

CHESHIRE EAST COUNCIL

Minutes of a meeting of the
Community Governance Review Sub-Committee
held on Wednesday, 19th December, 2012 at Executive Meeting Room 2,
Municipal Buildings, Earle Street, Crewe CW1

PRESENT

Councillor D Marren (Chairman)
Councillor P Groves (Vice-Chairman)

Councillors S Hogben (for Cllr Jackson), B Murphy and P Whiteley

Officers

Lindsey Parton, Registration Service and Business Manager
Paul Jones, Democratic Services Team Manager
Paul Mountford, Democratic Services Officer

ChALC

Linda Davenport

Apologies

Councillors G Baxendale and J Jackson

67 DECLARATIONS OF INTEREST

Councillor S Hogben declared a non-pecuniary interest as a Crewe Charter Trustee.

68 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

69 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting of 22nd November 2012 be approved as a correct record.

70 CREWE COMMUNITY GOVERNANCE REVIEW - NEXT STEPS

The Sub-Committee discussed the preparatory work required in advance of the Crewe Parish Council elections on 4th April 2013.

Linda Davenport from the Cheshire Association of Local Councils (ChALC) was in attendance to assist the Sub-Committee.

The following issues were considered:

- a) Arrangements for Seminar(s) for prospective candidates. This had been done for the Wilmslow Community Governance Review. It would include information on how to stand for election. Two dates were proposed in early February to fit in with the elections timetable:

Wednesday, 13th February (evening)

Friday, 15th February (afternoon)

There were suitable meetings rooms available in the Municipal Buildings. A draft programme would be produced and the events would be advertised by public notice and a press release.

RESOLVED

That the seminars be approved and the officers draw up a programme and arrange suitable publicity.

- b) Consideration of appointment of an Interim Parish Clerk

At about this stage with the Wilmslow Review, the Interim Parish Clerks were appointed with the assistance of ChALC.

The officers would canvass experienced town and parish clerks with a view to appointing an interim parish clerk. The interim clerk would remain in post until the new parish council had appointed a permanent clerk, usually about six months.

The interim parish clerk would be funded from the budget approved for the first year of the parish council. It was agreed that the clerk should be appointed from February 2013 to allow two months before the elections. The temporary clerk would continue to be employed by the council for which they already worked but would accrue hours which would be paid by the Parish Council after April, in the same way as the arrangements for an interim clerk had worked for the Wilmslow Review. The parish council at its first meeting would be asked to take responsibility for the interim clerk.

RESOLVED

That the officers make arrangements for the appointment of an Interim Parish Clerk on the basis discussed, seeking expressions of interest from across Cheshire, and the selection and appointment of the Clerk be made by the Sub-Committee at a meeting convened for that purpose.

- c) Transfer of assets from Cheshire East Council – Allotments / Public Conveniences at Lyceum Square

It was proposed that Cheshire East Council continue to maintain the toilets in Lyceum Square for three months from 1st April 2013. The relevant officers were working to ensure that the assets transfer notice would be completed on time and that any TUPE-related issues had been addressed.

RESOLVED

That a meeting be arranged in early January between the Chairman and the officers working on asset transfers.

- d) Transfer of assets and obligations from the Charter Trustees

The Democratic Services Team Manager reported that arrangements were in place to categorise and insure the various ceremonial assets associated with the former Crewe and Nantwich and Macclesfield Borough Councils. The assets included insignia, maces, swords and 'mayoral property'.

Regulations required that the assets should be transferred to any future town or parish council. Once transferred, they could potentially be removed from the buildings in which they were situated. Some assets, such as paintings, were not transferrable and there was a need to consider what should be done with those. Any transfers would be subject to agreement with the Charter Trustees. The relevant Portfolio Holder would confirm Cheshire East Council's agreement to transfer.

RESOLVED

That the current position on the transfer of Mayoral property to the Charter Trustees from Cheshire East Council be noted and the Sub-Committee receive a further update in due course.

- e) Arrangements for the annual meeting of the Crewe Parish Council in 2013.

The annual meeting of the parish council would need to be held no later than 14 days after the day on which the councillors elected to the new parish council took office.

ChALC advised on a list of items to be included on the agenda for the first meeting, including:

- Appointment of committees/terms of reference
- Appointment of temporary clerk
- Recruitment of permanent clerk
- Setting up a bank account

Office accommodation
Adoption of a code of conduct

It was suggested that the rules for the management of allotment sites should be included on the agenda, although this could equally be dealt with by any environment committee appointed by the parish council.

RESOLVED

That

- (1) The officers, with the assistance of ChALC, produce a draft agenda for the Annual Meeting of the new parish council and circulate copies to members of the Sub-Committee; and
- (2) It be agreed that the recommendation to rename the new parish council as 'Crewe Town Council' be included on the agenda for the parish council's first or second meeting.

71 MAKING IT EASIER TO SET UP NEW TOWN AND PARISH COUNCILS - DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG) DISCUSSION PAPER

The Sub-Committee considered a discussion paper by the Department for Communities and Local Government entitled 'Making it easier to set up new town and parish councils'.

The paper set out what it saw as a number of problems with the current process for those wanting a new parish council:

- Too demanding for campaigners
- Doesn't allow designated neighbourhood forums a distinct role
- Community governance reviews have too wide a scope
- Reviews take too long
- No right of appeal

Members agreed with the point about a right of appeal but considered that the other points raised were not particular areas of concern.

The paper then set out three options to make the process for creating a new parish council simpler and better:

1. Amend existing guidance
2. Changing the law
3. Making it easier for neighbourhood forums to start the process for creating a new parish council

With regard to option 1, Members agreed that guidance should be amended to make it clear that the right weight should be given to what is

effective and convenient for the local community, separately from the local authority itself.

RESOLVED

That the officers draft a response and circulate it to members of the Sub-Committee for comments; the Chairman would then sign off the response subject to any amendments.

72 2013 /2014 PRECEPT ARRANGEMENTS AND COUNCIL TAX SUPPORT

The Sub-Committee noted a letter, circulated at the meeting, which had been sent to Town and Parish Councils by the Director of Finance and Business Services concerning the 2013/2014 precept arrangements. A provisional grant entitlement of £79,745 had been calculated for the Crewe Parish area to compensate for the Cheshire East Council tax support scheme which would considerably reduce the tax base.

73 NEXT MEETING

To be agreed.

The meeting commenced at 10.00 am and concluded at 12.15 pm

Councillor D Marren (Chairman)