

Community Governance Review Member Group Agenda

Date:	Thursday, 12th November, 2009
Time:	3.00 pm
Venue:	East Committee Room - 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

2. DECLARATIONS OF INTEREST

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interest 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 Member Group on any matter relevant to its work. 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: To enable Officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

Contact: Diane Moulson

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4. **MINUTES** (Pages 1 - 4)

To approve as a correct record, the minutes of the meeting held on 5th October 2009.

5. **STAGE 2 CONSULTATION** (Pages 5 - 12)

At its meeting held on 15th October 2009, Council considered the results of the first stage of the consultation process and resolved “to accept the vote of the people of Crewe and to reject the notion of a town council for Crewe at the current time”.

The Council is now required to publish the decision as the Council’s draft recommendation for the outcome of the Review and to take steps to ensure that interested persons are informed.

At the last meeting of the Member Group, it was agreed that the Stage 2 consultation would consist of information and an electronic feedback form on website, public notices, press releases and correspondence with stakeholders.

The second stage of the consultation was due to start on 19th November. However, Officers considered that it was important for a further meeting of the Member Group to be held so that the wording of the consultation documents could be agreed by Members. This means that a new timeframe for the second stage of consultation is required.

Members are now asked to approve:

- (a) Consultation document publicising the Council’s draft recommendation (Pages 5-8)
- (b) Press Release (Pages 9-10)
- (c) Public Notice (Pages 11-12)

6. **UPDATED PROJECT PLAN** (Pages 13 - 16)

Members are asked to endorse the attached updated Project Plan.

It is proposed that the Stage 2 consultation runs for a period of 5-weeks from 30th November 2009 to 8th January 2010. Representations received would then be reported to the Governance and Constitution Committee on 28th January 2010, with the final decision being taken at the next scheduled meeting of full Council on 25th February 2010.

7. DATE OF NEXT MEETING

Members are invited to agree a date for the next meeting. In light of the timetable proposed in item 6 above, Members may decide that a further meeting is not required in advance of the Governance and Constitution Committee meeting to be held on 28th January 2010.

PART 2 - THERE ARE NO PART 2 ITEMS

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CHESHIRE EAST COUNCIL**Minutes of a meeting of the Community Governance Review
Member Group**

held on Monday, 5th October, 2009 at East Committee Room - Municipal
Buildings, Earle Street, Crewe, CW1 2BJ

PRESENT

Councillor A Kolker (Chairman)
Councillors D Cannon, R Cartlidge, R Parker and R West

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ranfield.

18 DECLARATIONS OF INTEREST

Councillor Cannon declared a personal interest in the proceedings as a Crewe Charter Trustee and by virtue of voting for a single Town Council for the urban area of Crewe during the consultation process.

Councillor Cartlidge declared a personal interest in the proceedings on the following grounds; he was a Crewe Charter Trustee, he lived in the un-parished area of Crewe, had signed the petition calling for a single Town Council and had voted for the same during the consultation process.

Councillor Parker declared a personal interest in the proceedings on the basis that he was a Crewe Charter Trustee and because his details had been included on Crewe Community Governance Review material circulated by the Conservative Group.

19 PUBLIC SPEAKING TIME/OPEN SESSION

In accordance with Procedure Rules No. 11 and 35, a total period of 10 minutes was allocated for members of the public to address the Sub Committee on any matter relevant to its work.

Mr Peter Kent representing the Voice for Crewe Campaign indicated that those seeking the creation of a Town Council for Crewe were not politically motivated. He stated that although the Campaign had originated from discussions at a meeting of the local Labour Party, it had gained cross party support and had been bolstered by individuals who had had no association with local government in the past. It was his view that it was incorrect to consider the Campaign as political in nature; rather it was a tool for constitutional change.

Councillor Dorothy Flude referred to the stakeholder responses reported on the agenda, drawing Members attention to the seventeen which had supported the call for a single Town Council. Two of those respondents had subsequently contacted her to question why there had been no opportunity for the organisations to identify themselves on the questionnaires. She also referred to the statutory guidance which the Sub Committee would adhere to; stating that at no time during any of the meetings held in respect of Crewe Community Governance Review, had the matter of community identity been discussed: an issue which she intended to raise with the Borough Solicitor outside the meeting.

Councillor Terry Beard stated that in many people's opinion the voting paper had been flawed which had resulted in numerous constituents questioning him on how they should respond to the consultation in order to accurately record their vote. In his view, the results had shown that the four-parish proposal was not supported and he asked the Sub Committee to disregard this option and focus on whether the case for a Town Council had been proven, which he felt it had.

Councillor Westwood commented that whilst there had been an intensive campaign in favour of a single Town Council, the same could not be said for the four-parish proposal. However, a significant number of individuals had voted for this option and it could not, therefore be dismissed at this stage. He anticipated that support for the option would have been greater had it been given the same level of publicity.

20 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the Minutes of the meeting held on 12 August 2009 be approved as a correct record.

21 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 which set out the points that needed to be taken into consideration in formulating the Council's draft recommendation.

RESOLVED: That the procedures to be followed in conducting the Review based on the statutory guidance issued by the Department for Communities and Local Government be noted.

22 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.

Clarification was sought on the options now before the Sub Committee. The Borough Solicitor explained that Members could make specific recommendations to the Governance and Constitution Committee in respect of the creation of a town/parish council for Crewe or some other form of community governance, or it could conclude that it was unable to reach a decision and defer the matter to the Committee for its consideration.

RESOLVED: 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.

23 NEXT STEPS AND STAGE 2 CONSULTATION

The final report on the agenda contained a project plan which set out the various steps to be completed as part of the Community Governance Review. Members were invited to note the proposed timescale for the remainder of the process and agree the format for the Stage 2 Consultation exercise.

RESOLVED: That the timetable for the Stage Two Consultation process put before the Sub Committee be accepted and that the consultation process proposed (i.e. Council Website, electronic feedback form, public notices, press releases and correspondence with stakeholders) be agreed.

24 DATE OF NEXT MEETING

RESOLVED: That the next meeting be held on 10 November 2009 at Crewe commencing at 2pm.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

Councillor A Kolker

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CHESHIRE EAST COUNCIL
CREWE COMMUNITY GOVERNANCE REVIEW

PUBLICATION OF DRAFT RECOMMENDATIONS ARISING FROM THE
FIRST PHASE OF CONSULTATION

The Local Government and Public Involvement in Health Act 2007 permits the Council to undertake a community governance review of the whole or part of the Borough Council area.

The Review

Cheshire East Council in accordance with Section 83(2) of the Act is undertaking a community governance review following receipt of a valid petition on 30 March 2009 which called for a community governance review and identified three 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 Council to be known as Crewe Town Council.
- 3) That the area to which the review is to relate is the whole of the Electoral wards of Coppenhall, Delamere, Grosvenor, Maw Green, St Johns, Valley and Waldron; and those parts of the following Electoral wards which do not already fall into an existing parish: Alexandra, Leighton, St Barnabas, Wistaston Green.

In conducting the Review, the Council would respond to the proposal contained in the petition, but in accordance with the guidance, would also consider other viable options for other forms of community governance including Area committees, Neighbourhood Management, Tenant Management organisations, Area/ Community forums, Residents and Tenants Associations, Community Associations and whether people would prefer 4 Parish councils to be created.

An explanatory leaflet about the community governance review was prepared and used as a basis for the first phase of consultation which ran from 1 - 30 September 2009.

This community governance review would provide the Council with an opportunity to examine and review existing community governance arrangements and to consider whether or not new arrangements were required to best meet the needs of local people.

The first stage of consultation sought views from all electors by way of a voting paper delivered to each elector with the explanatory leaflet. A questionnaire and similar explanatory leaflet about the review was sent to various stakeholders including local public and voluntary organisations, schools, health bodies and resident and community groups. Two public

meetings were held on 1 September 2009. The website was also used to allow people to record their views online.

Consideration has been given to the comments and representations received from this first phase of consultation and on the basis of these representations the Council's draft recommendations are now published and detailed below.

Criteria and aim of the Review

Section 93 of the Local Government and Public Involvement in Health Act 2007 requires councils to ensure that community governance in the area under review will be reflective of the identities and interests of the community in that area and is effective and convenient. In considering this criteria the Council is required to take account of a number of influential factors including the impact of community governance arrangements on community cohesion.

The Guidance on community governance reviews published by the Department of Communities and Local Government in April 2008 sets out in detail the factors for consideration to help inform the Council's judgement against the statutory criteria.

Previously Unparished Areas

The Council is required by law to consider other forms of community governance as alternatives or as stages towards establishing parish councils. The Council has noted the existing arrangements in place in the area for community representation and community engagement, including the Crewe Local Area Partnership, Neighbourhood Management, Tenant Management organisations, Area/ Community forums, Residents and Tenants Associations and Community Associations and the extent to which they were already creating opportunities for engagement, empowerment and co-ordination in local communities. The Crewe Local Area Partnership was formed following the creation of the new Cheshire East Council on 1 April and these arrangements were still in their infancy and continually developing. Further time was required to see these arrangements develop to their full potential.

Consultation

In reaching its draft recommendation in this review, the Council has taken account of the representations received having regard to the criteria in the Local Government and Public Improvement in Health Act 2007.

Result of consultation with electors

Just under 35,000 voting papers were issued and 8056 were returned (23%). Electors were invited to respond to two questions on the voting paper and the results were 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

In relation to Question 1 – the results were:

3655 electors indicated that they wanted a parish council.

4059 electors indicated that they wanted no change to the current arrangements (no parish council).

In relation to Question 2 – the results were:

5617 electors expressed a view for a single town council for the whole of the unparished area of Crewe

1475 electors expressed a view for four parish councils for the unparished area of Crewe.

Submissions received to date

The Council received 41 representations in total. These comprised:

Form of Representation	Number received	Views expressed
Questionnaires Returned	20	17 preferred a single town council 2 preferred more than one local council 1 preferred area/ community/ neighbourhood forums with real powers
Letters/ emails	21	11 were in favour of a single town council 4 expressed no clear view (1 felt that the form was poorly written) 4 supported no change (1 felt that the voting paper was ambiguous and bias towards setting up a Town or Parish Council) 1 was in favour of 4 parish councils 1 was in favour of local representation, but no view expressed as to whether 1 single town council or 4 Parish councils should be created.

Form of Representation	Number received	Views expressed
Charter Trustees (where not included in results above)	6	<p>3 supported a Single Town Council</p> <p>1 supported no change</p> <p>1 supported the outcome of the consultation exercise</p> <p>1 supported whatever the people of Crewe wanted</p>

Draft Recommendation

The draft recommendation of the Council for the outcome of the review, as agreed at the Council meeting held on 15 October 2009 is:-

“To accept the vote from the people of Crewe and to reject the notion of a town council for Crewe at this time.”

Community Governance Review Timetable

The draft recommendation of the Council on the outcome of the review will be published by 30 November 2009, followed by the commencement of a further 5 week period of consultation closing on 8 January 2010.

Representations received on the draft recommendation will be submitted for consideration by Cheshire East Council at its meeting of the full Council on 25 February 2010 when the final decision on the review will be taken.

Any changes which may result from this review will be implemented in time to operate at the next local elections in May 2011.

Representations on the Council's draft recommendation are being invited from all interested persons, organisations, stakeholders and the public. Interested parties are encouraged to submit their views, together with any relevant supporting evidence.

Contact Details:

Please express your views in writing to:

Lindsey Parton
 Elections and Registration Team Manager
 Cheshire East Council
 Westfields, Middlewich Road
 Sandbach, CW11 1HZ

Or by Email to: communitygovernance@cheshireeast.gov.uk

Or via the Council's website: www.cheshireeast.gov.uk

All submissions must be received by 5pm on 8 January 2010.

News Release



November 12, 2009

CREWE RESIDENTS URGED TO HAVE THEIR SAY

Crewe residents and organisations are being encouraged to have their say on how the town may be governed in the future.

Cheshire East Council is entering the second stage of its Community Governance Review, and is seeking views on the draft recommendation by January 8. A final decision will then be taken in February 2010.

During the first stage of the review, which ended on September 30, people were given the opportunity to learn about the various options at a public meeting, and all residents were sent voting papers and leaflets about the proposals.

Following detailed consideration of votes and submissions, the council's draft recommendation is "to accept the vote of the people of Crewe, and to reject the notion of a Town Council for Crewe at this time."

Local residents and organisations are being encouraged to make comments before a final decision is made. The public consultation period will run from November 30 – January 8, 2010.

Councillor Andrew Kolker, Vice -Chairman of the Governance and Constitution Committee, said: "We strongly encourage people living in Crewe and those with an interest in the town to make their views known on this important topic during the second stage of consultation.

"The review was instigated following receipt of a petition from local residents for a single town council for the unparished parts of the town. All feedback received will be taken into consideration to ensure the decision taken reflects the wishes of the people of Crewe."

To find out more about the options for governance in Crewe, or to view the draft recommendation and submit your views, please visit www.cheshireeast.gov.uk. Alternatively comments can be submitted in writing to The Elections and Registration Team Manager, Cheshire East Council, Westfields, Sandbach, Cheshire, CW11 1HZ.

The recommendation is also available to view at the council's Crewe and Sandbach offices and on public notice boards across Crewe.

Ends

Note to editors:

For further information on this release please contact:

Rachael Dry

Media Relations Officer (Interim)

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Email: rachel.dry@cheshireeast.gov.uk

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DRAFT 2

PUBLIC NOTICE

Crewe Community Governance Review – Stage 2 - Have your Say

Following receipt of a petition from local residents recommending that a single town council is created in Crewe, Cheshire East Council has been conducting a Community Governance Review.

This review is considering future community governance arrangements, including whether a town council should be created in the unparished parts of Crewe, and has now entered its second stage.

Stage 1: Public consultations took place between September 1–30, where we sought the views of local residents (electors) and reviewed the options. A public meeting was held on 1 September at the Municipal Buildings, Crewe, and all residents in the area were sent a voting paper to express their views. Local organisations were also invited to respond. The council has reviewed all of the responses received, with the outcome being a vote not to have a town council.

Stage 2: The review is now entering stage 2 of the process; the Council has produced its draft recommendation which is “To accept the vote of the people of Crewe, and to reject the notion of a Town Council for Crewe at this time”.

During Stage 2, from November 30 to January 8, 2010, electors have the opportunity to put forward their views on the draft proposal. A final decision will then be made by the full Council in February.

The draft recommendations can be viewed at the Council Offices at Crewe and at Westfields, Sandbach and on the Cheshire East Council website: www.cheshireeast.gov.uk, where you will also find information about town councils and what this recommendation means.

You can submit your views in writing to:

The Elections and Registration Team Manager
Cheshire East Council
Westfields
Sandbach
Cheshire
CW11 9DZ

**By email to: communitygovernance@cheshireeast.gov.uk
or on the Cheshire East Council website www.cheshireeast.gov.uk**

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COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity		Decision making process	Date of Meeting
Officer Project Team	Officer Responsible	Community Governance Review Member Group - 1st and 2nd meetings	30/07/2009 and 12/08/2009
Guidance summary Process map/timeline Prepare consultation methods/materials Baseline Data - electorate: current/future - population: current/future - households: current/future Electoral arrangements - initial views – size/warding Options appraisal Consultation - initial views methods & consultees Maps of area - including CNBC ward boundaries, adjacent parishes Final list of consultees Consultation Plan – including methods, time scale Formulate final options for consultation	BH BH/LP BH/JR/KH JR/RB LP/RB/MF KH/BH BH/KH/JR RB/MG BH/KH/LP BH/KH/LP BR/KH	To consider: Summary of guidance To approve: Process Consultation methods Identification & evaluation of options Baseline data Maps Agree terms of reference for the review Formulate list of consultees Formulate Leaflet and questionnaire to electors on which to consult (first stage) Agree public meetings to be held	
Publish Public Notices for 1 st stage consultation			14/08/2009
Comments / submissions invited from interested parties on Options (3- 4 week consultation period)		Consultation Period (stage 1)	1/09/2009 – 30/09/2009
		Community Governance Review Member Group - 3rd meeting	5/10/2009
All submissions / comments considered and evaluated. Report / draft recommendation prepared for consideration by Gov and Constitution Committee	LP/ MF/CC		

COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity		Decision making process	Date of Meeting
		Special meeting Governance & Constitution Committee (prior to Council)	15/10/2009
Preparation of report to Council on draft final recommendation	LP/MF/ CC	Formulate recommendation on draft final recommendation to Council	
		Council	15/10/2009
		Approval of final draft recommendation for consultation	
		Community Governance Review Member Group - 4th meeting	12/11/2009
Implement Consultation (5 weeks)	LP/ MF/CC	Consultation Period (stage 2)	30/11/2009 – 8 /1/2010
Preparation of analysis/evaluation of consultation outcome Develop final recommendations – to include Implementation Plan, interim arrangements and election arrangements	LP/JR/BR/MF	Analysis of consultation outcome Formulation of final recommendation and Implementation Plan for consideration by G & C	
Preparation of report to G & C detailing final recommendation for approval by Council	LP/BR/MF	Approval of final recommendation and Implementation Plan for consideration by Council	
		Governance & Constitution Committee	28/1/2010
Preparation of final recommendation and report to Council Implementation arrangements Draft Order and associated documents including maps Implementation Plan including interim arrangements	LP/BR/MF		
		Feedback to the Boundary Committee on the draft outcome of the Review	By 4/2/2010

COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity		Decision making process	Date of Meeting
		Final Decision by Council	25/2/2010
		Approval of any reorganisation order and Implementation Plan	
Council Publishes Reorganisation Order			By 1/3/2010
Implementation of any changes in electoral arrangements			Thereafter

Key to Officers:-

LP	-	Lindsey Parton	CC	-	Chris Chapman
BH	-	Bill Howie	RB	-	Ralph Bason
MF	-	Mike Flynn	JR	-	James Rounce
KH	-	Kirstie Hercules	BR	-	Brian Reed
MG	-	Mike Garrity			

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