

Constitution Committee

Agenda

Date:	Thursday, 24th June, 2010
Time:	2.00 pm
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

The agenda is divided into two 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 period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. 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. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide three clear working days' notice, in writing, in order for an informed answer to be given.

4. **Minutes of Previous meeting** (Pages 1 - 8)

To approve the minutes of the meeting of the Governance and Constitution Committee held on 27th May 2010.

5. **Wilmslow Community Governance Review** (Pages 9 - 92)

The purpose of this report is:

- (1) to consider the recommendations of the Wilmslow Community Governance Review Sub-Committee following the outcome of the Stage 1 consultation; and
- (2) to make a recommendation to Council on the formulation of its draft recommendation.

The Wilmslow Community Governance Review Sub-Committee will be meeting on the morning of 24th June 2010 and its recommendations will be reported at the Committee's meeting.

The documents which the Sub-Committee will be asked to consider in making its recommendations to the Committee are listed below. The documents referred to under items (1) and (2) (d), (e) and (f) are included in this agenda at the pages indicated.

(1) Wilmslow Community Governance Review – Formulating the Council's draft Recommendation

A briefing paper on the points which the Council needs to take into consideration in formulating its draft recommendation (page 9)

(2) Wilmslow Community Governance Review – First Stage Consultation

The Sub-Committee will be asked to take into account the following feedback received and to consider and determine its recommendation to the Constitution Committee:

- (a) Valid petition requesting a Wilmslow and Handforth Town Council
- (b) Valid petition requesting a Handforth Community Council
- (c) Valid petition requesting a Parish Council for Styal
- (d) Results of the consultation with electors (page 23)
- (e) Other representations received (page 29)
- (f) Notes of the three public meetings held on 26th, 28th and 29th April 2010 (page 79)

6. **Outside Organisations** (Pages 93 - 98)

To consider a report which:

- (1) invites the re-appointment of the Task Group (Appointments to Outside Organisations);
- (2) deals with some specific appointments which have arisen recently; and
- (3) outlines progress to date on the monitoring of the effectiveness and appropriateness of representation on outside organisations.

7. **Overview and Scrutiny Working Arrangements** (Pages 99 - 102)

To seek amendments to the Constitution to recognise the re-alignment of Overview and Scrutiny Committees with the new portfolios reported at Council on 13th May 2010 and to agree to changes to the Constitution as it relates to the role of the Scrutiny Chairmen's Group.

8. **Notice of Motion - Freedom of the Borough** (Pages 103 - 106)

To consider proposals for a homecoming parade and Freedom of the Borough award for The 1st Battalion, The Mercian Regiment (Cheshire).

9. **Civic Sub-Committee Update** (Pages 107 - 124)

To update the Committee on the work of the Civic Sub-Committee and to raise awareness about decisions already taken.

10. **Proposed Review of the Constitution** (Pages 125 - 130)

To consider a proposal to initiate a review of the Council's Constitution.

(There are no Part 2 items)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Governance & Constitution Committee**
held on Thursday, 27th May, 2010 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor J P Findlow (Chairman)
Councillor D Brickhill (Vice-Chairman)

Councillors C Beard, D Cannon, R Cartlidge, S Jones, W Livesley, A Moran,
R West, P Whiteley, J Wray, M Davies (for Cllr Asquith) and L Smetham (for
Cllr Topping)

Apologies

Councillors M Asquith, R Parker and D Topping

Officers

Brian Reed, Democratic Services Manager
Vivienne Quayle, Head and Policy and Performance
Paul Mountford, Legal and Democratic Services
Diane Moulson, Legal and Democratic Services
Mark Nedderman, Legal and Democratic Services
Joanne Wilcox, Corporate Finance
Kate Khan, Solicitor

1 DECLARATIONS OF INTEREST

No interests were declared.

2 PUBLIC SPEAKING TIME/OPEN SESSION

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

3 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting held on 25th March 2010 be approved as
a correct record.

4 ANNUAL AUDIT AND INSPECTION FEES 2010/11

The Committee considered a report on the Audit Commission's Annual
Audit and Inspection fees for 2010/11.

The Audit fee letter, which was attached as Appendix A to the report, set out the audit work to be undertaken during the year in relation to the financial statements, the Use of Resources assessment and Value for Money conclusion and certification of grant claims and returns. The Inspection fee letter, which was attached as Appendix B to the report, set out the assessment and inspection work to be undertaken in accordance with the Comprehensive Area Assessment (CAA) framework.

Andrea Castling from the Audit Commission attended the meeting to present the proposals and answer questions.

The total indicative fee for the audit for 2010/11 was £397,500 (exclusive of VAT). This was based on the Audit Commission's national fee rate with an uplift of 9% to reflect the inherent audit risk in the Council's second year of operation. The increase in fee for the financial statement elements of the audit reflected the costs of additional audit work arising from the International Financial Reporting Standards (IFRS).

The quoted audit fee for 2010/11 exceeded the budget provision by £67,111. The total inspection fee for 2010/11 of £52,225 exceeded the budget provision by £35,725. Both overspends would be met from Council balances.

Members discussed with Andrea Castling the basis for this year's fees, the prospects for the future and how the Council compared with similar authorities.

RESOLVED

That

- (1) the Audit Commission's letter on the Annual Audit Fee for 2010/11 be received (Appendix A);
- (2) the Audit Commission's letter on the Annual Inspection Fee for 2010/11 be received (Appendix B); and
- (3) the proposed work programme, indicative fees and associated budgetary implications be noted.

5 INTERNAL AUDIT PLAN 2010/11

The Committee considered a report on the Internal Audit Plan for 2010/11.

The Head of Internal Audit had prepared a risk-based audit plan (Appendix A to the report) which had been submitted to the Governance and Constitution Committee for approval. The plan covered the five key themes agreed at the previous meeting:

Work to support corporate governance
Fundamental financial systems
Key departmental systems
Anti-fraud and corruption
Strategic review

The Head of Internal Audit reported that the budget for the internal audit function currently provided for sufficient staffing levels to fulfil the function. A number of key vacancies in the section would be filled by July. This should resolve some of the skills gaps identified previously and mean that there was adequate resource to complete an effective audit work plan.

There were a number of areas of training required to assist the continuous development of staff. These were being identified through the performance review process and the work force plan. All internal audit staff had received training in risk-based auditing and lean thinking.

RESOLVED

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

6 MEMBER DEVELOPMENT: CHAIRMAN'S END OF YEAR REPORT

The Committee considered a report summarising member training and development events held in 2009/10 and outlining planned activities for 2010/11.

The Member Development Panel had been appointed in January 2009 to identify priorities for member learning and development; discuss and agree procedures for its delivery; review the effectiveness of the Member Development Programme and the Member Development Strategy; and act as a conduit for the exchange of information from and to political groups and the Portfolio Holder for Resources.

The Panel, chaired by Councillor Wesley Fitzgerald, had met on a regular basis to discuss matters associated with Member learning and development and had developed the framework under which Member training was delivered. Notable successes had included development of the Member Development Strategy; contributing to the Council's successful application for accreditation under Level One of the North West Charter on Elected Member Development; and working in partnership with Officers/external bodies to deliver a comprehensive Development Programme to meet the needs of the Council's elected Members.

Appendix 1 to the report provided a summary of the subjects offered to Members during 2009/2010 and the attendance levels recorded for each event.

Work was now underway on putting together the Member Development Programme for 2010/2011. Appendix 2 to the report set out the three elements which would make up the Programme: (1) Topics already confirmed and entered into the training diary; (2) Core subjects relating to the Council's governance role; and (3) Proposed topics suggested by the Panel, based on Members' needs.

Other activities planned for the coming year included:

- Evaluation of Training
- North-West Charter on Elected Member Development - Level Two exemplar status
- Personal Development Plan Interviews
- Induction for new Members following the May 2011 elections

Members commented that the proposed list of topics in Part 3 of Appendix 2 should be expanded to include appropriate scrutiny training. They asked that dates for the courses be identified and communicated to Members as soon as possible.

RESOLVED

That

- (1) the report be noted;
- (2) the proposed topics listed in Part 3 of Appendix 2 be approved, subject to the addition of scrutiny training, and dates for the courses be identified and communicated to Members as soon as possible; and
- (3) the Member Development Officer be highly commended for her work on Member training and development over the last year.

7 STATUTORY SCRUTINY OFFICER

The Committee considered a report on the appointment of a Statutory Scrutiny Officer.

Section 31 of the Local Democracy, Economic Development and Construction Act 2009 required all authorities in England to designate a Scrutiny Officer, with the exception of district councils in two-tier areas. The functions of this role were to:

- 1. Promote the role of the authority's Overview and Scrutiny Committee or Committees.
- 2. Support the authority's Overview and Scrutiny Committee or Committees and the Members of those committees.
- 3. Provide support and guidance to:
 - Members of the authority
 - Members of the executive of the authority, and

- Officers of the authority
in relation to the functions of the authority's Overview and Scrutiny
Committee or Committees.

An Officer designated by a local authority under this section was to be known as the authority's 'Scrutiny Officer'.

A local authority may not designate any of the following under this section:

1. The head of the authority's paid service designated under section 4 of the Local Government and Housing Act 1989;
2. The authority's Monitoring Officer designated under section 5 of that Act;
3. The authority's Chief Finance Officer, within the meaning of that section.

The Corporate Scrutiny Committee had considered the matter on 19th April 2010 and had concluded that the Democratic Services Manager would be the most appropriate appointment within the Council.

RESOLVED

That Council be recommended to agree that the Democratic Services Manager be appointed as the Statutory Scrutiny Officer.

8 COMMITTEE PROCEDURE RULES - RECORDED VOTES

The Committee considered an amendment to the Constitution to include a provision relating to recorded votes at committee and sub-committee meetings.

Paragraph 31 of the Committee Procedure Rules dealt with voting arrangements at committee and sub-committee meetings and currently read as follows:

"31 Voting

31.1 Voting at Committee and Sub-Committee meetings will be by a show of hands.

31.3 A recorded vote will not be taken if the vote has already begun to be taken by a show of hands."

In order to complete these provisions, it was necessary to include a paragraph on the requirements for taking recorded votes.

RESOLVED

That Council be recommended to approve the adoption of the following provision and its incorporation into the Council's Committee Procedure Rules:

“At committees, sub-committees or special committees, when a Member stands in his/her place and asks for a recorded vote to be taken, and one other Member stands in his/her place to support the request, the vote will be recorded to show whether each Member present voted for or against the motion or abstained.”

9 PROPOSED CHANGES TO THE COUNCIL'S COMMITTEE STRUCTURE

Members considered a report proposing the creation of two new committees in place of the existing Governance and Constitution Committee.

In a climate of increasing need for strong governance arrangements, transparency and clear lines of responsibility, it was considered good practice to have a separate committee which incorporated the requirements of good corporate governance which had an independent assurance function separate from any other responsibilities. The Code of Practice for Internal Audit in local government (CIPFA 2003) required that “the authority have an independent Audit Committee”.

CIPFA recommend a statement of purpose for the Committee:

“the purpose of the Audit Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority’s financial and non-financial performance to the extent that it affects the authority’s exposure to risk and weakens the control environment, and to oversee the financial reporting process.”

CIPFA guidance also stipulated that:

“To be effective, the audit committee needs to be independent from executive and scrutiny.”

It was therefore proposed that the “audit-related” functions and powers of the Governance and Constitution Committee, appropriately modified in line with current thinking, should be transferred to a new ‘Audit and Governance Committee’. The existing Governance and Constitution Committee would retain the remaining functions and undertake these under the new title: the ‘Constitution Committee’. Subject to any changes agreed by its Chairman, the latter Committee would retain its existing programme of meetings and its membership would be the same as that of the existing Governance and Constitution Committee.

Appendices B and C to the report set out the powers and functions of the proposed Audit & Governance Committee, and the Constitution Committee, respectively.

The report proposed that the Audit and Governance Committee would have 9 members. According to the existing political proportionality of the Council, this would normally result in a 7:1:1:0 political balance on the Committee. However, this allocation would mean that the entitlement to seats across the Council would no longer be in proportion. This would have been rectified by changing the allocation of seats on the new committee to 7:2:0:0, and this allocation was therefore proposed in the report.

However, the Labour Group had chosen to forego a seat on the Lay Member Appointments Committee in order to secure representation on the new Committee. This would result in an allocation of seats on the new Committee of 7:2:1:0.

In considering the proposed terms of reference for the Audit and Governance Committee as set out in Appendix B of the report, Members agreed that paragraph 4 should be amended to read as follows:

“4. ensuring the Council has in place appropriate policies and mechanisms to safeguard the Council’s resources **and test value for money**,”

RESOLVED

Council be recommended to agree that

- (1) a new Audit and Governance Committee be established, with the powers and functions set out in Appendix B of the report (together with the expanded responsibility at paragraph 4 as recommended by the Governance and Constitution Committee), and with an allocation of seats to the political groups of 7:2:1:0 (Conservative: Liberal Democrat: Labour: Independent), this being achieved by the deletion of the Labour Group’s seat on the Lay Member Appointments Committee;
- (2) the Leaders of the Political Groups, as appropriate, notify the Borough Solicitor of their nominations to the Audit and Governance Committee;
- (3) a Constitution Committee be established to replace the existing Governance and Constitution Committee, with the powers and functions set out in Appendix C of the report, and with the same allocation of seats to the political groups as the existing Governance and Constitution Committee;
- (4) the Constitution Committee shall retain the membership and current schedule of meetings of the existing Governance and Constitution Committee as agreed by Council, subject to any changes of meeting dates agreed by the Chairman;
- (5) the Chairman and Vice-Chairman of the Audit and Governance Committee be elected by the Committee at its first meeting, which shall

be arranged to take place on a date to be agreed by the Democratic Services Manager in consultation with the Leaders of the Political Groups;

- (6) the political group representation in respect of the Council's ordinary committees, as agreed by Council at its annual meeting, be amended in accordance with these proposals, resulting in a new proportional entitlement of seats as follows:

New Proportional Entitlement	131 (72.8%)	27 (14.8%)	13 (7.4%)	9 (5%)
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- (7) the Borough Solicitor be authorised to make such changes to the Constitution as he considers necessary to give effect to the wishes of Council.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor J P Findlow (Chairman)

CHESHIRE EAST COUNCIL

Wilmslow Community Governance Review Sub-Committee

Date of Meeting:	24 th June 2010
Report of:	Borough Solicitor
Subject/Title:	Wilmslow Community Governance Review: Formulating the Council's Draft Recommendation

1. Report Summary

- 1.1 This paper provides Members with an outline of the process to be followed in conducting this review. It is based on the statutory guidance in respect of the process for creating a new local council 'Guidance on community governance reviews' issued by the Department for Communities and Local Government and the Electoral Commission.

2. Petitions

On 21st September 2009 the Council received a valid 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.

Recommendations (3) and (5) were deemed to be outside the scope of any recommendations which could be considered by the Council as part of the review.

A valid petition was also received on 14th October 2009, calling for a community governance review and identifying 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 Wilmslow and Handforth Town Council.
- (3) That the area to which the review is to relate comprise the Electoral Wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley & Styal.

The Council agreed to extend the Community Governance Review 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).

On 14th January 2010 the Council received a valid 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 Styal Parish Council
- (3) That the area to which the review is to relate to be defined as shown on the attached map, being a part of the Electoral Wards of Morley and Styal.

3. Procedure

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 Council.
2. 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.
3. In broad terms the process will follow a number of phases outlined below:
 - Determine viable options for community governance in the area under review.
 - Draw up a Consultation Plan focused on consulting on those viable options.
 - Stage 1 Consultation on the options.
 - Evaluation and analysis of responses.
 - Draft recommendation for the Constitution Committee to consider for recommendation to Council.
 - Draft Proposal advertised
 - Stage 2 Consultation on the Draft Proposal
 - Council decides Outcome of the review.

4. The key element of the Review is the consultation process. The Sub Committee agreed the list of consultees, method of consultation and the timing of the consultation process.
5. The consultation process is central to the Review and must include:
 - Local government electors in the area under review
 - Local businesses, local public and voluntary organisations, schools, health bodies
 - Residents and community groups
 - Area working arrangements.
6. The views of the Electoral Commission on any proposed electoral arrangements must also be sought.
7. The initial phase of consultation has been based largely on written representations received in response to public notices and specific invitations. Three public meetings were held to give members of the public the opportunity to learn more about the review and to express their views in a public forum. Tailored voting papers and an explanatory leaflet were also sent to the electorate of Styal, Wilmslow and Handforth. The website has also been used to allow people to record their views.

4. Criteria when undertaking a Review

1. The Council now needs to consider the results of the initial phase of consultation and formulate recommendations ensuring 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
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.

5. Recommendations and Decisions on the Review Outcome

1. The guidance requires that recommendations must be made with respect to the following:
 - a) Whether a new parish or any new parishes should be constituted
 - b) The name of any new parish
 - c) Whether or not the new parish should have a parish council (if the parish has more than 1000 electors, the review must recommend that the parish should have a parish council)
 - d) What the electoral arrangements for new parishes which are to have parish councils should be
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 representations received and should be supported by evidence which demonstrates that the community governance arrangements would meet the criteria.
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. It may, for example, decide that the arrangements for local area working represent the best option for fulfilling the criteria.

6. Electoral Arrangements

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 single parish council or multiple parish councils were established, the first year of election would be 2011
- b) Council size – the number of councillors to be elected to the parish
- c) Parish warding – whether the parish should be divided into wards; this includes the number and boundaries of such wards; number of councillors per ward and the names of wards

In considering whether to recommend that a parish should or should not be warded, the council should consider:

- whether the number or distribution of electors would make a single election of councillors impractical or inconvenient;
- whether it is desirable that any area of the parish should be separately represented on the council

If the Council decides to recommend wards – in considering the size and boundaries of the wards and the number of Councillors for the wards it must have regard to the following factors:

- i) the number of electors for the parish
- ii) any change in number / distribution of electors likely to occur in period of 5 years
- iii) desirability of fixing boundaries which will remain easily identifiable
- iv) any local ties which will be broken by the fixing of any particular boundaries

6.1 Council Size

The Local Government Act 1972 Act specifies that each parish council must have at least 5 members; there is no maximum number. There are no rules relating to the allocation of those Councillors between parish wards.

There is a wide variation of council size between parish councils. Research in 1992 has shown this is influenced by population:

Between 2501 and 10,000 population had 9 to 16 councillors
Between 10,001 and 20,000 population had 13 to 37 councillors
Almost all over 20,000 population had between 13 and 31 councillors.

The National Association of Local Councils suggests that the minimum number of councillors for any parish should be 7 and the maximum 25.

Each area should be considered on its own merits, having regard to population, geography and patterns of communities. Principal councils should bear in mind that the conduct of parish business does not usually require a large body of councillors. However, a parish council's budget and planned level of service provision may be important factors in reaching a decision on Council size.

6.2 Parish warding and names of wards

There is likely to be a stronger case for the warding of urban areas. In urban areas community identity tends to focus upon a locality, with its own sense of identity.

In terms of naming parish wards consideration should be given to existing local or historic places, so that these are reflected where appropriate.

6.3 Number and boundaries of parish wards

The Council should take account of community identity and interests and consider whether any ties or linkages would be broken by the drawing of particular ward boundaries.

When considering ward boundaries the Council should consider the desirability of fixing boundaries which will remain easily identifiable.

6.4 Number of Councillors to be elected for parish wards

If the council decides that a parish should be warded, it should give consideration to the levels of representation between each ward.

It is best practice for each persons vote should be of equal weight as far as possible.

7. Grouping of Parish Councils

Section 11 of the LGA 1972 sets out the powers for Parishes to be "Grouped", which means that different Parishes in a particular area may apply to be grouped under a Common Parish Council. Such applicant parishes must not already have their own Parish Council, so they are acting through their Parish Meeting.

Section 91 of the LGPIHA 2007 applies these Section 11 provisions to the Community Governance Review process, so that a CGR may make recommendations for the grouping of any new Parishes which it is proposed to create in the Review area. Such recommendations are subsequently brought into effect through the Reorganisation Order.

However, Section 94(2) of the 2007 Act provides that if a proposed new Parish has 1000 or more Electors, the Community Governance Review **must** recommend that the Parish has a Parish Council. This would apply in terms of the number of electors for Handforth and for Wilmslow, but not for Styal.

Grouping would only be a relevant issue for this Review if parishes of less than 1000 electors were created.

It is also worth noting that a Grouped Parish cannot resolve to confer on itself the status of a Town (Section 245(6) of the LGA 1972).

Paragraph 113 of the statutory Guidance for Community Governance Reviews says "It would be inappropriate for it [Grouping] to be used to build artificially large Units under single Parish Councils.....". The

Grouping powers are more directed at areas which contain a number of small Parishes - rather than a large urban area.

8. Other forms of Community Governance

In conducting the Community Governance Review, the Council must consider other forms of community governance as alternatives to establishing parish councils, for example:

1. Area Committees
2. Neighbourhood management
3. Tenant Management Organisations
4. Area/ community forums
5. Residents/ Tennants organisations
6. Community Associations

The Sub Committee considered a summary of these options at its meeting held on 19th February 2010, followed by an overview report of existing arrangements at its meeting held on 23rd March 2010. These reports are appended for information (appendices A and B).

9. RECOMMENDATION

In summary, in forming a draft recommendation for the Community Governance Review, the Sub Committee needs to have regard to all representations received, and consider and recommend to the Constitution Committee:

- a. Any forms of community governance as alternatives to establishing parish councils, for example:
 - Area Committees
 - Neighbourhood management
 - Tenant Management Organisations
 - Area/ community forums
 - Residents/ Tenants organisations
 - Community Associations
- b. Whether a new parish or any new parishes should be constituted
- c. The name of any new parish or parishes
- d. Whether or not the new parish should have a parish council (if the parish has more than 1000 electors, the review must recommend that the parish should have a parish council)
- e. Whether the parish should have an alternative Style e.g. Community, Neighbourhood, or Village; or whether the status of Town Council should be given
- f. What the electoral arrangements for new parishes which are to have parish councils should be

- g. The ordinary year of election – if a parish council was established the first year of election would be 2011
- h. Council size – the number of councillors to be elected to the parish
- i. Parish warding – whether the parish should be divided into wards; this includes the number and boundaries of such wards; number of councillors per ward and the names of wards.

Officer Contact Details

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COMMUNITY GOVERNANCE REVIEW SUB COMMITTEE

Date of meeting: 19 February 2010
Report of: Elections and Registration Team Manager
Title: Briefing Paper – Initial Options Evaluation

1. In conducting this Review, the Council must consider how to respond to the proposals contained in the three separate petitions. In summary, the petitions and the proposals that they contain must be assessed in terms of the following criteria and the key considerations set out in the guidance:

Criteria

Community governance in the areas must be

- Reflective of the identities and interests of the community in that area
- Effective and convenient

Key considerations

- 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 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
2. The guidance also indicates that as part of the review other viable options should be considered to determine if they represent a better option in terms of addressing the criteria. The Sub Committee will need to gather further information to make an initial evaluation of the options in the table below:

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. The Local Area Partnerships do provide a coherent and consistent pattern across the whole of Cheshire East. The approach is premised on coordination of partners in relatively small local area.

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 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 multiple parish councils may best meet the community cohesion requirements that are key criteria. The presence of geographic boundaries may need to be considered, for example they may form natural communities.

APPENDIX B

EXISTING WILMSLOW COMMUNITY GOVERNANCE ARRANGEMENTS

Overview prepared by the Chief Executive's and Partnership Unit

Introduction

Community engagement was at the heart of the business case for Local Government Re-organisation, seeking to ensure that services delivered by the new councils are tailored to reflect local circumstances and need.

In Cheshire East the new approach to community engagement is centred around 7 Local Areas which, between them, cover the whole Cheshire East area. As set out in the LGR business case, the new approach to community engagement includes town and parish councils as well as community and neighbourhood groups. Area partnership groups have been established in each of the 7 areas and their purpose is explained in the following section. Clearly these new arrangements are still evolving and will be developed further, reflecting local circumstances.

Wilmslow Local Area Partnership (LAP)

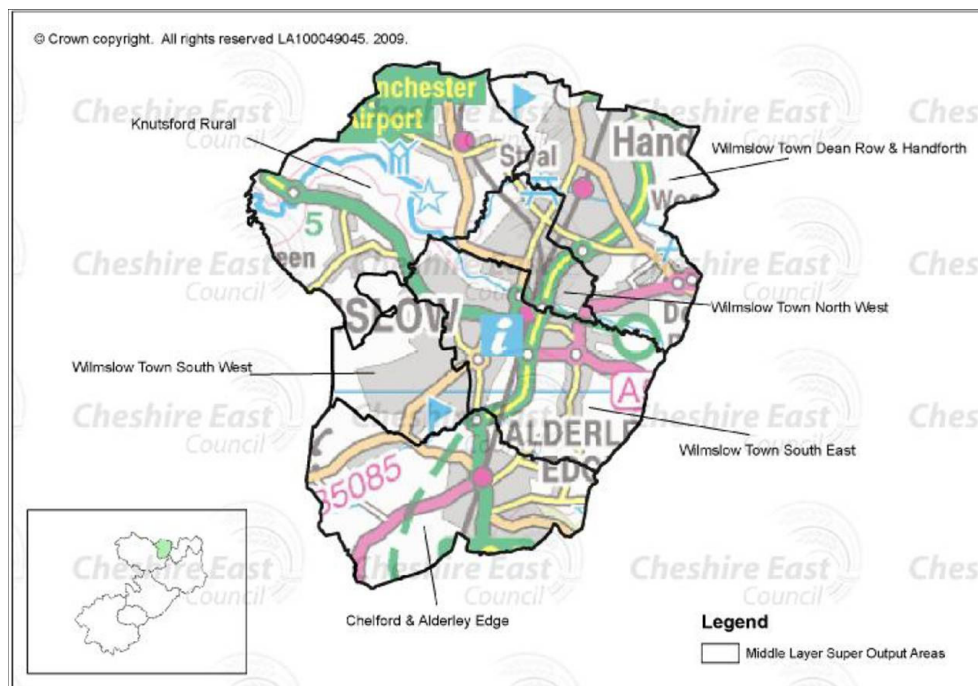
Local Area Partnerships (LAPs) have been established across Cheshire East, to achieve the following outcomes:

- A more effective, co-ordinated approach to tackling local needs and priorities.
- More responsive local management of services.
- Improved engagement with citizens.
- Actual empowerment of citizens.
- Greater citizen satisfaction.
- Enhanced community governance.
- Increased voter turnout.
- Enhanced community leadership role for elected councillors.
- Value for money.

The LAPs are part of the Cheshire East Partnerships Framework and clearly link and work with the Thematic Groups and Local Strategic Partnership (LSP) Executive. The LAPs are working with neighbourhood and community groups in their area, to engage with local people and address very local issues.

Wilmslow LAP brings together people who have an interest and responsibility for delivering improvements in the area. It is an action group, working together to make a difference. It holds regular meetings which are a touchpoint, where LAP members discuss issues and progress on their work in public. The LAP tackles issues through 'task and finish' groups, and currently has a number of such groups in place. Wilmslow LAP has agreed its initial work programme based on evidence and issues identified by LAP members and the local community.

Wilmslow LAP boundary



Wilmslow LAP membership

Membership includes:

- Cheshire East local councillors (and officers representing the People, Places and Policy and Performance directorates of Cheshire East Council)
- Alderley Edge Town Council
- Chorley Parish Council
- Wilmslow Trust
- Wilmslow Business Group
- Citizens Advice Bureau (representing CE Third Sector Congress)
- Cheshire Police
- Cheshire Fire and Rescue
- Central and Eastern Cheshire Primary Care Trust

- Equity Housing Group
- Wilmslow Education Improvement Partnership
- Job Centre Plus

Other organisations represented at LAP meetings include:

- Cycle Wilmslow group
- Wilmslow 'Living Streets'
- Wilmslow community website

Neighbourhood Features

- In 2007, the population of the Wilmslow Local Area Partnership (LAP) was 35,200¹.
- This represented a tenth (10%) of the population of Cheshire East.
- Wilmslow LAP area contains 6 Middle Layer Super Output Areas (MSOAs), 2 of which it shares with Knutsford, and 22 Lower Layer Super Output Areas (LSOAs). These are based on population characteristics rather than administrative boundaries and form basic units for understanding local information.
- Wilmslow Town has a population of 30,070.

Within the LAP area, there are 3 pockets of disadvantage, the Colshaw and Lacey Green Estates in Wilmslow and the Spath Lane Estate in Handforth. There is some degree of neighbourhood management in these areas, facilitated by the relevant registered social landlords and supported by Cheshire East Council and local partners, acknowledging that these areas have complex needs and require an intensive approach to involve communities to improve outcomes for local people.

The Colshaw Estate

The Colshaw Community Development Group is working to join up local services and develop agreements with service providers to jointly plan and deliver service differently in these areas.

The group includes officers from the Cheshire East Council, Riverside Housing Association, Police and Fire services, Groundwork Cheshire and Connexions.

A recent 'Not in My Neighbourhood' event, coordinated by the Police and Fire Services, in partnership with other agencies, targeted the community of the Colshaw Estate and set up a range of activities addressing issues of anti social behaviour and community safety and awareness. This project was identified as a catalyst for further

¹ Cheshire County Council population estimates 2007.

targeted work in the area and was established as part of a wider remit addressing anti social area across the LAP area as an ongoing subgroup.

Community Groups

There is a range of voluntary and community groups within the Wilmslow area. The purpose of community engagement work is to build the capacity of our communities to lead partnership working in their area. The Cheshire East LSP and the Wilmslow LAP are committed to supporting both existing and new community led partnerships. These neighbourhood partnerships will contribute to the Local Area Delivery Plan for the LAP.

Community Activities

There is a wide range of community activities in Wilmslow, delivered through local partnerships and community groups. These include environmental and heritage preservation projects, business support programmes, sports initiatives, community events and a community website.

LAP projects / working groups

Since the first meeting in May 2009, the Wilmslow LAP has identified and is progressing the following projects –

- The Carrs Country Park, Wilmslow – demolition of a derelict building to diffuse issues of anti-social behaviour (completed) and further investigation to explore the creation of a multi use accessible path to serve pedestrians and cyclists (ongoing)
- Meriton Road Park, Handforth – bringing back a disused pavilion into community use, including accommodating a model railway club (ongoing)
- Exploring the creation of an motor cross site to engage young people in a controlled environment using an area of waste land (ongoing)
- Identifying and addressing potential improvements to the forecourt and access of Wilmslow Railway station, with improved signage in the town (ongoing)
- ‘Not in My Neighbourhod’ event – a multi agency approach to promote safety on the Colshaw Farm Estate and to address anti social behaviour (ongoing working group)

WILMSLOW COMMUNITY GOVERNANCE REVIEW – SUMMARY OF VOTING PAPERS RETURNED

1. Introduction

6876 voting papers were returned out of a total of 25,019 issued, representing an overall response rate of 27.48%.

For Wilmslow: 17,732 voting papers were issued; 5,066 were returned (28.57%)

For Handforth: 6,695 voting papers were issued; 1563 were returned (23.25)

For Styal: 592 voting papers were issued; 247 were returned (41.72%)

Appendix A shows the summary of the results of the returned voting papers.

2. Summary of Results for the returned “Wilmslow” Voting Papers

Electors were invited to respond to two questions on the voting paper as follows:-

Question 1 : Do you want a parish council?

1. Yes
2. No

Question 2: If yes, please tick the option you agree with below

- A.** I want a single parish council for Wilmslow, Handforth and Styal
B. I want a separate parish council for Wilmslow

The total number of voting papers received and counted are shown on Appendix 2, 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:-

2894 electors indicated that they want a parish council *(calculated by totalling votes for 1&A, 1&B and 1 Only).*

2144 electors indicated that they did not want a parish council *(calculated by totalling votes for 2&A, 2&B and 2 Only).*

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

1090 electors expressed a view for a single parish council for Wilmslow, Handforth and Styal *(calculated by totalling votes for 1&A, 2&A and A only).*

1846 electors expressed a view for a separate parish council for Wilmslow *(calculated by totalling votes for 1&B, 2&B and B Only).*

3. Summary of Results for the returned “Handforth” Voting Papers

Electors were invited to respond to two questions on the voting paper as follows:-

Question 1 : Do you want a parish council?

1. Yes
2. No

Question 2: If yes, please tick the option you agree with below

A. I want a single parish council for Wilmslow, Handforth and Styal

B. I want a separate parish council for Handforth

The total number of voting papers received and counted are shown on Appendix 2 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:-

1023 electors indicated that they want a parish council *(calculated by totalling votes for 1&A, 1&B and 1 Only).*

534 electors indicated that they did not want a parish council *(calculated by totalling votes for 2&A, 2&B and 2 Only).*

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

415 electors expressed a view for a single parish council for Wilmslow, Handforth and Styal *(calculated by totalling votes for 1&A, 2&A and A only).*

619 electors expressed a view for a separate parish council for Handforth *(calculated by totalling votes for 1&B, 2&B and B Only).*

4. Summary of Results for the returned “Styal” Voting Papers

Electors were invited to respond to two questions on the voting paper as follows:-

Question 1 : Do you want a parish council?

1. Yes
2. No

Question 2: If yes, please tick the option you agree with below

- A.** I want a single parish council for Wilmslow, Handforth and Styal
B. I want a separate parish council for Styal

The total number of voting papers received and counted are shown on Appendix 2 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:-

219 electors indicated that they want a parish council (*calculated by totalling votes for 1&A, 1&B and 1 Only*).

23 electors indicated that they did not want a parish council (*calculated by totalling votes for 2&A, 2&B and 2 Only*).

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

25 electors expressed a view for a single parish council for Wilmslow, Handforth and Styal (*calculated by totalling votes for 1&A, 2&A and A only*).

201 electors expressed a view for a separate parish council for Styal (*calculated by totalling votes for 1&B, 2&B and B Only*).

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Area	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	Wilmslow 'W'	5,066	1,068	1,819	7	17	8	2,119	5	19	4	5,066	YES
3	Handforth 'H'	1,563	407	613	3	6	4	524	2	2	2	1,563	YES
4	Styal 'S'	247	20	198	1	3	0	20	2	3	0	247	YES
5	TOTALS	6,876	1,495	2,630	11	26	12	2,663	9	24	6	6,876	YES
6													
7													
8		Overall	Wilmslow	Handforth	Styal								
9	Want PC	4136	2,894	1,023	219	Adds columns c, d, e							
10	No change	2701	2,144	534	23	Adds columns f, g, h							
11	Expressed a view for 1 TC	1530	1,090	415	25	Adds columns c, f and i							
12	Expressed a view for separate PC	2666	1,846	619	201	Adds columns d, g and j							
13													
14	How to complete this result sheet												
15	Column A	Area	Name of area										
16	Column B	No of Voting Papers recvd	Total number of voting papers received for that area (including doubtful papers)										
17	Column C	1 & A	Voted '1' for question 1 and 'A' for question 2										
18	Column D	1 & B	Voted '1' for question 1 and 'B' for question 2										
19	Column E	1 only	Voted '1' for question 1 and left 'B' blank										
20	Column F	2 & A	Voted '2' for question 1 and 'A' for question 2										
21	Column G	2 & B	Voted '2' for question 1 and 'B' for question 2										
22	Column H	2 only	Voted '2' for question 1 only										
23	Column I	A only	Left question 1 blank and voted 'A' for question 2										
24	Column J	B only	Left question 1 blank and voted 'B' for question 2										
25	Column K	Rejected	Papers where the voter's intention is not clear										
26	Column L	Total	This column will add columns C to K to check that the total matches column B										
27	Column M	Do totals match?	If totals match the word 'Yes' will appear										

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**Wilmslow Community Governance Review – Stage 1 Consultation
List of Representations Received**

1. Mrs Das
2. Christine Wilson
3. Rebecca Wilson
4. David Wilson
5. Wilmslow United Reformed Church
6. Manuel Golding
7. Manchester Airport
8. ChALC
9. Quarry Bank Mill and Styal Estate, The National Trust
10. Steve Rawlings
11. Robin Sibthorpe
12. Wilmslow Trust
13. Mrs Gardiner
14. Heidi Sumner
15. Ken Edwards
16. Steve Edgeller
17. Heather Furnival
18. Dr James Lethbridge
19. Lorraine Millward
20. Derek Randall Smith
21. Dean Oaks Primary School
22. Mike Robinson
23. Bob Keen
24. Keith Purdom
25. J Pass
26. John Gordon
27. Steven Cunliffe
28. Clive Bassil
29. Barry Buxton
30. John Gordon
31. Alderley & District Probus Club
32. Wilmslow Historical Society
33. Mrs Pownall
34. D E Allen
35. J D Collings
36. Michael Morris
37. Mr Keith Hudson
38. Ballot paper received and not included in the summary of voting papers returned
39. Ballot paper received and not included in the summary of voting papers returned
40. Ballot paper received and not included in the summary of voting papers returned

COMMUNITY GOVERNANCE REVIEW

From: Centre, Call
Sent: 10 June 2010 16:23
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Community Governance Review

[Submitted by Anonymous User]

Wilmslow Community Governance Review Feedback Form

Name Mrs Das

Address 20 Overhill Road
Wilmslow
Cheshire
SK9 2BE

Feedback After careful consideration I do not wish to have a single Parish Council or more than one Parish Council to be set up in the Wilmslow area.

If you require a copy of this form for your records, please print using your web browser print button before submitting.

COMMUNITY GOVERNANCE REVIEW

From: David Wilson [davidpwilson@uwclub.net]
Sent: 04 June 2010 20:43
To: COMMUNITY GOVERNANCE REVIEW
Subject: community governance review - vote

I would like to vote as follows: Question 1 - Yes Question 2 - B

Ballot Paper No. 16471

Mrs. Christine Wilson

Tel/Fax: +44 162 552 5630
Mobile: +44 795 057 2432
e-mail: davidpwilson@uwclub.net

COMMUNITY GOVERNANCE REVIEW

From: Rebecca Wilson [rak_wilson@yahoo.co.uk]
Sent: 04 June 2010 11:55
To: COMMUNITY GOVERNANCE REVIEW
Subject: Community Governance Review - vote

Ballot paper no. 16469

I would like to vote as follows:

Question 1 - Yes
Question 2 - B

Many thanks,
Rebecca Wilson

COMMUNITY GOVERNANCE REVIEW

From: David Wilson [davidpwilson@uwclub.net]
Sent: 04 June 2010 11:51
To: COMMUNITY GOVERNANCE REVIEW
Subject: Communtiy Governance Review - Wilmslow, Handforth and Styal

From: David Wilson,
18, Curzon Mews,
Wilmslow SK9 5JN

Voting Slip no. 16470

Question 1 – Do you want a parish council? - 1 -Yes

Question 2 – B - I want a separate parish council for Wilmslow.

David Wilson

Tel/Fax: +44 162 552 5630
Mobile: +44 795 057 2432
e-mail: davidpwilson@uwclub.net

Wilmslow United Reformed Church
Chapel Lane
Wilmslow
SK9 1PR

June 3rd 2010

Dear Madam

Wilmslow Community Governance Review

I am responding on behalf of the Trustees and Elders of Wilmslow United Reformed Church to your invitation to comment on the possibility of setting up an additional tier of local government such as a Parish Council or similar body for Wilmslow and/or other local areas.

Many, but not all, of the Elders are also householders in the town and have responded on a personal basis to the questionnaire which was circulated to each home in the area. However at our meeting last evening we deliberately looked at the proposal from a community point of view. As a church trying to serve not only its own members but the needs of those living around us, particularly the more vulnerable and less powerful members of society we welcome any initiative which could help support these groups and focus attention on local needs and problems. While it is not yet clear how Parish Councils might operate and what powers they might have we would enthusiastically support further development of the idea and would want to be involved in any further consultation on a draft recommendation.

We also considered the specific question on whether any new body should cover only Wilmslow itself or include the wider area mentioned in the consultation document. We are firmly of the opinion that if such a body is created it should be for the wider area ie include Styal and Handforth.

We look forward to being included in any further consultation you may carry out.

Yours sincerely

M H Williams
Elder

Mrs Lindsey Parton
Elections and Registrations Team Manager
Cheshire East Council
Sandbach
Cheshire CW11 1HZ

COMMUNITY GOVERNANCE REVIEW

From: goldingjacob@aol.com
Sent: 03 June 2010 17:46
To: COMMUNITY GOVERNANCE REVIEW
Subject: Re: Wilmslow, Handforth & Styal proposed council(s).

Dear Mrs. Parton,

Many thanks for your email in reply to my comments and suggestions for your proposed town councils in this area.

I find your comments somewhat disingenuous and patronising in that your Sub Committee should suggest that to include all

options on a ballot paper would "confuse what is already a complicated issue for residents" of Wilmslow, Handforth and Styal.

What is complicated about clearly putting all the choices on a ballot paper? Why is having that choice deemed to be too complicated for us?

This is an outrageous assertion and slur upon this local electorate.

It is more probable that your Sub Committee doesn't relish a vote for one of the no cost alternatives.

Where on the ballot paper can one make a comment, as your email implied?

The leaflet you included with the ballot paper is sufficient in explaining various options but it is the ballot paper that should have carried these options.

This is yet another sad day for local democracy and your Sub Committee and all involved in this gerrymandering process should be thoroughly ashamed.

I and other parties are now considering our legal redress against the Sub Committee, its officers and Cheshire East Council.

Yours sincerely,
Manuel Golding

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

From: COMMUNITY GOVERNANCE REVIEW <CommunityGovernance@cheshireeast.gov.uk>
To: 'goldingjacob@aol.com' <goldingjacob@aol.com>
Sent: Wed, 2 Jun 2010 18:42
Subject: RE: Wilmslow, Handforth & Styal proposed council(s).

Dear Mr Golding

I realise that it is some time ago since you forwarded your email, however I wanted to thank you for your input to the meeting at Wilmslow and for taking the trouble to put your comments in writing.

As a result of the public meeting held at Wilmslow Leisure Centre, the Sub Committee did in fact convene an urgent meeting that same week to discuss the comments raised and to reconsider the wording of the ballot paper. The Sub Committee agreed to amend the the ballot paper for the residents of Wilmslow, to give the choice of the two questions, as per the representations made - the Sub Committee accepted the argument that this would provide consistency with the ballot papers for the Handforth and Styal areas.

Thank you also for your comments relating to the alternative options to a parish council. The Sub Committee did consider this issue at an earlier date, but decided on balance that to try to include all of the options on the ballot paper would only confuse what is already a complicated issue for residents. The Committee agreed instead that the best course of action was to send a leaflet to all residents to clearly explain all of the various options, and to invite people to submit their comments in writing in this respect.

Kind Regards
Lindsey Parton
Elections and Registration Team Manager
Westfields
Sandbach

From: goldingjacob@aol.com [mailto:goldingjacob@aol.com]

Sent: 30 April 2010 11:26

To: COMMUNITY GOVERNANCE REVIEW

Subject: Wilmslow, Handforth & Styal proposed council(s).

Dear Mrs. Parton,

I am attaching my proposals re the Wilmslow, Handforth & Styal ballot paper as requested at Monday's meeting at the Wilmslow Leisure Centre..

Yours sincerely,

Manuel Golding

=

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15 Ashford Road Fulshaw Park Wilmslow SK9 1QD
Telephones 01625 582517 & 07930 377778

Mrs. L. Parton,
Cheshire East Council,
Elections & Registration Manager,
Sandbach, CW11 1HZ.

30th April, 2010.

Dear Mrs. Parton,
Re: Proposed Wilmslow/Handforth/Styal Council(s).

Following the meeting at the Wilmslow Leisure Centre on Monday evening, I am responding to the request for comments on the voting format for the above council(s).

- 1) As mentioned on Monday, Wilmslow residents must be offered the same choices as both Handforth and Styal residents, i.e. do we wish to have a Wilmslow only council or a joint areas council?
- 2) Whilst your presentation made great play of offering town councils which would attract a precept cost to residents, I suggest you also include on the ballot form the options for residents to consider choosing one of the "no precept" options.
i.e. Area Committees, Community Associations, or Area/Community Forums.
If all the alternatives are not clearly offered it could leave the council open to a legal challenge.

The question would therefore need to be worded as follows or similar:-

Do you want a town council (which will necessitate a precept cost to residents)?

Yes No
If YES, choose one of the following:-

- a) Wilmslow only council
- b) Wilmslow, Handforth & Styal joint council

OR

Do you want a no cost/no precept alternative?

Yes No
If YES to alternative tick preference

- a) Area Committee?
- b) Community Association?
- c) Area/Neighbourhood Forum?

An explanatory leaflet outlining the above choices will need to be sent to each elector/resident, such as your "Community Governance Review - Wilmslow, Handforth and Styal" document as available on Monday, which outlines charging basis.

Yours sincerely,

Manuel Golding



JB/gen
0161 489 2206
0161 489 3812
John.Twigg@manairport.co.uk
2 June 2010

Manchester Airport
Olympic House, Manchester M90 1QX United Kingdom
t: + 44 (0) 8712 710 711 f: + 44 (0) 161 489 3813
www.manchesterairport.co.uk

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

Dear Sir / Madam

WILMSLOW COMMUNITY GOVERNANCE REVIEW

Thank you for advising us of the review of Community Governance arrangements in Wilmslow and for giving us an opportunity to let you have our views.

The Airport Company values partnerships and relationships with communities in the local area. The Airport is a significant local business, a major employer, a neighbour, and landowner. Our aim is to develop strong community links, and communication is the key to this. We are always keen to talk to our neighbours so that we can tell them about our business and listen and understand their concerns.

We understand that the Council has received petitions for the establishment of Parish Councils in Styal, Wilmslow and Handforth, or one Parish Council to represent the whole area. Across large parts of the local area, the Airport has developed good links and relationships with 45 of the established Parish Councils, and over the years we have found them a helpful way of engaging with the local community. We host regular meetings with Parish Councillors, and the local Parish Councils are very helpful in raising issues and working with us to distribute material on a wide range of Airport activities. That includes applications to our Community Trust Fund, our education programmes with local schools and details of Airport operations such as maintenance works and runway closures.

Over many years we have developed a good relationship with the Styal Village Association. To us, the Village Association acts as a Parish Council in all but name and representatives regularly attend our Parish Council meetings. We have a good and a constructive dialogue with the Village Association and have worked with the village to support a range of local activities. The Village Association is representative of the Styal community and important stakeholders for us.



INVESTOR IN PEOPLE

Our links with community groups in Wilmslow and Handforth are not as strong as those with Styal, and unlike Styal there is not an existing single group that represents the local community. Should Parish Councils be established for Wilmslow and Handforth, they would provide a greater community focus and contact point and be useful to us in developing local relationships. We do however consider that the establishment of a Parish Council for Wilmslow would not be appropriate. It would cover too large an area and would replicate much of the community activities that are covered by the Local Area Partnership. However, the wishes and the comments of local people would be particularly important in setting new governance arrangements.

Thank you giving us an opportunity to contribute to the review, and we hope that our comments and observations are helpful.

A handwritten signature in black ink, reading "Andrew Cornish". The signature is written in a cursive style with a large initial 'A'.

Andrew Cornish
MANAGING DIRECTOR

Community Governance Review – Wilmslow, Handforth and Styal Views of the Cheshire Association of Local Councils (ChALC)

Terms of Reference for assessment

Cheshire East Council should assess the petitions and the proposals that they contain in terms of the following criteria and the key considerations:

Community governance in the areas must be

- Reflective of the identities and interests of the community in that area
- Effective and convenient

Main Points to address:-

- 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 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

ChALC's Views

ChALC considers that an elected Parish Council in each of the three areas would be the most desirable beneficial outcome because of the following:-

- An elected Local Council has a mandate from the population of its area to represent it
- Other forms of local area management can be confusing, undemocratic, have limited focus/powers and may not be able to raise funds
- It is clear that Handforth and Styal see themselves as having separate identities from Wilmslow, and there is no history of 'togetherness'. One large Council covering the whole area may therefore not be the best solution
- Parishes in other areas of Cheshire tend to be much smaller than the area covered by the Wilmslow and Handforth petition (30,700

population). The three largest Councils (in CW&C, CE and Warrington respectively) are very successful – these being Winsford, Congleton and Great Sankey (all just over 20,000 population), two of which are Quality Parishes.

- The three Parish Council option would make Wilmslow the largest at around 22,000 population. Handforth at circa 8,000 and Styal at circa 900 would be large enough to be viable and successful in their own right
- The three Parish Councils option would allow the areas to have their own identities, electoral mandate, statutory powers, fund raising powers and perhaps better reflect the local diversities and interest

COMMUNITY GOVERNANCE REVIEW

From: Underhill, Eleanor [Eleanor.Underhill@nationaltrust.org.uk]
Sent: 03 June 2010 12:06
To: COMMUNITY GOVERNANCE REVIEW
Cc: NICHOLSON, John
Subject: wilmslow community governance review

To: The Elections and Registration Team Manager, Cheshire East Council, Westfields, Sandbach, Cheshire, CW11 1HZ

Wilmslow Community Governance Review

Thank you for your letter relating to the Wilmslow Community Governance Review.

I am writing on behalf of Quarry Bank Mill and the Styal Estate, and the National Trust, to support the establishment of a Parish Council for Styal. We believe this would provide a useful forum, to ensure that Styal issues are funnelled effectively through to Cheshire East for attention. We also believe that the Parish Council would provide us with a useful entity, with which to consult and engage with our neighbours.

Please can you confirm that you have received this representation.

Yours sincerely,

Eleanor Underhill

Eleanor Underhill
General Manager
Quarry Bank Mill and Styal Estate
The National Trust

direct line 01625 445855
mobile 07824 597137

www.nationaltrust.org.uk/main/w-quarrybankmillandstyalstate

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COMMUNITY GOVERNANCE REVIEW

From: Steve Rawlings [steve_rawlings@yahoo.co.uk]
Sent: 02 June 2010 22:23
To: COMMUNITY GOVERNANCE REVIEW
Subject: RE: Parish Council ?

... and thank you in return for your measured and informative reply, Lindsey.
The NAPC leaflet only briefly mentions costs and their collection by 'precept'. It (the leaflet) implies the precept is directly converted into improved local services. Are there any available figures on typ collected to distributed sums ? Of course, I realise that direct costs are only part of the story, and that long-term benefits of people becoming more involved in the running of their local communities is es unquantifiable - but one must start somewhere !

Steve Rawlings

--- On Wed, 2/6/10, COMMUNITY GOVERNANCE REVIEW <CommunityGovernance@chesh wrote:

From: COMMUNITY GOVERNANCE REVIEW <CommunityGovernance@cheshireeast.gov.uk>
Subject: RE: Parish Council ?
To: "'Steve Rawlings'" <steve_rawlings@yahoo.co.uk>
Date: Wednesday, 2 June, 2010, 17:52

Dear Mr Rawlings

Thank you for your response.

In answer to your questions, decision making at the moment is only made at one tier of local government i.e. East Council. Parish Councils can give the opportunity for a more local voice.

Parish Councils can take on additional functions which may not currently be provided by Cheshire East Cour decide to take on the running of services provided by Cheshire East, but perhaps to a higher level which cou provided previously. For example, a service such as grass cutting - a parish council could decide, based on l to implement a higher frequency of grass cutting than the standard - and raise a precept to achieve this.

I am not aware that the current system is failing, but some may argue that services to the locality could be er the formation of a parish council.

I have attached a copy of a leaflet prepared by the National Association of Parish councils, which you may fir background information. Please be assured that I am not advocating the formation of a parish council by my hopefully it will provide some context to what parish councils can do.

I will ensure that your comments are put forward to the Council for consideration.

Kind Regards
Lindsey Parton
Elections and Registration Team Manager
Westfields
Sandbach

From: Steve Rawlings [mailto:steve_rawlings@yahoo.co.uk]
Sent: 21 May 2010 15:57
To: COMMUNITY GOVERNANCE REVIEW
Subject: Parish Council ?

Dear Sir / Madam,

Having read the four page information leaflet that kindly provided by Cheshire East, I am still not convinced that a Parish Council would deliver compared to what we are currently enjoying.

My queries are:

Who or what exactly is currently making the decisions that a Parish Council would assume if created?
In what way is the current system failing? Are there documented instances of shortcomings of the current system?

From my admittedly limited perspective, communication channels between the public and local government are better than they have ever been, and the present call for more 'hands-on' governance (ie. by parish councils) is tomorrow's "unnecessary layer of bureaucracy".

Steve Rawlings
SK9 4AJ

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COMMUNITY GOVERNANCE REVIEW

From: Centre, Call
Sent: 02 June 2010 20:45
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Community Governance Review

[Submitted by Anonymous User]

Wilmslow Community Governance Review Feedback Form

Name Robin Sibthorpe

Address 5 Manor Close
Wilmslow
Cheshire
sk9 5px

Feedback

Although we are both local electors only my wife received a postal voting paper.

I am in favour of a parish council for Wilmslow.
My preference is for a council just covering the Wilmslow area.

If you require a copy of this form for your records, please print using your web browser print button before submitting.

COMMUNITY GOVERNANCE REVIEW

From: martinhoyle@uwclub.net [01625525068@uwclub.net]
Sent: 02 June 2010 20:40
To: COMMUNITY GOVERNANCE REVIEW
Subject: Community Governance Review- Wilmslow, Handforth and Styal.

Sirs,

The Wilmslow Trust wishes to register the fact that it fully supports the creation of a single Parish Council for the whole area as illustrated by the map covering Wilmslow, Handforth and Styal area issued for that identifying purpose.

Martin Hoyle riba.
Secretary,
Wilmslow Trust.

COMMUNITY GOVERNANCE REVIEW

From: COMMUNITY GOVERNANCE REVIEW
Sent: 02 June 2010 18:04
To: COMMUNITY GOVERNANCE REVIEW
Subject: FW: Community Governance Review -Wilmslow, Handforth and Styal

Note: Mrs Gardiner has been informed that the figure of 900 is the population figure, as opposed to the number of people on the electoral register. These are the figures which have been provided by the Council's Research and Intelligence Unit and are based upon projections from the last census. Mrs Gardiner still felt that this figure was high, even given this explanation. Officers have concluded that the figure may be higher than expected due to the polling district including Styal prison, which could make the modelling slightly less accurate in this case. However, this is the best estimate of the population figure available for Styal, until the next census is conducted.

From: Judith M Gardiner [mailto:judithmgardiner@yahoo.co.uk]
Sent: 21 May 2010 10:59
To: COMMUNITY GOVERNANCE REVIEW
Subject: Community Governance Review -Wilmslow, Handforth and Styal

Dear Sir/fMadam,

We have today received the above information document and our ballet papers. At the bottom of page 2 of the information sheet you have the population of Styal area as 900! I think the number on the electoral role for Styal is 568. Could you confirm which number is correct please?
Many thanks, Mrs. J. Gardiner

COMMUNITY GOVERNANCE REVIEW

From: heidi sumner [heidisumner@btinternet.com]
Sent: 02 June 2010 16:57
To: COMMUNITY GOVERNANCE REVIEW
Subject: Community Governance Review

I would like a Parish Council. I would like a single Parish Council for Wilmslow only.

Heidi Sumner

COMMUNITY GOVERNANCE REVIEW

From: Centre, Call
Sent: 02 June 2010 11:36
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Community Governance Review

[Submitted by Anonymous User]

Wilmslow Community Governance Review Feedback Form

Name Ken Edwards

Address 48 Hurst Lane
Bollington
Cheshire
SK10 5LT

Feedback

First I welcome the three requests for improved community Governance in the Wilmslow Handforth and Styal Area and I am delighted as a Town Councillor and as Chairman of the Macclesfield Local Area of the Cheshire Association of Local Councils to note that the residents of these three areas wish to create democratically elected Local Councils. These Councils will give local people a chance to articulate policies to improve their local environment and to act as monitors of local services supplied by other bodies. They will also provide a focus for local community activity and contribute to the strength and coherence of their areas.

Secondly I would support particularly the request for the constituted Parish Council for Styal and the Town Council for Wilmslow and Handforth. Serious local governance may well require locally raised finance for locally determined purposes as well as being the recipient of grant monies from elsewhere. In fact there is a view that reasonably well off and socially balanced communities who put out a begging bowl while not prepared to put their hand in their own pocket for improved facilities do not deserve those improved facilities. Equally it is important that Town and Parish Councils should have the ability to raise funds in order to access funds from other sources in terms of matched funding. Also Town and Parish councils have often, very sensibly, offered grants to local community bodies such as Guides, Scouts, Air Cadets, Youth Groups, Friends who support facilities such as Community Halls and Arts Centres and Recreational facilities that contribute greatly to the life of the local community. Such voluntary groups greatly strengthen the bonds of local society as well as providing services that far exceed in monetary value the small grants Town and Parish councils provide.

I hope that Cheshire East Brough Council will do everything in its power to facilitate the creation of the two democratically elected bodies and that they will contribute to the well being of their residents and the strength of their local communities for many years to come.

COMMUNITY GOVERNANCE REVIEW

From: Centre, Call
Sent: 29 May 2010 11:15
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Community Governance Review

[Submitted by Anonymous User]

Wilmslow Community Governance Review Feedback Form

Name Steve Edgeller

Address 27 Wingfield Avenue
Wilmslow

Feedback I don't think there's a need for an additional tier of local government in Cheshire. There doesn't seem to be anything a parish/town council could provide, that couldn't already be provided by Cheshire East.
I vote for no change.

If you require a copy of this form for your records, please print using your web browser print button before submitting.

COMMUNITY GOVERNANCE REVIEW

From: Heather Furnival [heatherfurnival@hotmail.com]
Sent: 28 May 2010 11:09
To: COMMUNITY GOVERNANCE REVIEW
Subject: Parish Council

I refer to your information re a parish council. I have mislaid the envelope that came with the voting form so would like to submit my views via this email.

Question 1 - Yes i do want a parish council.

Question 2 - I prefer Option A, a single parish council for WIlmslow, Handforth and Styal.

Please advise me that this has reached you and is satisfactory.

Heather Furnival

Heather Furnival 7 Thorngrove Road Wilmslow Cheshire SK9 1DD 01625 524377

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COMMUNITY GOVERNANCE REVIEW

From: Centre, Call
Sent: 25 May 2010 21:29
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Community Governance Review

[Submitted by Anonymous User]

Wilmslow Community Governance Review Feedback Form

Name Dr James Lethbridge

Address 20 Sagars Road, Handforth, Wilmslow, Cheshire SK9 3EE

Feedback Community Governance Review - Wilmslow, Handforth, Styal

I am in receipt of my voting paper and will be voting NO to the formation of a Parish Council. However, I object to the form of the paper since, if I vote No, I have no option concerning the area to be covered by the proposed Council. Should a majority vote for a Council and the decision is made to form a Council, or Councils, I am very much against Handforth being included in with a Wilmslow Council. If we are to have a Council locally I would want it to be a Council for Handforth, NOT Wilmslow and Handforth. The voting paper does not allow me express this view and I believe its format and wording do not give a proper choice.

Jim Lethbridge

If you require a copy of this form for your records, please print using your web browser print button before submitting.

COMMUNITY GOVERNANCE REVIEW

From: Lorraine Millward [hlmmillward@btinternet.com]
Sent: 24 May 2010 13:21
To: COMMUNITY GOVERNANCE REVIEW
Subject: RE: Postal voting paper

My preference is for one parish council for the whole district. I also note that Dean Row has been lurr Handforth and object to this in the strongest possible terms. Historically we are part of Wilmslow, NC information paper states that 'over 10% of the electorates' have signed the petitions - so almost 90% h seem that most people therefore do not require any changes.
Lorraine Millward

--- On **Thu, 20/5/10, COMMUNITY GOVERNANCE REVIEW** <CommunityGovernance@chesi wrote:

From: COMMUNITY GOVERNANCE REVIEW <CommunityGovernance@cheshireeast.gov.uk>
Subject: RE: Postal voting paper
To: "Lorraine Millward" <hlmmillward@btinternet.com>
Date: Thursday, 20 May, 2010, 16:05

Dear Mrs Millward

Thank you for your email. I am sorry that your envelope did not contain a voting slip. Please would you be kir to respond to this email with your response to the consultation voting paper. I will then ensure that your reply with the results of representations received.

Thank you.

Lindsey Parton
Elections and Registration Team Manager
Cheshire East Council
Westfields
Sandbach

From: Lorraine Millward [mailto:hlmmillward@btinternet.com]
Sent: 20 May 2010 09:22
To: COMMUNITY GOVERNANCE REVIEW
Subject: Postal voting paper

I have received the information on the community review but, unlike my husband's envelope, my er not contain a voting slip. Please would you forward one as I very much need to vote on this importa
Thank you,
Lorraine Millward
89 Dean Drive
Wilmslow SK92EY

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COMMUNITY GOVERNANCE REVIEW

From: Centre, Call
Sent: 24 May 2010 11:13
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Community Governance Review

[Submitted by Anonymous User]

Wilmslow Community Governance Review Feedback Form

Name Mr Derek Randall Smith

Address 42 Welton Drive
Wilmslow
Cheshire
SK9 6HE

Feedback I have mislaid my postal voting paper but would prefer a single council covering Wilmslow Styal and Handforth.

If you require a copy of this form for your records, please print using your web browser print button before submitting.

COMMUNITY GOVERNANCE REVIEW

From: DEAN OAKS PRIMARY HEAD
Sent: 21 May 2010 10:22
To: COMMUNITY GOVERNANCE REVIEW
Subject: Response from Dean Oaks Primary

I would be **against** having a single or multiple parsh councils.

The reasons are:

1. The proposed parish boundary is drawn including some of our catchment area but excluding a large part.
2. It is not an economic climate in which to increase the costs for families. We have many families unable to contribute to the costs of school trips and who are not having holidays etc because of their financial position.

Janet Ciaputa
Headteacher

COMMUNITY GOVERNANCE REVIEW

From: FMRobinson@talktalk.net
Sent: 20 May 2010 19:20
To: COMMUNITY GOVERNANCE REVIEW
Subject: Re: Community Governance Review

Dear Ms Parton,

Thank you for your prompt, lucid and comprehensive reply.

Regards, Mike Robinson

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

From: COMMUNITY GOVERNANCE REVIEW
To: 'FMRobinson@talktalk.net'
Cc: FLYNN, Mike ; GARRITTY, Mike
Sent: Thursday, May 20, 2010 5:54 PM
Subject: RE: Community Governance Review

Dear Mr Robinson

Thank you for your email. The petition which was received from the electors in Handforth requested the Council to conduct a review which considered making a recommendation that a new parish be constituted to be known as Handforth Community Council - the area of which would be defined as the electoral ward of Handforth as known in 2007 (i.e. when part of the former Macclesfield Borough Council). This is the boundary shown on the map in the leaflet for Handforth.

The current Cheshire East Council Boundaries are different to those mentioned above, in that there is a Wilmslow North Ward and Wilmslow South Ward. The area south of the river that you refer to - plus the Dean Row ward are included in Handforth North ward, along with Handforth. The rest of the area on the map falls under Wilmslow South Ward.

The situation is also complicated by the fact there is currently a separate boundary review being undertaken by the Boundary Commission for England for the Cheshire East Council wards, the outcome of which is awaited - so these wards are likely to change for next year's local elections in May.

The Wilmslow Community Governance Review itself is only concerned with the potential creation of parish councils for the area and the potential boundaries of such.

If you feel, as part of the consultation, that the boundary for a potential Handforth Ward would be more appropriate to be contained to the north of the river, rather than as depicted on the map - then those views can be put forward as part of the consultation, by reply to this email. Historically (prior to the boundary review in 1999) the River Dean formed the Handforth Ward boundary, as per your understanding.

I have copied this email to my colleagues, who may be able to comment further on the boundary issues.

Kind Regards
Lindsey Parton
Elections and Registration Team Manager
Cheshire East Council
Westfields
Sandbach

From: FMRobinson@talktalk.net [mailto:FMRobinson@talktalk.net]
Sent: 19 May 2010 21:55
To: COMMUNITY GOVERNANCE REVIEW

Subject: Community Governance Review

Cheshire East Council are carrying out a Community Governance Review, having received three petitions asking for parish councils in the Wilmslow area. Included in the documentation of the review is a map of the area which seems to have re-drawn the boundaries of Wilmslow, Styal and Handforth. For example, the map shows Handforth extending south of the River Dean.

Am I correct in assuming an outcome of the review may be changes to existing recognised boundaries?

Mike Robinson
Handforth

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COMMUNITY GOVERNANCE REVIEW

From: Bob Keen [bob-pollyk@tiscali.co.uk]
Sent: 19 May 2010 10:08
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow, Handforth Styal - Views

I have received your circular and voting paper for the above proposals. I attended the meeting in Handforth but had to leave before the end.

My preference would be to leave things as they are to allow Cheshire East to settle down without any further layers of government. However, if the decision is that there should be a parish council, then I would vote for a single parish council for the whole of Wilmslow, Handforth and Styal and definitely NOT just for the separate parts.

The voting form does not allow me to express this view and hence the necessity for sending this email.

I shall send the voting form back voting for Question 1 - NO, but no doubt you will take into account my alternative choice.

R D Keen
44 Woodlands Road
Handforth
SK9 3AU

COMMUNITY GOVERNANCE REVIEW

From: Keith [keithpurdom@btinternet.com]
Sent: 16 May 2010 21:13
To: COMMUNITY GOVERNANCE REVIEW
Subject: FW: Review Wilmslow Style and Handforth

Hi

You want people's views.

Stop this waste of money. If you are forced by law to consult you are not forced by law to send envelopes and prepay the reply.

Stop these ridiculous parish councils. Why would I want my taxes to go up so more self serving councillors can make more and more expense claims and fund more and more worthless but PC "initiatives" Get real Consult us please on how you are going to save my money not spend it

Keith Purdom
Bluechip Aviation Consulting
www.bluechip-aviation.co.uk
Mobile 44 (0) 78 1082 5497
Office 44 (0) 1625 536 063

COMMUNITY GOVERNANCE REVIEW

From: J Pass [jacqueline.pass@googlemail.com]
Sent: 16 May 2010 13:46
To: COMMUNITY GOVERNANCE REVIEW
Cc: CROCKATT, Jim (Councillor)
Subject: community governance review

Dear Sir,

I am writing to express my views on the above issue.

As a Wilmslow resident I can sympathise with the view that the creation of Cheshire East has meant that direction and decision making has significantly shifted in favour of areas further South, and that little is being done to redress this, but I do not believe that the creation of parish councils is the way ahead. These would merely add a further tier at local authority level with, in practice, very narrow remits and with significant expense. As to the notion that they would, "give a voice to represent local issues and interests", if there is an acknowledgment that this is needed, then Cheshire East should not have been created.

As to the alternative methods outlined there is only one viable suggestion, namely that there should be Area Committees composed of existing Councillors. All other alternatives cited would be undemocratic because they are not elected, and it would be a further transfer of power away to unelected pressure and interest groups.

Mrs Pass

COMMUNITY GOVERNANCE REVIEW

From: JOHN GORDON [johnmoyragordon@btinternet.com]
Sent: 28 April 2010 18:58
To: COMMUNITY GOVERNANCE REVIEW
Subject: Wilmslow Town Council.

I should like to add to my comments submitted last week.

I have just become aware and I am sure most residents of Wilmslow do not know there are SIX County Councillors living in Wilmslow (plus those in Alderley representing Fulshaw) who have already been elected as being capable of looking after Wilmslow's interests.

There is a consultative Forum and The Wilmslow Tust lobby who have easy access to our Councillors.

To add another tier of representatives with their costs is not the best example of efficiency savings.

John Gordon 34 SK9 6JB 01625523833

COMMUNITY GOVERNANCE REVIEW

From: COMMUNITY GOVERNANCE REVIEW
Sent: 20 May 2010 18:23
To: 'Steven Cunliffe'
Subject: RE: resident's submission on wilmslow governance review

Dear Mr Cunliffe

Thank you for your email. I will ensure that your comments are put forward to the Council as part of the consultation process. The feedback from the public meeting was very helpful. We have responded to the comments made about the ballot paper by amending the questions asked to the residents of the Wilmslow area.

Regards

Lindsey Parton
Elections and Registration Team Manager
Cheshire East Council
Westfields
Sandbach

From: Steven Cunliffe [mailto:steve@cheshiremedia.co.uk]
Sent: 28 April 2010 09:30
To: COMMUNITY GOVERNANCE REVIEW
Subject: resident's submission on wilmslow governance review

1 Edgeway
WILMSLOW
SK91NH
Dear Mrs. Parton,

Thank you for the presentation that you gave to the meeting at the Wilmslow Leisure Centre on Monday and inviting written comments. Nobody gave a convincing case for the establishment of a parish or town council. Cheshire East already carries out the functions which can be devolved to a lower tier authority. The establishment of a second tier would lead to a blurring of responsibilities, with each authority blaming the other when anything went wrong. There would also be an additional precept for council tax payers already having to cope with the effects of the recession.

The ballot procedure appears to be flawed, with Wilmslow not having the same opportunity to vote on its own future as neighbouring Handforth and Styal, which are much smaller areas. I also feel that any ballot should be binding on the council, and not merely part of the consultation exercise.

Yours sincerely,
Steven Cunliffe (Wilmslow resident)

COMMUNITY GOVERNANCE REVIEW

From: clive bassil [joyclive@hotmail.com]
Sent: 27 April 2010 10:52
To: COMMUNITY GOVERNANCE REVIEW
Cc: jimcrockatt@cheshireeast.gov.uk; paulwhiteley@cheshireeast.gov.uk
Subject: A Future Town Council

Dear Mrs. Parton,

Thank you for the presentation that you gave to the meeting at the Wilmslow Leisure Centre last evening and inviting written comments and questions. I felt that to ask my question and receive your answer in the "warm" atmosphere that developed last evening could have risked this most important and possibly seminal argument in favour of a Town Council, being lost.

As I understand the proposed operation of a W.T.C they would be empowered to carry out certain services for the local community. The funds for these services would be provided by CEC.

Let us use the example of grass cutting. CEC would presumably allocate funds within an annual budget for this purpose to a WTC. WTC would then be required to expend these funds for the purposes allocated. Should WTC by virtue of better (than CEC) purchasing be able to have the work executed at a lesser cost, is the resultant saving kept within the WTC and available for additional services or is the saving remitted to CEC?

Should the saving be remitted to CEC then what incentive is there upon WTC to purchase services locally or cost effectively?

Yours Sincerely

Clive Bassil (Wilmslow Resident)

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COMMUNITY GOVERNANCE REVIEW

From: Barry Buxton [barry@yobuxton.com]
Sent: 24 April 2010 23:38
To: KEEGAN, Frank (Councillor); COMMUNITY GOVERNANCE REVIEW
Cc: ANDREW, Carolyn (Councillor); GILLILAND, Elizabeth (Councillor); FITZGERALD, Wesley (Councillor); MENLOVE, Rod (Councillor); BARTON, Gary (Councillor); QUINN, Lisa; HARRISON, Ceri
Subject: Re: Proposed 'parish' council for Wilmslow

Mr Keegan,

Many thanks for your prompt and reasoned response. I am encouraged to hear that there is no expectation that Council Tax will rise as a direct result of operating a Wilmslow Town Council.

I am somewhat disturbed, however, by the litter example you give for justifying this new body. It would seem to me that greater cost-effectiveness can be achieved by awarding one (possibly 2) contract(s) to an external contractor with true county-wide capability rather than allowing multitudes of local councils to each set up their own smaller (more expensive) arrangements. Or am I missing something here? I certainly don't see the rationale for "staff up in Macclesfield for all the potential problems..." when external contracting can be utilised. The rigidity and fully-costed expense of added headcount is the last thing that Cheshire East (and its associated parishes) should be contemplating!

Regards
 Barry H Buxton

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

From: KEEGAN, Frank (Councillor)
To: Barry Buxton ; COMMUNITY GOVERNANCE REVIEW
Cc: ANDREW, Carolyn (Councillor) ; GILLILAND, Elizabeth (Councillor) ; FITZGERALD, Wesley (Councillor) ; MENLOVE, Rod (Councillor) ; BARTON, Gary (Councillor) ; QUINN, Lisa ; HARRISON, Ceri
Sent: Thursday, April 22, 2010 9:31 AM
Subject: RE: Proposed 'parish' council for Wilmslow

Mr Buxton,

I agree with you entirely about the Financial success of Cheshire East. It has been a terrific rolling back of the cost base. We have more to do in actually starting to provide services locally.

The drive for Unitary Government in a Cheshire which was split into East and West was strongly supported in the Macclesfield Borough.

We always felt that we wanted to distinguish best practice locally and encourage that practice in other parts; for example, Poynton Town Council has been proactive in spearheading an approach which has introduced "Restorative Justice" and we can learn from their experience in tackling anti social behaviour in other parts of Cheshire East (which has no wheat fields - but the wheatsheaf was the recognised symbol for Cheshire County Council for many, many years and no one raised an army and marched on Chester.)

I have been a Parish Councillor in Alderley Edge for 23 years, and I know the good points and the weak points.

The good points are that as a Parish Councillor I am more empowered to effect change in my community. Cheshire East (which, to my mind, feels like a place, rather than a bus stop) has 107 Parishes at the present time and could have 110.

I am alive to the point you make about creating a new cost base for the electorate in bloated Parish or Town Councils.

An example of our dilemma was this. Litter is dealt with in the Wilmslow area by sending clean up teams from Macclesfield; we have been set challenging targets by Government in response times to actually clean up an area which has been reported.

If we staff up in Macclesfield for all the potential problems in Wilmslow, Alderley Edge, Knutsford, Poynton, Bollington, Macclesfield, Prestbury, Rainow, Disley and Handforth, then we would finish up with a bureaucratic cost base.

We felt that the litter could be dealt with locally, in each of the above instances, and that Cheshire East should give the role (AND THE MONEY) to each of the above places to carry out this task. That, in essence, is the thrust of the drive for a Wilmslow Town Council. We would contract certain functions to be performed locally in Wimslow, and as Cheshire East, we would give Wimslow the money which we, as Cheshire East, currently spend on the task within Wilmslow.

That means your Council Tax in future would be split between a Cheshire East portion and a Wilmslow Town Council portion; the important point is that in future your Council Tax bill should not go up because we have asked Wilmslow Town Council to carry out certain functions. Rather I would expect the Town Councillors of Wilmslow to be able to take the money which they receive from Cheshire East and actually deliver more value for money within their local community.

I am happy to carry on the debate on the benefits of local Town Councils, together with the cost implications for the local taxpayer.

Best wishes,

Frank Keegan

From: Barry Buxton [barry@yobuxton.com]

Sent: 21 April 2010 16:07

To: COMMUNITY GOVERNANCE REVIEW

Cc: ANDREW, Carolyn (Councillor); GILLILAND, Elizabeth (Councillor); KEEGAN, Frank (Councillor)

Subject: Proposed 'parish' council for Wilmslow

Dear Sir / Madam

As a Wilmslow resident and Council Tax payer I object most strongly to this proposal. It is contrary to the ethos of Unitary Authorities whereby wasteful layer(s) of local government have been stripped out - something which has only just got underway and should be allowed time to prove itself before tinkering with the structure. For me, the removal of Cheshire CC and Macc BC and replacement with 'Cheshire East' (despite the daft name and logo - what's wrong with 'East Cheshire' and where are all the wheat fields?) has been a successful approach to cost-effectiveness in local / community governance. Parish councils can add cost, obfuscation and delay and seem to act simply to feed the needs of local worthies who think they know better than "big brother".

If this proposal goes forward with implications for increasing my Council Tax bill I shall be protesting in the strongest possible terms to the highest authority in the land.

Yours faithfully

Barry H Buxton
Tinctures, SK9 1QF

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COMMUNITY GOVERNANCE REVIEW

From: JOHN GORDON [johnmoyragordon@btinternet.com]
Sent: 22 April 2010 09:16
To: COMMUNITY GOVERNANCE REVIEW
Subject: Fw: Town Councils

--- On Tue, 20/4/10, JOHN GORDON <johnmoyragordon@btinternet.com> wrote:

From: JOHN GORDON <johnmoyragordon@btinternet.com>
Subject: Town Councils
To: communitygovernance@cheshireeast.gov.uk
Date: Tuesday, 20 April, 2010, 10:52

I am against any proposal to form a council for Styal Handfdorth & Wilmslow and certainly not in favour of a town council for Wilmslow alone.
I think it ridiculous to consider another tier of local government when we have just gone through the expense and trauma of abolishing one.
Politicians (and the public) say they want to reduce government and its costs.
Alderley Edge has certainly not been successful raising their precept by 70%.
Noone in Wilmslow wants that.

John Gordon 34 Knutsford Rd Wilmslow SK9 6JB

ALDERLEY & DISTRICT PROBUS CLUB

Secretary's Address:-
Mr. R. A. Burden
"Mindanao"
44 Chesham Road
Wilmslow
Cheshire SK9 6HA
Telephone: (01625) 583079

Elections & Registration Team Manager
Cheshire East Council
Westfields, Middlewich Road
Sandbach, Cheshire, CW11 1HZ

26th May, 2010

Dear Mrs. Parton,

Wilmslow Community Governance Review

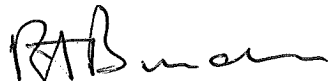
We thank you for consulting Alderley & District Probus Club on the subject of Wilmslow Community Governance.

The Club, being based in Alderley Edge, has no views on the establishment of parish councils for Wilmslow, Handforth or Styal.

It would not, however, be in favour of any change to the status of Alderley Edge Parish Council by way of combination with any parish council emanating from this Review.

Please note, this does not necessarily represent the views of individual members who have been invited by you to respond as local electors.

Yours faithfully,



Robert A Burden - Hon. Secretary
Alderley & District Probus Club

26 MAY 2010

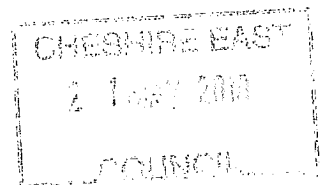
Wilmslow Historical Society

5, Sandown Close
Wilmslow.
SK9 2QP

Wilmslow Community Government Review

WHS has a membership of 120 of which only 49% live in Wilmslow, Handforth & Salford. As they will all have their individual reasons for how they believe the area should be governed, I feel it inappropriate to comment on behalf of the Society as a whole.

Mavis Jansen.
Vice Chairman.



75 Hampson Crescent
Handforth
Wilmslow
Cheshire
SK9 3HF
19th May 2010

Dear Government Review Committee

I write in reference to views about the proposed parish/town councils. My views are as below:-

1. I do not want to be part of Wilmslow parish.
2. I would like an independent non fee paying parish council in Handforth.
3. Styal definitely deserves to be independent but that is up to the village to decide.

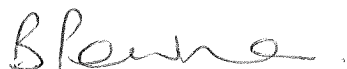
I appreciate that the 3 petitions were submitted all at the same time and this will cause lots of conflict. Personally, Cheshire East has yet to be fully established. Their full potential has yet to be seen. I am sure it will take several years for the administration to be fully organised.

I came to the meeting held at the Leisure Centre in Wilmslow. It created more questions than solutions. I expect the committee will have lots of debates and decisions to make over this.

My main concern is that Cheshire East does its best for the communities within its jurisdiction. If for instance, the council at the moment sees to the cutting of the grass in Handforth on a regular basis. If a parish council was established and they saw fit to undertake this job themselves what happens to the money allocated for this job budgeted for already? Would the council use this extra money for another needed resource in the community? To have a parish council incurs costs as the meeting in Wilmslow stated that a non-fee paying parish could not happen. The price per capita or household over time could amount to a large sum of money. There could be no capping and could be several pounds per week. Realistically at the moment it could be £1.00 per week per household.

Based on the above I will be voting NO. As the meeting stated a re-application could be submitted in two years when there has been more thought and organisation on the implications of a parish/town council.

Yours faithfully



Mrs B Pownall

8, Bollin Court
WILMSLOW
Ches., SK9 2AP

Electoral Services
Cheshire East Council
Sandbach CW11 1HZ

27th May 2010

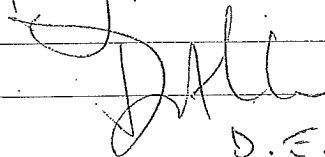
Dear Sir/Madam,
Wilmslow Parish Consultation

Further to my telephone call to your office
I confirm that the above documentation
has not been received at the above address.
I understand that you will include the
opinion expressed in this letter.

I am in favour of a Parish Council
for Wilmslow.

I am not in favour of a council
for Wilmslow Handforth and Styal.

Yours faithfully,



D.E. ALLEN

13 Draxford Court.
Parkway
Wilmslow.
17.5.10.

Dear Sir,

I would like to
know what if you have
a Wilmslow Council what
are STYAN and HANDFORD
going to have nothing
of their own Councils.

Please let me know.

yours sincerely,

S. J. COLLINGS.

121.524881

Replied by hand 3.12.10 - L. Wilson 25/12/10.

7 Green Drive

Wilmslow, Cheshire SK9 2EU

June 2, 2010.

Dear Sir/Madam,

I am writing to

convey my concern over the re-drawing of the Wilmslow/Hanford boundary to include my property in Wilmslow, as shown on the map delivered to my house at ^{No. 7} Green Drive, Wilmslow, where I have lived since 1969.

I have nothing against Hanford, indeed I like it. But I completely identify myself with Wilmslow, where I have for long been a member of the Wilmslow Guild, shop almost entirely in Wilmslow, use the town's library, attend the Methodist Lunches club, have so many friends here, I could go on.

The map shows Hanford to have moved to exclude a line up to the 'Blubell' corner, at the junction of the Manchester road and Dean Row Road. This is in spite of the natural boundary of the River Dane, where an official notice reads Hanford. ~~As~~ ^{after} you pass ~~pass~~ Wilmslow Garden Centre and travel northwards to Hanford.

All of this has come to my attention through your publication, Community Government Review (Wilmslow, Handforth, Styal) including the map of boundaries sent by East Cheshire Council. I'm invited to vote for a parish council, either a single one for Wilmslow or one for Wilmslow, Handforth and Styal. I prefer one for Wilmslow alone. I don't want to be annexed to any area other than remain in Wilmslow, in spite of the Boundary Commission's decision as I understand it.

Thank you very much for your attention, and I would appreciate your comment on my views.

Yours faithfully,

M. Morris

(MICHAEL MORRIS)

Community Governance Review – Wilmslow, Handforth and Styal

Voting Paper for Electors

1. You have two votes. One for Question 1 and one for Question 2 below.
2. Place a tick in the box on the right hand side of the voting paper opposite the option you are voting for under each question.
3. Put no other mark on the voting paper or your vote may not be counted.
4. Once completed, return by post in the pre-paid envelope without delay.
5. The voting paper must be received by the Electoral Registration Officer no later than 5pm on Friday 4th June 2010.

Question 1: Do you want a parish council?

1	Yes <i>WJH</i>	<input checked="" type="checkbox"/>
2	No	<input type="checkbox"/>

Question 2: If yes, please tick the option you agree with below:-

A	I want a single parish council for Wilmslow, Handforth and Styal	<input type="checkbox"/>
B	I want a separate parish council for Wilmslow <i>WJH</i>	<input checked="" type="checkbox"/>

W

April 2010

www.cheshireeast.gov.uk

Cheshire East
Council

MR KEITH HUDSON.

48 CUMBER LANE,

WILMSLOW,

CHESHIRE,

SK9 6EA.

01625 528638

Dear Sir or Madam, I have

just received voting forms for another layer of governing.

In principal good, but the people who proposed it must of course have a good income. I on the other hand do not, and just a year from a basic pension.

In these times of belt

tightening it seems the opposite is on the cards.

A parish council will have an opinion, based on what the locals in the area want, and will find acceptable. So what is the point, Cheshire East will take no notice and do what they want.

For ten years I have driven past the Salamanca pub, but a proposal put forward by locals is out of keeping with area, have planners looked across the road.

What use there is a local Council, Cheshire east will override it.

Yours
Mr Keith Hudson

Community Governance Review – Wilmslow, Handforth and Styal

Voting Paper for Electors

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Question 1: Do you want a parish council?

1	Yes	
2	No	✓

Question 2: If yes, please tick the option you agree with below:-

A	I want a single parish council for Wilmslow, Handforth and Styal	
B	I want a separate parish council for Wilmslow	



Community Governance Review – Wilmslow, Handforth and Styal

Voting Paper for Electors

1. You have two votes. One for Question 1 and one for Question 2 below.
2. Place a tick in the box on the right hand side of the voting paper opposite the option you are voting for under each question.
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Question 1: Do you want a parish council?

1	Yes	
2	No	✓

Question 2: If yes, please tick the option you agree with below:-

A	I want a single parish council for Wilmslow, Handforth and Styal	
B	I want a separate parish council for Wilmslow	



**Community Governance Review –
Wilmslow, Handforth and Styal**

Voting Paper for Electors

- 1. You have two votes. One for Question 1 and one for Question 2 below.
- 2. Place a tick in the box on the right hand side of the voting paper opposite the option you are voting for under each question.
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Question 1: Do you want a parish council?

1	Yes	
2	No	X

Question 2: If yes, please tick the option you agree with below:-

A	I want a single parish council for Wilmslow, Handforth and Styal	
B	I want a separate parish council for Handforth	

H

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**Notes of Questions and responses – Wilmslow Community Governance
Review Public Meeting, held at Wilmsow Leisure Centre at 7pm on
Monday, 26 April**

Present:-

Councillors:-

Jim Crockatt - Cheshire East Council, in the chair
Paul Whiteley - Cheshire East Council
Don Stockton - Cheshire East Council
Gary Barton - Cheshire East Council
Rod Menlove - Cheshire East Council

Officers:-

Brian Reed – Democratic Services Manager
Lindsey Parton – Elections and Registration Team Manager
Julie North – Senior Democratic Services Officer

Public/Residents:-

Sarah Flannery – Independent candidate (Tatton)
Liz Jones – Wilmslow Resident
Adrian Bradley – Wilmslow Resident
Christopher and Jill Dobson – Wilmslow Residents
Steven Cah Wilmslow Resident
Claire Basil – Wilmslow Resident
D Roberts - Wilmslow Resident
Ronnie Dykstra - Wilmslow Resident
Mike Harping - Wilmslow Resident
B and J Pownall – Friends of Meriton Road Park
J Crompton - Wilmslow Resident
M Golding - Wilmslow Resident
Sally-Anne Hu – Pownall Park Residents' Association
Susan A Williams - Wilmslow Resident
Desmond J Williams – Resident/Parkwatch, Wilmslow Park
JF Gordon – Knutsford Road, Wilmslow
D Cash - Wilmslow Resident
Chris Murr – Resident of Handforth
Stuart Gould - Wilmslow Resident
Howard Ebdon - Wilmslow Resident
Pauline Hendley - Wilmslow Resident
Graham Beech - Wilmslow Resident
Helen Richardson - Wilmslow Resident

Questions and responses

1. It was queried what the wording on the postal voting paper would say.

Lindsey Parton – Outlined the wording on each of the three voting papers. She explained that this was a form of consultation, along with the representations which were expected to be received, and was not a

binding ballot. The feedback would have to be measured and there would be a summary of the voting papers received.

2. It was suggested that the voting paper for Wilmslow was “slightly skewed” and it was considered that the wording on each of the three voting papers should be the same.
3. Reference was made to the previous year’s reorganisation of Local Government and the formation of the new Cheshire East Council. It was stated that, when the Council was formed, residents had been told that one Council would cost less. It was considered that any proposal to create another tier of local government would increase costs.

Cllr Whiteley responded and agreed that it had been said that costs would reduce. Costs had, indeed, dramatically reduced and the process was still ongoing. The vast majority of the Cheshire East Borough already had Town and Parish Councils and the people had asked for this review.

4. It was commented that only 10% of the voting population had asked for the review.

Cllr Barton responded that the Council was obliged, by law, to conduct the review and during the Local Government Review, it had been said that there would be options. The Council had a legal duty to respond to the petitions, but would not force anything on the residents.

5. Reference was made to Alderley Edge Parish Council, which it was stated, had spent £2,500 on the renewal of signs and had increased its precept by 70%.
6. It was queried what a Town Council for Wilmslow and Handforth would do that Cheshire East Council was doing now and what would it do better. It was not fully understood how a Town Council would work.

Cllr Barton responded that it was not possible to say exactly how a Town council would work, as it would be up to those elected to it to decide. The Town Council would have money allocated to it and could use the precept money to focus on particular areas e.g Dog wardens. It would mean creating a body which focused on the Wilmslow area specifically.

7. Reference was made to the number of Cheshire East Councillors already representing the Wilmslow area. Were they not capable of looking after the area?
8. A comment was made that any Town Council would be able to decide the amount of its precept and how much it would pay for its services. Concern was expressed that this might lead to “double charging”.

Cllr Barton gave assurance that there would not be “double charging” for any services.

9. A comment was made that it was essential that it be made clear on the voting paper and any information relating to the Community Governance Review, what services were already provided by Cheshire East Council and what services could be carried out by a Town Council. It was suggested that this could be set out in a table format.

Cllr Whiteley referred to Poynton Town Council as an example of a Council which had raised funding for a particular service to be provided, through a precept. The Town Council had requested that Community Police Officers be provided, in Poynton and funding had not been available from Cheshire East Council for this. The Town Council had, therefore, raised the funding through a precept. This had not, therefore, lead to double taxation. Cheshire East Council was not pushing for a Town Council and the review was being carried out in response to the petition. If it was not what residents wanted, then they should vote against it.

10. A comment was made that there was a general expectation in the country that there should be Town and Parish Councils, as one level of Local Government. What had happened in Alderley Edge might not happen in Wilmslow. If residents wanted to influence Local Government, they should get involved in it.
11. It was queried how much weight a Town Council would have when commenting on large development schemes.

Cllr Crockatt responded that Town and Parish Councils did comment on planning applications and that their views were taken into account. Submitting a local view was a very important function of Town and Parish Councils.

12. It was queried why Wilmslow had had not been separated for the purpose of the review.

Cllr Stockton responded that a petition had not been received for Wilmslow alone. The petition was for the whole area.

13. A comment was made that the voting paper was poorly worded and that it should be reworded to refer to the whole area and then each of the individual towns/villages.

Lindsey Parton responded that residents could make their views known today and that the Committee would then consider and reflect on the comments made.

14. Reference was made to one of the key considerations of the review, “the degree to which the proposals offer a sense of place and identity to residents”. It was felt that Wilmslow currently lacked community spirit and it was difficult to define the area. It did not operate as a village and groups did not work together, but existed in a fragmented manner.

Cllr Crockatt referred to the former Wilmslow Urban District Council, which functioned very effectively as a District Council and suggested that the community spirit needed to be brought back Wilmslow.

15. It was queried how long the decision would last, if it was decided not to have a Town Council for Wilmslow and Handforth.

Lindsey Parton responded that, under the legislation, the Council was not under a duty to conduct a further review in response to a petition for a period of two years.

16. It was queried whether there was a legal restriction to prevent the Council asking residents whether they wanted a Town Council for Wilmslow alone. Could the Council be lenient in its interpretation?

Brian Reed responded that there was a timescale constraint, in that the review must be completed by September 2010. The Council was responsible for conducting the review and had to decide whatever it felt appropriate, taking the residents’ views into account.

17. A comment was made that Local Government would be hit with a reduction in funding and that Cheshire East Council was likely to have to reduce its level of service, as it would be getting less funding from Central Government. It was queried whether this was a risk.

Brian Reed responded it was impossible to predict the future, but no doubt, there would need to be some reductions.

Cllr Whitley responded that, if there were cuts to be made, this would be across the Council area. It would differ from area to area. It was very likely that some areas would accept it, but there would be others who would take the views of local residents into account and this was the benefit of Town/Parish Councils.

Cllr Barton responded that it could not be said for certain whether a Town Council would reduce services, or increase its precept.

18. It was suggested that, if it came down to costs, would it not be better to have an option relating to Area Committees, as there would be no cost associated with introducing them.

19. It was queried whether the precept would be a “flat rate” charge.

Cllr Crockatt responded that it would be based on the Council Tax Band D charge. He stated that there were many businesses in the centre of Wilmslow, which put a strain on services and he understood the concerns of local residents that charges should not be passed on to them.

Brian Reed stated that Cheshire East Council would continue to provide a certain level of service and any Town Council would have to decide whether it wanted to provide more.

20. Cllr Barton stated that Wilmslow already paid for the tidying up of Wilmslow. He was not against a Town Council for Wilmslow, but could foresee difficulties in that residents would have to pay for this. In addition, the Travelling Community visited Wilmslow on two occasions per year and he queried who would fund the clean up operation.

Cllr Crockatt confirmed that Cheshire East Council would continue to fund this.

Cllr Whiteley clarified that the Cheshire East Councillors would still be Cheshire East Councillors and not Town Councillors. Any Town Councillors would be elected and decisions would be based on what the residents asked for. Rather than comparing Wilmslow with smaller areas, like Poynton, it might be helpful to compare it with, for example, Congleton or Holmes Chapel to see how they operated. In addition, he stated that the precept also depended on the area. For example, Knutsford Town Council owned some properties, in Knutsford and the income from them subsidised the precept.

21. A comment was made, by a local resident, that when he first lived in Wilmslow he felt that he could approach his Ward Member regarding services which needed to be carried out (e.g grass cutting) and the work would be done. However, he no longer felt that this was the case.

The public meeting commence at 7pm and terminated at 8.30pm.

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Wilmslow Community Governance Review Public Meeting held at the Handforth Youth and Community Centre at 7.00pm on Wednesday, 28 April 2010

PRESENT:

Councillor J Crockatt (in the Chair).
Councillors G Barton, D Stockton and P Whiteley.

OFFICERS:

Mike Flynn (Review Team Officer)
Brian Reed (Democratic Services Manager)
Cherry Foreman (Democratic Services Officer)

PRESENT:

Sarah Flannery (Independent Candidate, Tatton).
Councillor Frank Keegan (also of Alderley Edge Parish Council)
Councillor Howard Murray (also of Poynton Town Council)

Public/Residents:

Adrian Bradley, Malcolm Calvert, Rebecca Calvert, Bob Keen, Nick King, Rosemary King, Peter Mainwaring, Rod Menlove, Joanne Minnes, Christine Mitchell, John Mitchell, Robert Moore, David Pincombe, Anna Triantis, Anne Walsh, Elizabeth White and W White.

Questions and Responses

- Q1 If a Town Council goes ahead how many Councillors will there be for Handforth, Wilmslow and Styal?
Ans *Brian Reed and Mike Flynn*: the number cannot be predicted at this stage but will come out of the process; it will be a minimum of 5 and the maximum is not set but generally is no more than 25.
- Q2 What will the precept for Handforth be?
Ans *Brian Reed*: the precept will be dependent on the services carried out by the town or parish council.
- Q3 PCSO's (Police Community Support Officers) have been appointed by Poynton Town Council, how and why?
Ans *Cllr Murray*: the PCSO's have been an excellent addition to the service: he explained the different categories of PCSO, the duties they can perform, and the cost to the Town Council.
- Q4 Is the cost of town/parish councillors entirely funded by the precept?
Ans *Brian Reed*: they are funded by the precept initially unless other arrangements are made such as future grant monies.
Cllr Keegan: the wish is that eventually the whole of Cheshire East will be parished and that, with the award of the necessary finance, they would then take over the responsibility for certain functions and duties. At present Cheshire East Council provides a number of discretionary services and there would be discussions with the councils as to whether they wished to take them on.

- Q5 Are parish councillors remunerated? What resident's opinions were researched when including Finney Green in the Handforth proposal?
- Ans *Mike Flynn*: CHALC (Cheshire Association of Local Authorities) has a generic remuneration scheme which PC's can adopt, although none have. Travel and subsistence can be claimed but no allowances.
Cllr Whiteley: Finney Green has been included in the Handforth petition, although this is puzzling as the proposal describes the boundary quite accurately using the River Dean. He did not believe the Finney Green residents supported it, it was based on a Boundary Commission change in 2007 which was designed to retain 3 councillors in the ward but which as a result distorted the traditional boundaries,
Cllr Barton: the Handforth petition referred to the boundary of the old borough ward, but the ballot would enable this to be agreed, the petition boundaries were indicative not final.
- Q6 If the decision made by Council is different to the petition, it would be undemocratic.
- Ans *Brian Reed*: the Council has to conduct the consultation exercise to ascertain the views of the public and that could throw up something different to what was envisaged.
Cllr Barton: it is fully democratic, hence the ballot. The final option will be in line with the most popular opinions and, ultimately, the ballot response may be no.
- Q7 What questions will be on the ballot paper, and what happens next?
- Q8 Regarding counting and interpretation of the vote, are all the responses put together or is there separate counting for Handforth and Wilmslow i.e. will the Wilmslow vote affect the Handforth vote?
- Ans *Mike Flynn*: responded that the format of the ballot paper was to be discussed at a meeting later that evening. He explained the options for the 3 different areas, which would be separately identifiable, in order to separate out each area from the whole area of 'greater Wilmslow'. The ballot paper would ask whether or not a parish council was wanted and then, if yes, whether for the whole area or for a single area (relating to the area in which the respondent resided).
- Q9 The natural boundary is the River Dean, and until that is resolved how can those in the grey area make a decision?
- Ans *Cllr Crockatt*: the boundary will be decided before the ballot paper is sent out.
Cllr Stockton: there may not be a boundary to decide if a single entity is determined.
- Q9 Is there a capping mechanism for the precept?
- Ans *Cllr Whitely*: the precept is what is asked for by the parish council and Cheshire East Council only approves it.
Cllr Keegan: referred to the precept to be levied by Alderley Edge Parish Council which reflected the need to cover the costs of building a medical centre on to the front of the Festival Hall. The higher amount

was for one year only. The parish council had the power to raise money in this way, as did Poynton Town Council in order to cover the cost of its PCSO's.

Cllr Murray: stated that Poynton Town Council had not raised its precept for three years running. Accountability meant that if people did not like what was happening then you did not get re elected. The public could attend all the council meetings and ask questions, and also go to the Parish Assembly and raise questions – there was a whole raft of accountability. He referred to the current complications of double taxation on some of the services provided/carried out by parish and town councils but that this would not continue in the future as the parish council would have control of the costs and the services provided.

Q11 With reference to the services which Cheshire East Council wants to offload, do we know what they are?

Ans *Cllr Murray:* there is a difference between 'transfer' and 'devolve' e.g. Cheshire East Council has responsibility for litter but would like to devolve it to a local council or to a cluster of local councils, the finance for that primary function would follow it.

Q12 How will people not present at (this) meeting be able to understand, from the leaflet, the issues around double taxation etc.

Ans *Brian Reed:* the process identifies that there will be some benefits but there is a limit to the amount of information that can be included in the leaflet; its aim is to get people attention, there are other ways they can find out more.

Cllr Murray: it is a weak document and it does not do justice to the benefits. How do you put out the benefits of big v small groupings?

Cllr Crockatt: the parish councils would start in a small way and they would decide what services they would provide, gradually building in experience.

Cllr Keegan: a presentation was given recently in Middlewich, which set out the duties and responsibilities of town and parish councils; it would be useful to distil that information down for circulation with the leaflet.

Brian Reed: explained that the timescales for printing, meetings etc were extremely tight but that Cllr Keegans suggestion (above) would be looked into and, if possible, it would be put on the website.

Cllr Barton: confirmed that this would be discussed at the Sub Committee meeting to be held at the close of the public meeting.

Brian Reed summarised what would happen next and urged all those present to participate in the consultation exercise, in addition to having attended the meeting. He confirmed that the consultation exercise would end on 4 June, and that the results were due to be considered at a meeting of the Council on 22 July 2010.

Thanks were extended to the Councillors Keegan and Murray, from Alderley Edge Parish Council and Poynton Town Council respectively, for attending and assisting in answering questions.

The public meeting commenced at 7.00 pm and ended at 8.20 pm

Wilmslow Community Governance Review Public Meeting held at Styal Primary School at 7.00pm on Wednesday, 29 April 2010

PRESENT:

Councillor J Crockatt (in the Chair).

Councillors G Barton, D Stockton and P Whiteley.

Also in attendance Councillors H Murray and R West

OFFICERS:

Mike Flynn (Review Team Officer)

Brian Reed (Democratic Services Manager)

Paul Jones (Democratic Services Team Manager)

PUBLIC/RESIDENTS

B and T Torrington – Styal residents

A E Kawcock – Styal resident

Julia and Bill Mahon – Styal residents

Malcolm Fox – Styal resident

Aiden and Beryl Killoran – Styal residents

Eric and Brenda Wilkins – Styal residents

Simon Poyser – Styal resident

Alan and T Gardiner – Styal residents

E Wagner – Styal resident

S Briggs – Styal resident

Liz Jones – Styal resident

Ian Jones Styal Village Association

Oliver Swinburne – Styal resident

Jackie Haslam – Styal Village Association

Louise Drummond – Styal resident

Jean Nolan – Styal resident

Kate Leigh – Styal Village Association

Tony Gilbert – Styal resident

Peter Andrew – Styal resident

Jane Andrew – Styal resident and Styal PTA Secretary

Andrew and Judith Hewitt – Styal residents

Peter Highfield – Styal resident

Shirley and Eric Holt – Styal residents

Questions and Responses

1. A statement in favour of a Parish or Town Council was made but a question was asked on any potential disadvantages.

Ans Parish or Town Council can raise precepts to provide services. The disadvantages are not having the advantages, for example conclusion on matters such as planning and the right to be heard. Under Cheshire

East you have 3 representatives. Under a Parish you might have as many as 20? As a Parish you can raise funds for local activities.

2. Concerns were expressed that as a small village Styal may be lost in Cheshire East. Is there an appeal process should the council decide not to proceed?

Ans. Not that the Council was aware of.

3. If the town council "paid" for services, would there be a reduction in Cheshire Council Tax?

Ans. Parish or Town Council have the potential to deliver a better service. Some services could be devolved from Cheshire East. The Parish or Town Council would need to consider what might be viable. If services were devolved the Town or Parish councils might receive funding aid. With this you can improve the service.

4. Concern was expressed that as Styal had such a small population that it might not influence services in Wilmslow that the community relied upon.

Ans. Styal would still have Cheshire East so could still influence Wilmslow. If you have one big Parish council for the whole area, that could be influential. If you are small, would you have sufficient weight? The local community would need to consider how Styal would relate to Wilmslow and if its interests were best served by a small or large Parish or Town Council

5. If Styal were part of a big council would it have fair representation and get fair allocation of the precept.

Ans. If a large single council likely to be warded which would address this. For example there might be a ward for this area. In a bigger Council Styal might benefit more because of the larger pot of funding available. You would also continue to have Cheshire East Councillors and local groups. There are opportunities to take part through existing mechanisms.

6. What are we voting for?

Ans All electors will be invited to complete a voting paper, sent by post, which will ask the following:-

1. Do you want a Parish Council
2. Single Council for all three areas
3. Separate for Styal

Parish or Town Council will need a Parish clerk. As part of a wider area would only need one for all three and would be more effective.

7. The National Trust are a significant landholder. What experience if any is there working with such a body. They are an influential body. The village association are working closely with the Trust.

Ans They cannot put a representative on the Town Council, but they would be a partner. They are on the list of consultees.

8. Styal is next to the airport, can a Parish Council influence this.

Ans You might have more influence as a bigger Parish Council. You can produce a Parish plan that is sent to Cheshire East to form part of a policy planning document that influences planning developments

9. Can Parish councils be dominated, especially in a small area such as Styal?

Ans The point of a Parish Council is to focus on their locality.

10. When the Parish Council is elected must they do what we require?

Ans Through the parish assembly you can hold them to account and ask questions of your representatives

11. How do we make sure the Parish Council addresses the views of the majority of people? A bigger Parish may become a political body driven by the parties.

Ans A local Parish Councillor for Styal would be well known. Parish Councillors are not paid; they are volunteers and are not always politically motivated.

12. What happens next?

Ans The Council has to follow the statutory guidelines and timetables. Notes had been made of the comments made and these would be published. They will form part of the reports going forward. The Consultation would close on 4th June and be considered by Council on 22nd July.

The public meeting commenced at 7.00 pm and ended at 8.20 pm

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CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th June 2010
Report of: Democratic Services Manager
Subject/Title: Outside Organisations

1.0 Report Summary

- 1.1 This report invites the re-appointment of the Task Group (Appointments to Outside Organisations); deals with some specific appointments which have arisen recently; and outlines progress to date on the monitoring of the effectiveness and appropriateness of representation on outside organisations.

2.0 Recommendations

2.1 That

(1) the Task Group (Outside Organisations):

- (a) be re-constituted to serve for the remainder of the Municipal Year;
- (b) meet on an *ad hoc* basis;
- (c) comprise five Members on a cross-party basis (3 Conservative, 1 Liberal Democrat and 1 Labour);
- (d) comprise Councillors R Cartlidge, S Jones and P Whiteley, in the interests of continuity, together with an additional two Conservatives to be nominated at the meeting;
- (e) oversee appointments to Categories 2-4 outside organisations, in general, and address any issues emerging in respect of those appointments;
- (f) continue with its review of appointments to establish the effectiveness and appropriateness of representation; and
- (g) report back to the Constitution Committee as and when it considers appropriate within the Municipal Year.

(2) Councillor Paul Edwards be nominated as the Council's representative on the Board of Trustees of Sir John Deane's College, Northwich;

(3) representation on the School Governing body for Sandbach School be reduced from four Councillors to two with immediate effect;

- (4) Councillors E Alcock and B Moran be nominated as the Council's representatives on Sandbach School Governing body;
- (5) Councillor Harold Davenport be nominated as the Council's representative to attend meetings of the Greater Manchester Integrated Transport Authority, in an observer capacity;
- (6) the progress of the Task Group in monitoring the effectiveness and appropriateness of representation, together with the preparation of a list of support officers, be noted;
- (7) the changes in representation on outside organisations, as identified in the report, be noted; and
- (8) arrangements be made for training to be delivered to Members to offer advice and guidance on their role and responsibilities when appointed to outside organisations.

3.0 Reasons for Recommendation

- 3.1 The development of a method for reporting back on representation will enable the Council to monitor the work of outside organisations and determine their continued appropriateness to the Council's aims, which in turn will inform the appointments to be made from May 2011.
- 3.2 The issues which arise, in general, are more appropriate for the Task Group to undertake than the full Committee.
- 3.3 The retention of the Task Group as a standing body, to meet as and when required, will enable it to address other issues associated with outside organisations which may emerge during the course of the year.
- 3.4 The appointments to Sandbach School are in accordance with the proposed new governance arrangements for the school; the proposed appointment to Sir John Deane's College acknowledges the education provision which falls within the Borough of Cheshire East.

4.0 Wards Affected

N/A

5.0 Local Ward Members

N/A

6.0 Policy Implications

None identified

7.0 Financial Implications

None identified

8.0 Legal Implications (Authorised by the Borough Solicitor)

Whilst membership of outside bodies carries with it the potential for personal liability for elected Members undertaking such roles as ancillary to their status as a Councillor, particularly in respect of trusteeships, Cheshire East Borough Council has already resolved to put in place for elected Members the maximum indemnity which is allowed by law.

9.0 Risk Management

No risks identified.

10.0 Background and Options

10.1 Composition of the Task Group

The Task Group set up by the former Governance and Constitution Committee in July 2008 was established on a cross-party basis, comprising 3 Conservatives, 1 Liberal Democrat and 1 Labour, the membership being drawn from that Committee. It is suggested that the Task Group be re-constituted on the same basis and that in the interests of continuity, Councillors Shirley Jones, Roy Cartlidge and Paul Whiteley be re-appointed, together with two Conservatives to replace Councillor Harold Davenport and Andrew Kolker, the former Chairman and Vice-Chairman respectively of the Governance and Constitution Committee.

10.2 Sir John Deane's College

Sir John Deane's College is a foundation school which falls within the Borough of Cheshire West and Chester and provides sixth form education, not only to Northwich and the surrounding area, but also to Middlewich and Holmes Chapel in Cheshire East.

There are three Cheshire West and Chester Members appointed to the Board of Trustees and the school would welcome representation from Cheshire East.

The Board administers funds providing grants for the benefit of the college or individual students who need support for a project, or for maintenance. The appointees are trustees and hold the land in trust from the Charity Commission.

This matter has been considered by the Task Group which recommends the appointment of one Cheshire East Member to the Board of Trustees. As the majority of the pupils attending the school from Cheshire East Borough are from the Middlewich area, it is appropriate for a Middlewich Ward Councillor to be appointed. The Committee is therefore asked to approve the nomination of Councillor Paul Edwards.

10.3 Sandbach School

In March 2009, the Governance and Constitution Committee appointed four Members to Sandbach School, namely Councillors Gillian Merry, Barry Moran and Stella Furlong (Conservative) and Councillor Elsie Alcock (Liberal Democrat). They were appointed to serve until May 2011.

The school has recently written to the Council acknowledging that although its current constitution provides for between two and four Councillors, the school would prefer the number to be reduced to two. This letter was considered by the Task Group (Outside Organisations). Members were minded to take no action but they agreed to review the situation at the next round of appointments in May 2011.

A further letter has since been received from the school making a formal request to reduce the number of Councillors from four to two. In view of the timing of this latest letter, it has not been possible to seek the Task Group's views in advance of the Committee's meeting.

The School wishes to introduce new governance arrangements from September 2010 to allow it to appoint more parent governors, but its ability to do this, within the constraints of its constitution, is limited. A reduction in Council nominees would allow the school to increase the number of parent governors. The School wishes to start its election arrangements for parent governors in mid-June.

The Committee is asked to agree to the School's request and to reduce the Council's representation on the governing body to two Councillors. This would result in Councillors E Alcock and B Moran being nominated as the Council's representatives, with Councillors G Merry and S Furlong coming off the body.

10.4 Greater Manchester Integrated Transport Authority

A request has been received from Greater Manchester Integrated Transport Authority to nominate a Councillor to attend its Authority meetings as an observer. Councillor Macrae has asked the Committee to consider this request and recommends that Councillor Harold Davenport be nominated because of his particular interest in transport.

Councillor Davenport currently represents the Council on four other outside organisations which are connected with transport.

10.5 Monitoring Effectiveness/Appropriateness of Representation

The former Governance and Constitution Committee, at its meeting held on 25th March 2010, approved the format of monitoring forms to be issued to Councillors/Officers and Secretaries of outside organisations as a means of establishing the effectiveness and appropriateness of representation.

The process of issuing forms to Councillors is not yet complete, but is expected to be concluded by the end of June/early July. Forms will be sent to secretaries of outside organisations in July.

An analysis of the responses will be undertaken by the Task Group later in the year and this will inform the next round of appointments to be made in May 2011.

10.6 Support Officers

A list of Officers who attend meetings of outside organisations is currently being compiled. The Task Group has previously expressed the view that to ensure that a robust support system is in place for Members appointed to outside bodies, there should be a Support Officer whose role would be that of a specialist to offer advice on the topic area of the outside body to which individual Members have been appointed. The provision for support is also enshrined in the "Appointments to Outside Organisations - Guidance for Members" which was adopted by the Committee on 25th March 2010.

10.7 Changes in Representation

The Conservative Group has made a number of changes to its appointments to the Category 2 outside organisations. In accordance with the Procedure for Casual Vacancies (adopted by the former Governance and Constitution Committee on 9th March 2009), these replacements are being reported to the Committee for confirmation.

Organisation	Current Representative	Proposed Representative
Macclesfield Chamber of Commerce and Business Link	Cllr J Macrae	Cllr W Fitzgerald
South Cheshire Chamber of Commerce & Industry	Cllr D Brickhill (resigned)	Cllr J Macrae
Wilmslow Trust	Cllr R Menlove (resigned)	Cllr J Crockatt

10.8 Guidance for Members

At its meeting on 25th March 2010, the former Governance and Constitution Committee noted progress on the preparation of a guidance note for Members. The document is subject to further review by Legal Services and will not be available in its final form until later in the year. However, in advance of that, Members may find it helpful to receive advice and guidance on the key principles contained within the document. Arrangements are therefore being made to hold two separate briefing sessions.

11.0 **Access to Information**

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

For further information:

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CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th June 2010
Report of: Democratic Services Manager
Subject/Title: Overview and Scrutiny Working Arrangements

1.0 Report Summary

- 1.1 To seek amendments to the Constitution to recognise the re-alignment of Overview and Scrutiny Committees with the new portfolios reported at Council on 13th May 2010 and to agree to changes to the Constitution as it relates to the role of the Scrutiny Chairmen's Group (SCG).

2.0 Recommendations

2.1 That

- (1) the content of this report be noted;
- (2) the new overview and scrutiny remits be recommended to Council for approval, and the Constitution be amended accordingly; and
- (3) the role of the Scrutiny Chairmen's Group in relation to resolving conflict, resolving cross-cutting issues and reviewing work programmes and workloads be recognised and Council be recommended to authorise the Borough Solicitor to make appropriate reference to this role in the Constitution.

3.0 Reasons for Recommendations

- 3.1 By simplifying the reporting arrangements between portfolio holders and overview and scrutiny committee responsibilities, there will be greater clarity for Officers and Members. Co-ordination of the work of overview and scrutiny committees is a key element of managing work programmes.

4.0 Wards Affected

- 4.1 N/A

5.0 Local Ward Members

- 5.1 N/A

**6.0 Policy Implications including - Climate change
- Health**

- 6.1 The Constitution sets out the procedures by which the Council policy is set. Any proposed changes to the Constitution would need to align with the requirements of legislation which often stipulates the Council decision-making route associated with the adoption of policies.

7.0 Legal Implications

- 7.1 Any changes to the Constitution would need to be agreed by Council, following a recommendation from the Constitution Committee. Proposed changes would need to align with any statutory requirements.

8.0 Risk Management

- 8.1 There are no identifiable risks.

9.0 Background and Options

Scrutiny Committee Remits

- 9.1 Chairmen and Vice-Chairmen of the 5 overview and scrutiny committees meet informally on a monthly basis as the Scrutiny Chairs Group (SCG) to review the work of the Scrutiny function. In April of 2009, the SCG put forward suggestions to define the scope of Overview and Scrutiny activity for each committee, based on the responsibilities listed in the Constitution for the 9 Portfolio Holders. Each committee was subsequently allocated a remit based on the recommendations of the SCG. It has become clear during the intervening 12 months that the remits need refining, as some Portfolio Holders were being asked to attend more than one committee, and the recent changes to portfolios announced by the Leader of the Council provided an ideal opportunity to undertake this task.
- 9.2 The SCG has attempted to improve clarity and accountability and to simplify matters by seeking to ensure that Portfolio Holders are responsible to only one O&S committee each. This has been achieved in 8 out of 9 portfolios, the only exception being Health and Wellbeing which will be divided by health matters being dealt with by the Health and Adult Social Care Committee and wellbeing being dealt with by Corporate. In this case, the Portfolio Holder has been consulted and is content with the proposed arrangements.

The new overview and scrutiny arrangements supported by the SCG are as follows:

COMMITTEE	PORTFOLIOS	PORTFOLIO HOLDER
Corporate	Resources	Cllr F Keegan
	Procurement, Assets and Shared Services	Cllr P Mason
	Health and Wellbeing	Cllr A Knowles
Children and Families	Children and Family Services	Cllr H Gaddum
Health and Adult Social Care	Health and Wellbeing	Cllr A Knowles
	Adult Services	Cllr R Domleo
Sustainable Communities	Safer and Stronger Communities	Cllr R Bailey
	Performance and Capacity	Cllr D Brown
Environment and Prosperity	Environmental Services	Cllr R Menlove
	Prosperity	Cllr J Macrae

The Scrutiny Chairs Group

- 9.3 The role of the SCG is to drive forward the Overview and Scrutiny function. Members of the group have recognised that it plays a key role in resolving potential areas of conflict /duplication and deciding upon which committee will take the lead on cross cutting issues. The SCG is forging a crucial role acting as a sounding board for matters of common interest across all O&S Committees, including new legislation and best practice. It also monitors progress with work programmes and reviews work loads. It is considered that its role in dealing with all of the above matters should be formally acknowledged in the Council's constitution.

10.0 Access to Information

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

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CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th June 2010
Report of: Democratic Services Manager
Subject/Title: Notice of Motion – Freedom of the Borough

1.0 Report Summary

- 1.1 At its meeting on 27th May 2010, Council considered the following Notice of Motion submitted by the Mayor:

“That Council approve, in principle, a homecoming parade for the 1st Battalion Mercian Regiment (Cheshire) and that the Chief Executive be authorised to make the necessary arrangements, in conjunction with the officer commanding the Rear Operations Group, for the Freedom of the Borough to be awarded and the Homecoming Parade, in November 2010.”

Following advice from the Borough Solicitor, the motion stood referred to the Constitution Committee.

2.0 Recommendation

- 2.1 That the Officers be asked to work up detailed proposals for the proposed homecoming parade and Freedom of the Borough award for The 1st Battalion, The Mercian Regiment (Cheshire) and report back to the Committee.

3.0 Reasons for Recommendations

- 3.1 The 1st Battalion, The Mercian Regiment (Cheshire), had recently deployed to the Helmand Province in Afghanistan, for a six month active service tour. Within Cheshire East, the Battalion recruits from Congleton, Sandbach, Holmes Chapel, Middlewich, Macclesfield and Crewe. Therefore, there is a strong association with the Regiment and local service men and women are involved.

4.0 Financial Implications

- 4.1 There are no identifiable financial implications for 2010/11 arising from this report. As and when this Committee considers recommendations of the Sub Committee such implications will be considered and reported to

Members. Any costs associated with the award, and with the homecoming parade, would be met from within the Civic Budget.

5.0 Legal Implications

- 5.1 With regard to honorary aldermen and freemen, under the provisions of Section 249 of the Local Government Act 1972, “a principal council may, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, confer the title of Honorary Aldermen on persons who have, in the opinion of the council, rendered eminent services to the council as past members of that council, but who are not then members of that council”.
- 5.2 The demised Councils of Crewe and Nantwich, Macclesfield and Congleton had all admitted the 22nd (Cheshire) Regiment to the Freedom of their Boroughs. The former 22nd (Cheshire) Regiment became 1st Battalion Mercian Regiment (Cheshire), on 1 September 2007. Although the Freedoms that were given can be absorbed into the new Unit the Council is able to grant a Freedom in its own right.
- 5.2 Associated with the ‘Freedom of the Borough’ is the ‘Freedom of Entry’ which has been granted by a number of Boroughs to service units which have rendered conspicuous service. This entitles the Regiment to the right, privilege and honour of marching through the streets of Cheshire East on ceremonial occasions with swords drawn, bayonets fixed, drums beating, bands playing and colours flying”

6.0 Risk Management

- 6.1 There are no identified risks associated with the process at this time. If any risks are identified these will be reported to Members.

7.0 Background

- 7.1 The 1st Battalion The Mercian Regiment (Cheshire) had recently deployed to Helmand Province in Afghanistan, for a six month active service tour. At the conclusion of the Tour, the Regiment are planning a series of homecoming parades and have asked the Council, through the Mayor, for permission to undertake at least one parade in Cheshire East.
- 7.2 The Mayor, Councillor Baxendale, has been in contact with the officer commanding the Rear Operations Group and the Regimental Secretary from the 1st Battalion Mercian Regiment and they have indicated that the Regiment would be delighted to accept the offer of Freedom of the Borough.
- 7.3 A special meeting of the Council would be required to pass the necessary formal resolution.

- 7.4 If the Committee is minded to recommend to Council that the 1st Battalion, The Mercian Regiment (Cheshire) be granted the Freedom of the Borough the Chief Executive will on behalf of the Council continue to discuss the matter with the Rear Operations Group and the Regimental Secretary and report further to a future meeting of this Committee.

8.0 Access to Information

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

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CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th June 2010
Report of: Democratic Services Manager
Subject/Title: Civic Sub-Committee Update

1.0 Report Summary

- 1.1 To update the Committee on the work of the Civic Sub-Committee and raise awareness about decisions already taken.
- 1.2 During 2009/2010 the Sub-Committee undertook an exercise in respect of matters relating to the Honorary Aldermen and Freemen of this Council, and made recommendations on the process for the election of the Mayor and Deputy Mayor and upon the introduction of a Mayoral Protocol.
- 1.3 This report summarises the work carried out by the Sub-Committee and also invites Members to make recommendations on future areas of work for the Sub-Committee.

2.0 Recommendations

- 2.1 That the report be noted.

3.0 Financial Implications

- 3.1 There are no identifiable financial implications for 2010/11 arising from this report. As and when this Committee considers recommendations of the Sub Committee such implications will be considered and reported to Members.

4.0 Legal Implications

- 4.1 With regard to Freemen, and inhabitants of former boroughs, under the provisions of Section 248 of the Local Government Act 1972, pre-existing rights and privileges conferred on such persons were unaffected, and after March 1974, Freemen and persons related to or associated with them by marriage, descent, employment or otherwise were entitled to the same rights as them.
- 4.2 With regard to Honorary Aldermen and Freemen, under the provisions of Section 249 of the Local Government Act 1972, "a principal council

may, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, confer the title of Honorary Aldermen on persons who have, in the opinion of the council, rendered eminent services to the council as past members of that council, but who are not then members of that council”.

- 4.3 Sections 32 and 33 of the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008 confirm that a person who has been admitted as an Honorary Alderman or Freeman of a local government area that has been abolished shall be treated as being admitted as an Honorary Alderman and Freeman of the new reorganised area.

5.0 Risk Management

- 5.1 There are no identifiable risks associated with the recommendations of this report.

6.0 Background

Update on the Work of the Civic Sub-Committee

- 6.1 At the meeting of the Civic Sub-Committee held on 9th February 2010 it was resolved that

(1) The Democratic Services Manager write to all Members of the Council with a view to confirming the accuracy of the list of honorary aldermen and freemen;

(2) All Members of the Council be consulted on what rights and privileges should be granted to honorary aldermen and freemen in Cheshire East; and

(3) A further report be submitted to the next meeting setting out a proposed scheme for the appointment of honorary aldermen and freemen in Cheshire East.

- 6.2 Members have been consulted and a further report will be presented to the Sub-Committee in due course. A copy of the Consultation document is attached for Members' Information. There was a minimal response, the key issues relating to the accuracy of the list.

- 6.3 At the same meeting it was also resolved

That Council be recommended to agree that

(1) each year, the Deputy Mayor will normally succeed to the Mayoralty in the following year;

(2) each year, the Deputy Mayor will be chosen for appointment by Council by the political group which has the majority of Council Members, provided that in making such choice, another political group or groups may be invited to put forward a nomination for consideration by the majority group;

(3) this approach be adopted in respect of the election of Mayor and appointment of Deputy Mayor for the 2010/2011 Civic Year and beyond; and

(4) the draft Mayoralty Code of (Mayor and Deputy Mayor) Practice, as appended to the report, be adopted by the Council, as amended to reflect the above approach, and be incorporated into the Council's Constitution with such consequential amendments as the Borough Solicitor considers necessary to give effect to the wishes of Council.

7.4 The former Governance and Constitution Committee considered the recommendations of the Civic Sub-Committee in relation to the election of the Mayor and appointment of the Deputy Mayor. The Committee also considered a draft Mayoral Code of Practice which it was agreed be recommended for adoption by Council. Council accepted the recommendations of the Governance and Constitution Committee at its meeting on 25th February 2010. The adopted Mayoralty Code of Practice is appended to this report for information.

7.5 The adopted process for the election of the Mayor and appointment of the Deputy Mayor was followed for the 2010 municipal year.

Future Areas of Work of the Civic Sub-Committee

7.6 At the Annual Meeting of Council the Grant of Arms was presented to the Council. This is being framed and will go on public display in Westfields. The Grant of Arms will be used in the design for the Civic Regalia and the Sub-Committee might wish to make recommendations on this. Approval is being sought to engage an experienced local jeweller who will commission a specialist company to produce the Civic Regalia for the Council.

7.7 In response to several requests to fly the National Flag on St George's Day it was agreed that arrangements be put in place, and the flag was flown from the main administrative buildings. Armed Forces Day is taking place at the end of June and again the Council will be lending its support by flying Armed Forces Flags. There are other occasions on which it might be appropriate to fly flags other than the Cheshire East Flag and the Sub-Committee could be invited to make recommendations on a Flag Flying Policy.

8.0 Access to Information

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

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Designation: Democratic Services Manager

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To All Members of the Council

Brian Reed

Democratic Services Manager

Westfields, Middlewich Road

Sandbach, Cheshire

CW11 1HZ

Tel: 01270 686670

Fax: 01270 529891

email: brian.reed@cheshireeast.gov.uk

DATE: 26th March 2010

OUR REF:

YOUR REF:

Dear Member

Honorary Freeman and Alderman

At a recent meeting of the Civic Sub-Committee, Members considered a report on several matters relating to the Honorary Aldermen and Freemen of the Council who had been admitted from the demised East Cheshire authorities.

A provisional list of Honorary Aldermen and Freemen, who were admitted by the demised East Cheshire authorities, was circulated at the meeting.

In addition, information was also circulated on the rights and privileges that each authority had conferred upon Honorary Aldermen.

The Civic Sub-Committee will consider this matter further in due course, but before doing so asked that I write to all Members of the Council with a view to confirming the accuracy of the list of Honorary Aldermen and Freemen and to consult with all Members of the Council on what rights and privileges should be granted by this Council.

I should be grateful therefore if you would consider the attached provisional list of Honorary Aldermen and Freemen to confirm its accuracy. Secondly please could you consider the rights and privileges that each authority had conferred upon Honorary Aldermen and let me have your views upon them?

The intention is that the Council should have its own criteria for the appointment of Honorary Aldermen and a list of rights and duties together with a civic ceremony for their Admission.

Yours sincerely

Democratic Services Manager

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CIVIC SUB COMMITTEE

ITEM 6 HONORARY ALDERMEN AND FREEMAN

A list of Honorary Aldermen and Freeman admitted by the demised Cheshire East authorities has been researched. Using the records available a list of Honorary Aldermen and Freeman is enclosed at Appendix 1.

The criteria and rights and privileges conferred to Honorary Aldermen and Freeman admitted by the demised Cheshire East authorities has been researched. Using the records available the rights and privileges conferred are enclosed at Appendix 2.

(Note: Those Honorary Aldermen and Freeman who are deceased have been omitted from the list.)

Appendix 1

ALDERMEN AND FREEMAN OF THE FORMER CHESHIRE COUNTY AND BOROUGH COUNCILS

Prior to disbandment on 31 March 2009, Cheshire County Council, Crewe & Nantwich Borough Council, Congleton Borough Council and Macclesfield Borough Council had conferred the title of Honorary Alderman and Freeman onto the following recipients:

Cheshire County Council

Alderman

Mrs J E Hill	Pre 1998
Mr D P Hood	Pre 1998
Mr Alan Barnes	2001
Mrs Margaret Melrose DL	2001
Mr David Palmer	2001
Mr William Talbot	2001
Mr D A Bould	2005
Mr K A Hemsley	2005
Cllr John Paul Findlow	2009
Mr John Gordon Alexander Fyffe	2009
Mr Barrie Rushworth Hardern	2009
Mr David Lloyd-Griffiths	2009
Cllr Peter Herbert Mason	2009
Cllr Arthur Moran	2009
Mr David John Newton DL	2009
Mr Peter Nurse	2009
Mr Neville Thomas Price	2009
Cllr Stephen Roger Wilkinson	2009

No Honorary Freedom have been admitted

Crewe and Nantwich Borough Council

Alderman

Mr Alan Gilderthorpe Chapman	1990
Mr John Michael Bedson JP	1991
Mr Roland Peter Birchall	1995
Mr Richard A Ellwood	1999
Leslie Cooper	1999
Mr Douglas Neville Butterill	2005
Mr Peter Kent	2009

Mr Howard Curran	2009
Mrs Maureen Grant	2009
Mr Steve Hogben	2009
Mr Michael Roberts	2009
Mr Steven Roberts	2009
Mr Gwyn Griffiths	2009
Mr Ray Stafford	2009
Mr Ron Salmon	2009
Mr Leslie Wood	2009
Cllr Terry Beard	2009
Cllr Brian Silvester	2009
Cllr Christopher Thorley	2009
Cllr Stanley Davies	2009

Freeman

The 22nd (Cheshire) Regiment	1986
Mrs Anne B Blacklay BSc	1989
HMS Ambuscade (de-commissioned)	1993
Mr John Michael Bedson JP	1998
Mr Michel-Antoine Rognard	2001
Mr Edward John Bowler	2003
Mr Dario Gradi MBE	2003

Congleton Borough Council

Alderman

Mr R Tomlinson	1998
Mr R C Parry	2004
Mr K A Hemsley	2004
Mrs K A Thompson	2004
Mr M J Cooper	2009
Mr T Farrell	2009
Mr R A Giltrap	2009
Mr L Morris	2009
MR F Walton	2009
Cllr D Brown	2009
Cllr RM Domleo	2009
Cllr P J Edwards	2009
Cllr RI Fletcher	2009
Cllr DI Hough	2009

Freeman

First Battalion of the Mercian Regiment	
Mr G Chambers	2009

Macclesfield Borough Council

Alderman

Mr P. O. Davies	2009
Mrs. S. L. Hardern	2009
Mr K. Jagger	2009
Mr A. Wall	2009
Mr R. F. Short	2009
Mrs. M. D. Clampett	2009
Mrs. D. M. Millett	2009
Mrs. J. M. Barnes	2009
Mr N. H. Edwards	2009
Councillor Miss C. M. Andrew	2009
Mr G W Wright	2009
Councillor P. P. Whiteley	2009
Councillor J. B. Crockatt	2009
Mr B E Burkhill	2009
Councillor Mrs T Jackson	2009
Councillor Mrs A I E Harewood	2009
Mrs J. M. Palmer	2009
Mrs J. A. Jackson	2009
Mrs S. E. Roberts	2009

Freeman

Margaret Duddy OBE	2002
Sir Nicholas Winterton MP	2002
The Kings School, Macclesfield	2002

The Cheshire Regiment was also a Freeman of the Borough

Appendix 2

CRITERIA FOR THE APPOINTMENT OF HONORARY ALDEREMAN AND THE RIGHTS AND PRIVILEGES CONFERRED BY THE FORMER CHESHIRE COUNTY AND BOROUGH COUNCILS

Cheshire County Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

1. The Organisation Committee shall have the duty of submitting, from time to time, to the full Council, the names of past Members of the Council who, in the opinion of the Committee, have rendered eminent services to the Council and on whom should be conferred the title of “Honorary Alderman” in accordance with the provisions of Section 249 of the Local Government Act 1972.
2. When the Committee has approved such a recommendation, the Chief Executive, in consultation with the Chairman of the Council, shall convene a special meeting of the Council for the purposes of considering the proposition that the title of Honorary Alderman be conferred on the person or persons recommended by the Committee.
3. The resolution of the Council conferring the title of Honorary Alderman on a former Member shall be suitably engrossed and embodied in a Roll of Honorary Aldermen of the Cheshire County Council.
4. The Roll of Honorary Aldermen shall be kept by the County Secretary.
5. An Honorary Alderman of the Cheshire County Council shall enjoy such privileges as may properly be conferred by the Council from time to time and in particular shall be entitled:
 - (1) to attend civic receptions and other civic functions or ceremonies to which all Members of the Council are invited;
 - (2) to attend meeting of the County Council and to be allocated a seat in the Council Chamber;
 - (3) to use, by invitation, the facilities in the Group Rooms;
 - (4) to receive the privileges accorded to Members of the Council in respect of admission to Tatton Park.
6. For the purposes of this Scheme the term “eminent services” shall mean three full terms of office and/or service as Chairman or Vice-Chairman of the Council and/or the holding of a senior political office.

PRIVILEGES

As set out in Section 5 above.

Crewe and Nantwich Borough Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

The title of Honorary Alderman was normally awarded to long serving Members on retirement.

PRIVILEGES

The privileges were the same as those for Honorary Freeman which were invitations to all major civic events and copies of the Borough Council minutes.

Congleton Borough Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

The title of Honorary Alderman was normally awarded to long serving Members on retirement.

PRIVILEGES

Invitations to all major civic events

Macclesfield Borough Council

SCHEME FOR THE APPOINTMENT OF HONORARY ALDERMEN

To be considered for the appointment of Honorary Alderman Members had either been Mayors of the Borough and/ or are still serving Councillors who have completed over three terms of office as Councillor.

PRIVILEGES

Invitations to all major civic events

THE MAYORALTY - CODE OF (MAYOR AND DEPUTY MAYOR) PRACTICE

1. General

The Mayoralty (or Chairmanship of the Council) is the most exalted position within the gift of the Council. Officers and staff must, at all times, respect the Mayor and show deference to his office. Throughout this Code of Practice the word 'his' is not gender specific. As Chairman of the Council his authority is derived from the Local Government Act of 1972, Section 3, and his construction or application of any of the Council's Constitution, or as to the proceedings of the Council, should not be challenged.

2. Policy Developments

The Mayor throughout his term of office should remain impartial in all matters of policy and should not be involved in the direction of affairs or get involved in any campaigns. But should matters be raised with him, he should take no action and instead raise the matter in the first instance with the Leader of the Council or the appropriate Cabinet Member or Department for action. Where there are matters of Policy, all press enquiries should be made via the Council's Communications Team.

3. Controversial Activities

The Mayor should not become involved in Council Policy or activities of a controversial nature. Where the Mayor is confronted with a controversy or enquiries on matters of policy he should refer the matter to the appropriate Cabinet Member.

Where there are matters of a controversial nature, all press enquiries should be made via the Council's Communications Team.

4. Political Events

The Mayor should take no active involvement in political events, particularly formal meetings, and may therefore choose not attend group meetings during his year of office.

It would be a matter for the Mayor's discretion as to whether he attended social functions arranged by political parties, but if so attending should not attend as Mayor of the Borough but as a private individual.

5. Relationship with Cabinet Members

The Mayor should not normally become involved in any matter, which is within the role of a Cabinet Member, but if an occasion arises, as indicated in (2) above, then the Mayor should receive the fullest support of the appropriate Cabinet Member, or the appropriate Director.

As the Chairman of the Council, the Mayor should be regularly briefed by officers, via regular diarised meetings, as to current policy.

6. Other Appointments

The Mayor should not be appointed as Chairman or Vice-Chairman of any Committee or Sub-Committee of the Council. He may accept ex officio positions with an outside organisation or body where his membership stems from his position as Mayor for the time being. He may attend the annual meeting or other special meetings of an outside organisation or body and may accept the position of patron or president, but should not become actively involved during his term of office.

7. Selection of Mayor

The Deputy Mayor will normally succeed to the Mayoralty in the following year. The selection process should normally ensure that, upon election to office, the Mayor will have served at least one term of office as a local authority Councillor.

8. Civic Services

The venue for the Civic Service will be chosen by the Mayor. It is often the case that the Mayor will be invited to visit his own church during the term in office, however, this is not a Civic Service as such, it is a 'civic presence'. The Mayor, at his own choice, may designate a Civic Church for his term of office.

9. Civic Duties

In his capacity as the Civic Head, or First Citizen, the Mayor represents the Sovereign in the Borough, ranking in precedence only after the Lord Lieutenant (if attending in his official capacity representing the Queen) and members of the Royal Family. He should, therefore, officiate at all formal civic events involving the Council, the public and press. In his absence the Deputy Mayor should officiate, or at the Mayor's discretion, the appropriate Portfolio Holder- but always subject to the Mayor's ruling.

10. Mayoral Regalia and dress code for Members at meetings

The Mayor and Deputy Mayor should wear their robes, chains and badges of office on all formal occasions within the Borough. At meetings of the Council the Mayor and Deputy Mayor should wear their robes, chains and badges of office provided that at the discretion of the Mayor, in the light of prevailing weather conditions, the wearing of robes may be dispensed with.

The Mayor and Deputy Mayor should wear their chains and badges of office when attending functions unless, at their discretion, the badges of office or a ribbon would be more appropriate.

Members of the Council should also always be appropriately dressed at Council meetings as a mark of respect to the Mayor. At the discretion of and with the permission of the Mayor, jackets may be removed during hot weather.

Members should also stand, as a mark of respect for the Mayor, when he enters and leaves the Council chamber at Council meetings, and when he enters a room in which a meeting is taking place.

11. Use of Mace

The mace should be used on all Borough Ceremonial occasions and will be carried before the Mayor.

12. Chief Executive

The wearing of regalia by the chief Executive on royal occasions, at Council meetings, at Mayor Making, and on other special occasions will be at the discretion of the Chief Executive, provided that, in respect of royal occasions, the advice of the royal office or Lord Lieutenant will be sought.

13. The Deputy Mayor

Each year, the Deputy Mayor will be chosen for appointment by Council by the political group which has the majority of Council Members, provided that in making such choice, another political group or groups may be invited to put forward a nomination for consideration by the majority group.

The role of the Deputy Mayor should be one of support to the Mayor in fulfilment of civic engagements and to take the Chair in the absence of the Mayor at Council Meetings.

The Deputy Mayor, in consultation with the Chairman of the Governance and Constitution Committee, will decide how the Mayor Making ceremony will be organised, subject to advice from officers.

14. Mayoress or Consort and Deputy Mayoress or Consort

There is no legal status for these offices, appointments being made on the invitation of the Mayor and Deputy Mayor respectively, subject, in the case of persons other than relatives being proposed, to appointments being at the discretion of the Sub-Committee.

15. Mayor's Chaplain

The Mayor's Chaplain is his spiritual adviser and is appointed by the Mayor.

16. Administrative/Secretarial Support

Administrative/secretarial, civic and administrative support is provided by staff of and under the control of the Democratic Services Manager.

The administrative/secretarial support will be responsible for making all arrangements for the attendance of the Mayor and Deputy Mayor at any event. (Note - The Communications Team will give such assistance as required to the Mayor and Deputy Mayor, see also paragraphs 2 and 3.)

17. Civic Cars

The following rules will apply for the use of the official cars:

- (a) The Mayor will have first claim on use of the civic cars, subject to (b) and (c) below, and the car bookings will be the responsibility of the personal assistant allotted to the Mayor. He/she will draw up the weekly list of engagements for the Mayor.
- (b) The Deputy Mayor will be entitled to use a civic car when performing a duty at the request of, or on behalf of, the Mayor.
- (c) The Mayoress/Consort and Deputy Mayoress/Consort will be entitled to use a civic car when performing a duty at the request of, or on behalf of the Mayor.
- (d) On occasions (eg when no civic car is available due to maintenance etc), the Deputy Mayor may drive himself to engagements, but where considered appropriate, the administrative/secretarial support will arrange suitable alternative transport.
- (e) For the avoidance of doubt, the civic cars may only be used for journeys directly associated with the performance of duties on behalf of the Borough Council arising from the office held by the user and will not be used for attendance at private functions unless prior arrangements have been made to reimburse the costs of driver and vehicle. The Mayor and/or Deputy Mayor will use the civic cars to convey them to and from meetings of the Council but will not use them for meetings of a Committee, Sub-Committee, etc. or of an outside body, which they are attending as an ordinary member, unless they are subsequently attending a public engagement.
- (f) Because of the need to give the chauffeurs/civic attendants time off in lieu of hours worked or to arrange a substitute driver when they are not available, the maximum notice should be given of any engagements for the civic cars.

18. Accommodation

The Mayor has the use of Parlours at Macclesfield Town Hall, the Municipal Buildings, Crewe and, on occasions, the Members Room at Westfields. These premises will be used by the Mayor for civic and social occasions only. When necessary, the Mayor shall seek the assistance of officers in identifying other accommodation which he may need, in order to perform his civic functions.

19. Indisposition of the Mayor/Deputy Mayor

In the event that, due to the indisposition for whatever reason, the Mayor could not reasonably be asked to fulfil the normally accepted duties of his post, the Deputy Mayor will be requested, for that period of time, to assume the full duties of the post of Mayor, but will not take the title.

In the event that, due to indisposition for whatever reason, the Deputy Mayor could not reasonably be asked to fulfil the duties of his post, the Deputy

Mayor Elect or the Leader of Council, will, for that period of time, assume the civic and social duties of the post of Deputy Mayor, but will not take the title.

20. Financial

The allowances for the Mayor, Deputy Mayor and Civic Hospitality should be reviewed annually and increased by an appropriate amount to cover inflation.

When the Deputy Mayor is called upon to carry out the full duties of the Mayor for a period of two weeks or more, then an allowance of the difference between the Mayor's allowance and the Deputy Mayor's allowance will be paid for the period he so acts. Similar arrangements will apply in the case of the Deputy Mayor Elect.

The Civic Hospitality allowance is controlled by the Democratic Services Manager, and expenditure is subject to the approval of the Mayor and the Democratic Services Manager.

21. Civic Ceremonial and Procedure

The former Mayors of the Council, and the last Mayors of the demised Cheshire East authorities will be presented with a medallion as a memento of their office which should be worn only at:-

- (a) Mayor-Making ceremonies;
- (b) Annual Meetings of the Council;
- (c) meetings of the Council when the Mayor is robed;
- (d) ceremonies or processions when robes are worn;
- (e) civic dinners, receptions or other social functions of a civic character within the Borough;
- (f) other civic functions within the Borough at the request of the Mayor;
- (g) civic functions in another Authority's area only at the express invitation of the Mayor or Chairman concerned.

Preferential arrangements should be made at the Annual Council Meeting and on Civic Sunday for former Mayors.

22. Civic Events

The list of invitations to the Civic Service will be examined and extended as necessary and invitations should be sent in the name of the Mayor.

23. Christmas Cards

The persons to whom the Mayor sends Christmas cards, of his own choice, is a matter for his discretion. Only the cost of official cards and postage is borne by the Council.

24. Civic Hospitality - Mayor's At Home

Light refreshments will be provided and arrangements will be reviewed regularly.

25. Acceptance of Invitations

It is the wish of the Council that the Mayor should accept as many invitations as possible to attend events and functions to which he has been invited and that the services of the Deputy Mayor should also be used in the event of competing invitations being received.

Normally the Mayor is expected to accept the first invitation received for a particular time and date.

26. Mayor's Charity

It should be borne in mind that any fundraising activities undertaken for the Mayor's Charity are the responsibility of the Mayor, the Mayoress and 'friends'. Fund raising is discretionary and does not form part of the Mayor's duties.

Officers will only provide support to the Mayor in respect of charitable activity at civic occasions, including the Mayoral Ball, including the selling of tickets and reservation of places. The Mayor may consider establishing a committee to assist in the planning and preparation for such activity.

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting:	24 th June 2010
Report of:	Democratic Services Manager
Subject/Title:	Proposed Review of the Constitution

1.0 Report Summary

- 1.1 To recommend to the Committee that consideration be given to initiating a review of the Council's Constitution.

2.0 Decision Requested

- 2.1 That the Committee

(1) note the report; and

(2) agree the timetable of work for the review of the Constitution as set out in the Appendix.

3.0 Wards Affected

- 3.1 All Council Wards are affected by the Constitution, which has application across the Borough.

4.0 Local Ward Members

- 4.1 All local Ward Members are affected for the reasons set out in paragraph 3.0.

5.0 Policy Implications

- 5.1 The Constitution sets out the procedures by which Council policy is set. Any proposed changes to the Constitution would need to align with the requirements of legislation which often stipulates the Council decision-making route associated with the adoption of policies.

6.0 Financial Implications

- 6.1 There are no financial implications associated with the proposed review.

7.0 Legal Implications

- 7.1 Any changes to the Constitution would need to be agreed by Council, following a recommendation from the Constitution Committee. Proposed changes would need to align with any statutory requirements.

8.0 Risk Management

- 8.1 Subject to appropriate legal consideration, there would appear to be no risks associated with the proposed review of the Constitution. Indeed, the proposed review will provide an opportunity to ensure that all elements of the document are consistent with one another.

9.0 Background

- 9.1 The Constitution is a document of significant size and critical importance to the work of the Council. In its 450 pages, it provides important information about the Council, its Members and officers. It also provides a record of the officer and Member processes which underpin all decisions made by the Council. The rules by which Council, Committee and Cabinet business are conducted are recorded in the Constitution.
- 9.2 This information is not only of great importance to Members, officers and members of the public, in order for them to understand the Council's decision-making processes and rules; it is also of critical importance in directing the way in which decisions are made. Failure to follow the procedural requirements of the Constitution could invalidate decisions made.
- 9.3 The Constitution is published on the Council's website, and is available to all Members. It ensures transparency of decision-making and enables all who are interested in doing so, to check that procedures have been followed properly. Members of the public and other interested parties are able to influence decisions made by reference to the procedures and mechanisms set out in the Constitution.
- 9.4 When an announcement was made in early 2008 that Local Government Reorganisation would take place with effect from 1st April 2009, a huge challenge was presented to Members and officers to analyse the decision-making processes and functions of three District authorities and one County authority, and bring these together into a form which would properly serve a unitary authority.
- 9.5 This work was successfully undertaken and Council adopted its first Constitution in time for Vesting Day.
- 9.6 As indicated, this work had to be carried out within a narrow timeframe. Whilst the Constitution is robust and fit for purpose, Council has approved a number of refinements to it since 1st April 2009. The Constitution continues to serve the Council well, but now is the time for consideration to be given to a review of the Constitution.

- 9.7 Whilst it would neither be appropriate, nor necessary, to review the whole of the document, the Committee may wish to focus upon key elements of the document. The following items may form the basis of the Committee's approach. They are listed in no particular order:
1. Finance and Contract Procedure Rules (and the way in which these relate to/complement other Constitutional documents)
 2. Council Procedure Rules (these have been subject to the majority of changes since Vesting Day and are probably in need of little attention)
 3. Cabinet Procedure Rules
 4. Scrutiny Procedure Rules
 5. Staff Employment Procedure Rules
 6. Key Decision provisions
 7. Responsibilities of Individual Cabinet Members (there may be some benefit in refining the functions allocated under each Portfolio to remove any uncertainty as to where decision-making responsibilities lie).
- 9.8 Even if the Committee chooses to restrict its review to the limited range of areas listed above, this will still present a significant burden of work for Members and officers to deal with.
- 9.9 It is therefore suggested that the work be reasonably apportioned across the forthcoming meetings of the Committee allowing, of course, time before the meeting in question for the officers to conduct research and draft suggested constitutional provisions.
- 9.10 Members will understand that detailed analysis and constitutional work will place demands on Democratic Services, Legal Services and service department officer time. It must be recognised that, occasionally, timescales will slip and officers would ask that the Committee recognises this to be the case. For other reasons, it may be desirable to bring-forward certain work in order to address specific issues which might arise. Again, if the Committee is willing to be flexible in its approach, officers would appreciate it.
- 9.11 The Appendix to this report is a suggested timetable of work which, if the Committee considers appropriate in approach, can form the basis of the proposed task over the remainder of the municipal year.
- 9.12 It is suggested that where, for example, a decision-making or other body would be affected by proposed constitutional changes, that body should be consulted prior to the Constitution Committee giving consideration to those changes. Consultation could take place formally, through the body itself, or informally eg via the Scrutiny Chairs meeting. Indeed, such a body might have particular requests and suggestions which the Constitution Committee should take into account before making recommendations to Council. Suggested consultations are built into the Appendix.

10.0 Access to Information

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

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Designation: Democratic Services Manager

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Appendix

Meeting date	Material to be reviewed	Comments
30/09/10	Council Procedure Rules	It may be appropriate to seek the views of the Corporate Scrutiny Committee/Scrutiny Chairs/Cabinet prior to a report being made to the Constitution Committee
18/11/09	Cabinet Procedure Rules	Cabinet and the Corporate Scrutiny Committee should be consulted prior to the meeting of the Constitution Committee
	Key Decision Provisions	Cabinet and the Corporate Scrutiny Committee should be consulted prior to the meeting of the Constitution Committee
	Responsibilities of Individual Cabinet Members	Cabinet and the Corporate Scrutiny Committee should be consulted prior to the meeting of the Constitution Committee
27/01/10	Finance and Contract Procedure Rules	This is likely to be a complex area in view of the bulk of Rules in question (approximately 90 pages).
	Scrutiny Procedure Rules	Corporate Scrutiny Committee/Scrutiny Chairs need to be consulted
24/03/10	Staff Employment Procedure Rules	

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