need to be made as a recommendation to Council.

4.0 Validation

- 4.1 In order for a Community Governance Review to be initiated the petition has to be signed by at least 10% of local government electors in the area (648). The petition is currently being checked and verified and the number of valid signatures will be reported at the meeting.
- 4.2 The Committee is asked to note that the recommendations of the petition numbered (3) and (5) above are outside of the scope of any recommendations which can be considered by the Council as part of a Community Governance Review. However, this is not a valid reason to declare the petition as invalid.
- 4.3 Accordingly, if the petition is deemed to contain the requisite number of signatures, and given that recommendations numbered (1), (2) and (4) could be considered as part of the Review, the Council would be required to carry out a Community Governance Review.

5.0 Procedure

- 5.1 Since February 2008, the power to take decisions about matters such as the creation of parishes and their electoral arrangements has been devolved from the Secretary of State and the Electoral Commission to principal Councils such as Cheshire East. Cheshire East Council can, therefore, decide whether to give effect to the recommendations made arising from the Community Governance Review, provided it takes the views of local people into account.

- 5.2 The Review must be completed within 12 months of receiving the petition (i.e. 20th September 2010). Any electoral arrangements required to give effect to the Review recommendations would be by means of elections in 2011.
- 5.3 A rigorous consultation process is central to the Review and must include the local government electors for the area under review and any other person or body which appears to the Council to have an interest in the review. The Government guidance recommends the inclusion of local businesses, local public and voluntary organisations, schools, health bodies, residents and community groups in the consultation process.
- 5.4 The views of the Electoral Commission on any proposed electoral arrangements must also be sought.
- 5.5 Any views received as part of the consultation process must be taken into account.

6.0 Criteria when undertaking a Review

- 6.1 Cheshire East Council is required to ensure that community governance within the area under review will be
- Reflective of the identities and interests of the community in that area
 - Effective and convenient
- 6.2 Key considerations in meeting the criteria include:-
- The impact of community governance arrangements on community cohesion
 - The size, population and boundaries of a local community or parish
 - Parishes should reflect distinctive and recognisable communities of interest with their own sense of identity
 - The degree to which the proposals offer a sense of place and identity for all residents
 - The ability of the proposed authority's ability to deliver quality services economically and efficiently providing users with a democratic voice
 - The degree to which a parish council would be viable in terms of a unit of local government providing at least some local services that are convenient, easy to reach and accessible to local people.

7.0 Recommendations and Decisions on the Review Outcome

- 7.1 Cheshire East Council must make recommendations with respect to the following:
- a) Whether a new parish or parishes should be constituted.

- b) Whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered.
- c) What the electoral arrangements for new or existing parishes which are to have parish councils should be.

- 7.2 These recommendations must have regard to:
- The need to ensure that community governance reflects the identities and interests of the community in the area and is effective and convenient
 - Any other arrangements that have already been made for the purposes of community representation or engagement
 - Any representation received and should be supported by evidence which demonstrates that the community governance arrangements would meet the criteria.
- 7.3 The Review may make a recommendation which is different from that which the petitioners sought. The Review may, for example, conclude that the proposals were not in the interests of the wider local community, or may negatively impact on community cohesion either within the proposed parish or in the wider community.

8.0 Electoral Arrangements

- 8.1 The Review must give consideration to the electoral arrangements that should apply in the event that a parish council is established. In particular the following must be considered:
- a) The ordinary year of election – if a parish council was established the first year of election would be 2011.
 - b) Council size – the number of councillors.
 - c) Parish warding – whether the parish should be divided into wards; the number and boundaries of such wards; number of councillors per ward and the names of wards.
- 8.2 The Boundary Committee has recently embarked on a review of electoral arrangements for this council and their proposals should have regard to the proposals for warding any new parish and vice versa.

9.0 Options

The Review must consider a range of options which may differ from the proposals contained in the petition in the light of the representations which are received and the evidence collected. These options may be viewed as alternatives or as stages towards the establishment of a parish council. In considering all options, regard may be had to this council's agenda for local working and community involvement, based on Local Area Partnerships.

Some options include:

Area Committees – formed as part of the structure of principal Councils, often including local councillors. They can be involved in a wide range of service provision and fulfil a number of community governance roles. Their primary role is to contribute to the shaping of Council services and improving local service provision.

Neighbourhood Management – generally aimed at service delivery improvement and implementation at the local level. Often facilitated by a neighbourhood manager rather than advising or making decisions at local level.

Tenant Management Organisations – usually estate-based, largely public/social housing focused.

Area/Community Forums – often established as a mechanism to give communities a say on principal council matters or local issues and to influence decision making. Membership usually consists of people living or working in a specific area.

Residents' & Tenants' Associations – usually focused on issues affecting neighbourhood or estate. They may be established with or without direct support from the principal council.

Community Associations – democratic model for local residents and community organisations to work together for the benefit of the neighbourhood. The principal council may be represented on the management committee.

Multiple Parish Councils – the review may decide that the area/population involved is too large or lacks the community cohesion that are key criteria. The presence of geographic boundaries, for example, may limit the formation of natural communities.

10.0 Implementation

- 10.1 The Council must publish its recommendations and take sufficient steps to ensure that those who may have an interest are informed of the outcome of the Review. The reasons that underpin the recommendations must also be published.
- 10.2 A reorganisation order must be drafted to give effect to the recommendations and should include a map showing the effect in detail. An accompanying document setting out the reasons for the decision must also be prepared. These documents must be placed on deposit at the main offices of the Council and made available for public inspection.
- 10.3 The Review must be completed by 20th September 2010 and the first elections would be in May 2011 as part of the normal cycle of parish council elections.

11.0 Legal Implications

- 11.1 Under the terms of Part IV of the Local Government and Public Involvement In Health Act 2007 the Council is under a duty to carry out a Community Governance Review on receipt of a valid petition.

12.0 Risk Assessment

- 12.1 The Council must ensure that an effective and convenient form of community governance is in place and meet its legal obligations.

For further information:

Officer: Lindsey Parton

Tel No: 01270 529879

Email: lindsey.parton@cheshireeast.gov.uk

Background Documents:

Guidance on community governance reviews – Communities & Local Government/Electoral Commission

Documents are available for inspection at: Westfields, Middlewich Road, Sandbach CW11 1HZ