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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Monday, 25th January, 2010 at Main Hall Congleton Hall - Congleton
Town Hall

PRESENT

Councillor M Simon (Chairman)
Councillor G Baxendale (Vice-Chairman)

Councillors E Alcock, C Andrew, A Arnold, Rachel Bailey, Rhoda Bailey, A Barratt, G Barton, C Beard, T Beard, D Bebbington, D Beckford, S Bentley, S Broadhurst, D Brown, D Cannon, R Cartlidge, S Conquest, J Crockatt, H Davenport, M Davies, S Davies, R Domleo, B Dykes, P Edwards, P Findlow, W Fitzgerald, R Fletcher, D Flude, S Furlong, E Gilliland, J Hammond, M Hollins, D Hough, O Hunter, T Jackson, J Jones, S Jones, F Keegan, A Knowles, A Kolker, J Macrae, A Martin, M Martin, P Mason, G Merry, A Moran, B Moran, H Murray, J Narraway, D Neilson, M Parsons, A Ranfield, B Silvester, L Smetham, D Stockton, D Thompson, A Thwaite, D Topping, R Walker, G M Walton, J Weatherill, R West, R Westwood and J Wray

Apologies

Councillors M Asquith, D Brickhill, H Gaddum, L Gilbert, J Goddard, M Hardy, B Howell, W Livesley, S McGrory, R Menlove, C Thorley, C Tomlinson, P Whiteley and S Wilkinson

158 **PRAYERS**

The Mayor reported that her Chaplain, the Revd Charles Razzall was unable to attend the meeting. However, Father Kilkenny had very kindly offered to attend and to say prayers.

159 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record.

160 **MAYOR'S ANNOUNCEMENTS**

As this was an Extraordinary meeting of the Council, the Mayor informed Members that she had decided to keep her announcements very brief.

The Mayor:-

1. Informed Members of the recent sad news of the passing of former Congleton Borough Councillors Richard Lawrence and Dorothy Barnett.

2. Informed Members of the results of the Cheshire Best Kept Station Competition. Some stations situated in the Cheshire East Borough were presented with awards, as follows:-

The Cheshire Best Kept Station Award – Handforth
The Cheshire East Award – Knutsford
The ACoRP Award – Chelford
The Customer Care Award – Crewe
The Cheshire Community Award – Nantwich.

30 Stations were nominated for the awards. Sponsors were Visit Chester and Cheshire, Cheshire East Council, Cheshire West and Chester Council, Northern Rail, Virgin Trains and Roberts Bakery.

3. Informed Members that Councillor Thorley was unwell and wished him a speedy recovery.

161 DECLARATIONS OF INTEREST

Councillors Cannon, R Cartlidge, J Jones, M Martin, Weatherill, Bebbington, Conquest, Flude and T Beard declared a personal interest in the item relating to the Crewe Community Governance Review, by virtue of the fact that they were Crewe Charter Trustees and Councillor A Moran declared a personal interest in this item, by virtue of the fact that he had written in support at the stage two consultation.

162 PUBLIC SPEAKING TIME/OPEN SESSION

Mr K Edwards used public speaking time to take the opportunity to draw Members' attention to the planned funding for the Local Area Partnerships (LAPs) for 2010. He congratulated those responsible for setting the Council's policy.

He stated that there were two sets of finances, the first being for the LAP Managers in the seven LAPs and the second for funding the whole process of devolving services to Town and Parish Councils. He understood that the planned expenditure was going to be channelled to four of the LAPs, namely Poynton, Knutsford, Nantwich and Congleton. As a representative on the Macclesfield LAP, which had 17 Town and Parish Councils in its area, he was concerned regarding this possible imbalance and considered that the funding should be distributed in line local services.

With regard to the funding allocated for LAP Managers, he had been informed that Poynton and Macclesfield would join together; Knutsford and Wilmslow would join together; and that Macclesfield, Congleton and Crewe would have the benefit of a Manager each. He requested that the Council give further consideration to the distribution of the Managers' responsibilities.

He encouraged the Council to set money aside for LAPs, in order to facilitate work with other partners and to improve services for local residents.

The Resources Portfolio Holder responded that there had never been any intention for funding to be channelled to only four of the LAPs. The £625,000 funding would be available for all seven LAPs. Four of the LAPs would be having

vigorous discussions with the Council's Chief Executive, as to which services could be devolved within these LAP areas. This would be a pilot exercise.

163 ELECTORAL REVIEW SUBMISSION ON WARDING ARRANGEMENTS

Consideration was given to the report of the Borough Solicitor, relating to the work of the Electoral Review Task Group and a submission to the Boundary Committee for England, in response to that Committee's draft recommendations for electoral arrangements for Cheshire East.

(The Mayor agreed that the voting figures be recorded in the minutes).

RESOLVED (44 for/14 against/6 abstentions)

1. That the Submission, as appended to the report, which sets out the Authority's response to the Warding arrangements as proposed by the Boundary Committee under the Electoral Review of the Cheshire East area be approved, subject to :-

(1) deletion of the final sentence in paragraph 4.3(c) relating to Dean Row and Handforth;

(2) deletion of paragraph 5.6 relating to part of Rainow;

(3) deletion of the whole of paragraph 8.2, and its replacement by:

"8.2 If the Boundary Committee accepts the Council's proposals to include Stapeley Rural and Batherton in Wybunbury Ward, and the relocation of Wychwood Village from Wybunbury to Haslington Ward (see paragraph 8.4 below), there is a neutral effect on the electorate figure in Wybunbury, which remains at 3765 giving excellent electoral equality. However it does result in the loss of the 322 electors in Stapeley Rural and Batherton from the Nantwich South Ward, thereby creating the need to review the boundary line between Nantwich South and the Nantwich North & West Ward, in order to achieve a reasonable electoral balance between these two Wards. The revised boundary could run along Beam Street and Millstone Lane (rather than South Crofts) both of which are main roads, providing a strong boundary line in the Town Centre. This would result in electorates of 6726 and 6272 in Nantwich South and Nantwich North & West respectively, which is just in line with the electoral equality tolerance.

However, if better electoral equality is preferred, an alternative boundary could be drawn around the residential area bounded by St. Lawrence Court and South Crofts. This would result in 6467 electors in Nantwich South and 6531 electors in Nantwich North & West, both clearly within the tolerance and giving a good balance between the two Wards.";

(4) the addition of the following words to paragraph 9.2 concerning Haslington and Sandbach:

"subject to a minor adjustment to the proposed boundary line north of Elton Lane, so that the boundary runs along Crewe Road, as shown on the attached plan (Appendix xxx). This would include a further 82 electors in the Haslington Ward, and leaves Sandbach Ettiley Heath and Wheelock Ward with 3404 electors which continues to represent good electoral equality.";

- (5) the following changes to individual Ward names as proposed by the Boundary Committee –
- i) Wilmslow Lacey Green to be named “Wilmslow Lacey Green and Styal”
 - ii) Brereton to become “Brereton Rural”
 - iii) Holmes Chapel to become “Dane Valley”
2. That the Borough Solicitor and Monitoring Officer be authorised to make any necessary technical and detailed amendments to finalise the document to ensure that it complies fully with the wishes of the Council and is delivered by the Boundary Committee’s deadline of 15 February 2010.

164 CREWE COMMUNITY GOVERNANCE REVIEW

The Governance and Constitution Committee at its meeting on 21 January 2010 had considered the report submitted to and recommendations from, the Community Governance Review Member Group, relating to the Crewe Community Governance Review, under the provisions of the Local Government and Public Involvement in Health Act 2007, following receipt of a valid petition from electors in Crewe, on 30 March 2009. The report provided details of the outcome of stage two of the public consultation on the Council’s draft recommendation for the review, as made by the Council on 15 October 2009.

The Member Group had been requested to consider the responses from the Stage 2 consultation and to recommend to the Governance and Constitution Committee that it make an appropriate recommendation to Council, having regard to the results of consultation on the draft proposal formulated by Council.

Council took into account the decisions of the Community Governance Review Member Group and the Governance and Constitution Committee and the report containing all consultation responses, having regard to the need to ensure that Community Governance within the area reflected the identities and interests of the Community and was effective and convenient.

RESOLVED

1. That the decision of Council of the 15 October 2009 be reaffirmed i.e. “To accept the vote from the people of Crewe and to reject the notion of a Town Council for Crewe at this time.
2. That the draft public notice to publicise the outcome of the Crewe Community Governance Review, as circulated at the Council meeting and as appended to the minutes, be approved.
3. That the Borough Solicitor and Monitoring Officer be authorised to make any necessary technical and detailed amendments to finalise the notice, to ensure that it fully complies with the requirements of Section 96 of the Local Government and Public Involvement in Health Act 2007.

165 COUNCIL TAX BASE 2010/11

Council considered a report from the Borough Treasurer. In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the Council was

required to set the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2010/11.

RESOLVED

That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2010/11 be set as: -
for the whole area – 145,171.05
for each Parish area, as set out in Appendix A of the report.

166 NOTIFICATION TO COUNCIL BY THE LEADER UNDER EXECUTIVE PROCEDURE RULE 40.1

As required by the Executive Procedure Rules, the Leader notified Council that Councillor David Brickhill had resigned as Portfolio Holder and Cabinet Member for Environmental Services and had been replaced by Councillor Rod Menlove.

He also informed Council that, subject to Cabinet's approval, Councillor Menlove's former Cabinet Support Member role would be filled by Councillor Don Stockton and that he intended to seek the appointment of an additional Cabinet support Member to share the large workload associated with the Environmental Services Portfolio Area. Councillor Diana Thompson would fill this position.

167 QUESTIONS

The Mayor reported that five questions had been submitted by Members. However, one of the questions, which had been submitted by Councillor McGrory, had subsequently been withdrawn.

The questions, as submitted, together with a summary of the responses, are set out below:-

Question 1 - Submitted by Councillor Fletcher

At a recent Council meeting the then Cabinet Member stated that there was not any money in this years budget to act on the results of the speed limits review which had been taking place under the County Council and was concluded in the summer of 2009.

This speed limit review had been mentioned, on a number of occasions, at the Congleton Highways Committee and so both former District and County Councillors were fully aware of it.

Why was no money included in the 2009/10 budget to start implementing the recommendations of this review?

Will any money be included in the 2010/11 budget to implement the most urgent recommendations and thus make Cheshire East roads safer?

The Leader of the Council responded:-

The Speed Limit Review was carried out under a cross-Cheshire road safety initiative (commenced prior to the formation of the new Cheshire East and Cheshire West & Chester Councils). With regard to implementing the recommendations, an approach was adopted in this Council, that work would be concentrated on preparing a priority list of schemes that could be taken forward in

2010/11 to represent a contribution to a coherent programme of safety schemes with all proposals fully considered within a local context. Monies for this implementation work will be included in the 2010/11 highways budget but until the wider budget setting process is completed the specific allocation cannot be determined.

Question 2 - Submitted by Councillor Fletcher

It is understood that Cheshire East Cabinet retained 40% of the central Government road safety grant for 2009/10 for other uses, which is more than the former Cheshire County Council used to retain.

Since reducing the number of people killed and seriously injured on Cheshire East roads is a priority can the Cabinet Member advise what percentage of the grant for 2010/11 he will be retaining for other uses and thus will not be spent on making Cheshire East roads safer?

The Leader of the Council responded:-

Cheshire East has allocated all of the government road safety grant during 2009/10 towards road safety initiatives. 40% of the grant was allocated to the Cheshire Road Safety Partnership and the remainder of the grant was allocated to support road safety activities undertaken by the Council, for example

- * Road Safety education and promotion
- * Road Safety capital investment schemes

The allocation of the Road Safety grant for 2010/11 is currently an element under consideration within the wider budget setting process.

Cheshire East's Road Safety grant allocation for 2010/11 is £1.17m - the proportion to be allocated to the Cheshire Road Safety partnership is under consideration and will be confirmed by the end of February.

Question 3 - Submitted by Councillor Flude

The recent decision not to impose car parking charges in some towns within the Borough has prompted many of the residents of Crewe to ask, will the new Cabinet Member for the Environmental Services now reconsider and remove the anomaly in Crewe of the 50p car parking charge on Sundays?

The Leader of the Council responded:-

Can I thank Councillor Flude for her question.

The Council currently receives approximately £50,000 per annum from the Sunday tariff in some of the former Crewe & Nantwich Borough Car Parks. (Christchurch West, Church Lane, Bowling Green and Bowers Row Car Parks are however currently free on a Sunday.)

The '50p All Day' charge is subject to review as part of the current 2010/11 budget consultation process.

There is a refund scheme associated with the Victoria Street car park that serves the ASDA supermarket which essentially means this facility is already free to the customer if they wish to take advantage of this offer.

A decision on the remaining car parks will be taken following the outcome of the budget consultation.

However, I would remind Members that there are no plans to increase the existing tariffs for 2010/11.

I do regard this 50p charge as anomalous and intend to look at it.

Question 4 – Submitted by Councillor Cartlidge

As this Council prepares its budget for 2010/2011.

How many Consultancy Companies, Special Advisors and Agency Staff in senior management positions are at this time contracted to this Council?

What is the total cost of these contracts?

The Resources Portfolio Holder responded:-

Having clarified that this relates to positions in the top three management tiers, I can confirm that we:

- are currently obtaining specialist advice from three providers at a cost of £73,100 a year.
- And we have engaged 2 Interim Managers through an external supplier at a cost of £1,255 for each day they are engaged.
- In addition, we are partners with Cheshire West & Chester Council in a waste treatment capital investment project involving five external advisers. The costs to date for this project have been £2.9m and the majority of this was funded by Cheshire County Council prior to April 2009.

Urgent Question

Being satisfied as to the reasons for urgency, the Mayor agreed that Councillor Cartlidge could ask an additional urgent question, relating to the bidding process for the launch of a National Skills Academy for Railway Engineering, as 25th January (the date of the Council meeting), was the deadline for submitting expressions of interest. He stated that the CWEA would be submitting a bid, on behalf of Cheshire and asked what, if any, update could be given on the bidding process and regarding the location favoured by the CWEA. He considered it important that the Council was involved in the process.

The Prosperity Portfolio Holder indicated that a written response had been prepared for Councillor Cartlidge and that he would respond further, if Councillor Cartlidge required additional clarification.

168 URGENT ITEMS OF BUSINESS

There were no urgent items of business.

The meeting commenced at 2.00 pm and concluded at 4.05 pm

Councillor M Simon (Chairman)

Appendix**PUBLIC NOTICE
PUBLICATION OF OUTCOME OF THE CREWE COMMUNITY
GOVERNANCE REVIEW**

Cheshire East Council has conducted a Community Governance Review for the unparished area of Crewe, under the provisions of the Local Government and Public Involvement in Health Act 2007, following receipt of a petition from electors.

The Council undertook the first stage of public consultation for the review during September 2009, and having regard to the feedback from that consultation agreed a draft recommendation for the outcome of the review: "To accept the vote from the people of Crewe and to reject the notion of a town council for Crewe at this time".

A second stage of consultation was held from 30 November 2009 to 8 January 2010 which sought views on the draft recommendation.

Council Decision

At the Council meeting on 25 January 2009, having taken into account all consultation responses made during the Second Stage of consultation and having regard to the need to ensure that Community Governance within the area reflects the identities and interests of the Community and is effective and convenient, the Council resolved that the draft recommendation of Council of the 15 October 2009 be reaffirmed i.e. "To accept the vote from the people of Crewe and to reject the notion of a Town Council for Crewe at this time".

Reasons for the Council Decision

The reasons for the Council's decision are:-

The Council has had regard to existing arrangements in place in the area for community representation and community engagement, including the Crewe Local Area Partnership, Neighbourhood Management, Tenant Management Organisations and community associations and the extent to which they are 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 1st April and these arrangements are still in their infancy and continually developing; the Council is of the view that further time is required to see these arrangements develop to their full potential.

Cheshire East Council came into operation on 1 April 2009 and three Cheshire East Councillors have been elected for each of the Wards of Crewe North, Crewe East, Crewe South and Crewe West. These arrangements

provide for local democracy and local representation and for the delivery of effective and convenient delivery of local services.

Having taken into account all feedback from consultation, the Council feels that it is too soon after the formation of Cheshire East Council for a Town Council to be established. The alternative forms of Community Governance instigated as part of the People and Places submission, setting out the case for local government reorganisation, need time to develop as the building blocks for enhanced community engagement and local representation.

Charter Trustees have been established for the whole of the unparished area of Crewe to preserve the civic and ceremonial functions of the Town.

This Council decision does not preclude the option of a Town Council for Crewe being further considered in the future.