

Community Governance Review Sub-Committee Agenda

Date: Thursday, 11th April, 2013
Time: 10.00 am
Venue: The Tatton Room - Town Hall, Macclesfield SK10 1EA

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

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

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary 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 relating to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding 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 at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

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

To approve the minutes of the meeting held on 25th February 2013.

Contact: Paul Mountford, Democratic Services Officer
Tel: 01270 686472
E-Mail: paul.mountford@cheshireeast.gov.uk

5. **Project Plan** (Pages 5 - 10)

Members are asked to endorse the revised project plan for the Macclesfield Community Governance Review.

6. **Consultation Leaflet** (Pages 11 - 16)

Members are asked to consider and agree the proposed text of the leaflet to be used for the first stage of public consultation. This has been revised and updated following comments made at the previous meeting.

7. **Public Meetings**

Members are asked to agree the following proposed dates and venues for public meetings which will be held to provide information to residents about the Macclesfield Community Governance Review.

Wed 1 May 7.30pm – 9pm	- Tytherington Club
Thurs 2 May 7.30pm – 9pm	- Broken Cross Club
Friday 3 May 2pm – 4pm	- Capesthorne Room, Macclesfield Town Hall

8. **Next Meeting**

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Minutes of a meeting of the
Community Governance Review Sub-Committee
held on Monday, 25th February, 2013 at Executive Meeting Room 1,
Municipal Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors G Baxendale, 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

Jackie Weaver

Apologies

Councillor J Jackson

74 DECLARATIONS OF INTEREST

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

75 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

76 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting of 19th December 2012 be approved as a
correct record.

77 EXCLUSION OF THE PRESS AND PUBLIC**RESOLVED**

That the press and public be excluded from the meeting during
consideration of the following item pursuant to Section 100(A)4 of the
Local Government Act 1972 on the grounds that it involves the likely
disclosure of exempt information as defined in Paragraphs 1 and 2 of Part

1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

78 APPOINTMENT OF AN INTERIM PARISH CLERK

The Sub-Committee interviewed two candidates for the appointment of an Interim Parish Clerk for Crewe Parish Council. Both candidates currently served as town clerks for town councils in Cheshire East.

With regard to working arrangements, Members agreed that the Interim Clerk would be appointed for the period up to the Annual meeting of the new parish council; any continuation of the appointment beyond that would be a matter for the parish council. The Clerk would be expected to work an average of ten hours a week, primarily on Tuesdays and Thursdays to allow for liaison with the Clerk to the Crewe Charter Trustees. The Interim Clerk would be paid by ChALC who would then seek reimbursement from the parish council. The Clerk would be expected to keep a record of the hours worked and to submit an invoice either direct to ChALC or to the Registration Service and Business Manager at Cheshire East. The Clerk's salary grade would be based on his current grade as a parish clerk.

Each candidate was interviewed in turn, using a standard set of questions agreed by Members.

RESOLVED

That Mr Jonathan Williams, currently the Town Clerk to Middlewich Town Council, be offered the position of Interim Clerk to Crewe Parish Council.

79 RE- ADMITTANCE OF PRESS AND PUBLIC

RESOLVED

That the public and press be re-admitted to the meeting.

80 CREWE COMMUNITY GOVERNANCE REVIEW - INTERIM ARRANGEMENTS

1. Transfer of assets

Members were informed that the Chief Executive had appointed the Democratic and Registration Services Manager to project manage the transfer of assets (allotments and public conveniences) to the parish council. This would involve the production of a communications plan in the first instance, and the publication of any public notices required.

RESOLVED

That the report be noted.

2. Arrangements for the annual meeting of Crewe Parish Council

Members considered a draft agenda for the Annual Meeting of Crewe Parish Council. It dealt with such matters as the election of Chairman, appointment of a temporary clerk, the transfer of assets, the adoption of standing orders, the appointment of committees, training of councillors and various administrative and financial arrangements.

RESOLVED

That the draft agenda be approved subject to Item 11 – consideration of the designation of Crewe Parish Council as Crewe Town Council – being moved to Item 2, to follow the election of a Chairman, and it being made clear under Item 1 that if such designation were approved, the title of Chairman would be replaced with the title of Mayor.

3. Historic and ceremonial regalia and property of the Charter Trustees

Members considered a report of the Borough Solicitor on the ongoing negotiations with the Crewe Charter Trustees concerning the historic and ceremonial regalia and property of the former Crewe and Nantwich Borough Council.

The Asset Management Team had commissioned inventories of the Municipal Buildings, Crewe. Officers from Democratic Services had attempted to reach provisional agreement with the Crewe Charter Trustees as to what property would become the property of the Trustees. At their meeting on 17th January 2013, the Charter Trustees had passed a resolution identifying the property they wished to claim. Arrangements were being made for the Portfolio Holder for Corporate Policy to confirm the property to be transferred. It was hoped that the regalia, once transferred, would remain in the Municipal Buildings. This would be a matter for discussion between Cheshire East Council and the new parish council.

Cheshire East Council would need to determine the responsibility for the insurance and care of historic and ceremonial regalia and property that remained in its possession.

RESOLVED

That the report be noted.

81 **MACCLESFIELD COMMUNITY GOVERNANCE REVIEW**

The Sub-Committee considered a revised project plan for the Macclesfield community governance review, together with a first draft of the consultation leaflet.

It was intended that the leaflet to stakeholders would be supplemented by a number of public meetings.

Members agreed on the need for the leaflet to be informative and neutral, identifying all options while not giving the impression of favouring any one of them.

RESOLVED

That

- (1) the Registration Service and Business Manager, in consultation with the Communications Team, give further consideration to the consultation leaflet to ensure that it is clear and balanced, and a revised version be submitted to the next meeting for consideration; and
- (2) the timetable for the project plan be reviewed and reconsidered at the next meeting.

82 NEXT MEETING

To be agreed.

The meeting commenced at 2.00 pm and concluded at 5.10 pm

Councillor D Marren (Chairman)

MACCLESFIELD COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity		Decision-making process	Date
Officer Project Team	Officer Responsible	Community Governance Review Sub Committee meetings	25 February 2013 and 11 April 2013
Guidance summary Project Plan Map of Review Area Electorate figures Options appraisal (As per Crewe CGR) Prepare consultation leaflet Update Website Electoral arrangements - initial views size/warding Consultation – Full list of consultees and contact details 2 x Public notices prepared for public meetings and for commencement of the Review Arrange public meetings		Consider summary of CGR guidance Approve Review Process / project plan Agree consultation methods Agree list of consultees Identify and evaluate options for the review Formulate Leaflet to consultees and electors Agree arrangements for public meetings	
Publish Public Notice giving details of public meetings			17 April 2013 – Media Release 24 April 2013 – Public Notice in press (commencing 2 weeks before public meetings held)
Public Meetings		Series of meetings held across Unparished Area	1 ,2,3 May 2013

MACCLESFIELD COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity	Decision-making process	Date
Further public engagement / publicity co-ordinated with assistance from Communications Team and LSP Manager		1 -15 May 2013
Publicity for 1 st stage consultation with stakeholders Publish Notice		1 May 2013 <i>(Two weeks before consultation starts)</i>
Comments / submissions invited from interested parties on Options (4 week consultation period)	Consultation Period (stage 1)	15 May 2013 – 5 June 2013
All submissions / comments considered and evaluated. Collate representations		7 June 2013
	Community Governance Review Sub Committee meeting Consider outcomes from stage 1 consultation Agree Stage 2 Consultation	w/c 17 June 2013
Publish Notice of Ballot		1 July 2013
Conduct Ballot of Electors	Consultation Period (stage 2/ballot)	10 – 31 July 2013
Collate representations and prepare committee report		Early August 2013
	Community Governance Review Sub Committee meeting Make draft recommendations to Constitution Committee for consideration	August 2013
Prepare reports to Constitution Committee		Early September 2013

MACCLESFIELD COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity		Decision-making process	Date
		Constitution Committee Submit draft recommendations to Full Council for approval	19 September 2013
Preparation of report to Council on draft recommendation (including any warding arrangements)		Formulate draft recommendation to Council	
		Full Council Approve draft recommendations for final stage of consultation	17 October 2013
Publicity for final stage consultation with stakeholders Publish Notice Produce literature and FAQs for final stage Update Website		Agree public notice for final stage consultation Agree literature for final stage	18 October 2013 <i>(one week before consultation starts)</i>
Implement Consultation (3 weeks)		Public Consultation Period (Final Stage)	28 October – 12 November 2013
Preparation of analysis/evaluation of consultation outcome Develop final recommendations – to include Implementation Plan, interim arrangements and election arrangements Update Website		Analysis of consultation outcome Formation of final recommendation and Implementation Plan for consideration by Constitution Committee	
		Community Governance Review Sub Committee Consider outcomes of final stage consultation Make final recommendations to Constitution Committee for consideration	w/c 18 November 2013
Preparation of report to Constitution Committee detailing final recommendation for consideration.		Approval of final recommendation and Implementation Plan for consideration by Council.	
		Constitution Committee Submit final recommendations and draft reorganisation Order to Council	21 November 2013

MACCLESFIELD COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

Task/activity		Decision-making process	Date
Preparation of final recommendation and report to Council Implementation arrangements Draft Order and associated documents including maps, asset transfer and precept for first year budget. Implementation Plan including interim arrangements			
		Full Council Approve Reorganisation Order	12 December 2013
Re-organisation Order takes effect and new parish arrangements come into being			1 April 2014
Implementation of any changes in electoral arrangements			Thereafter
Any elections required			<p>June 2014 or May 2015? (Note: Any Parish Councillors elected in 2014 would only hold office for one year until the ordinary elections are held in May 2015. Alternatively the Council could decide to defer any elections until May 2015.)</p> <p>If elections are held in 2014, they could be combined with the European elections in June to save costs. It is possible that the European Elections may be brought forward by the Government to May 2014, as has happened in past years).</p>

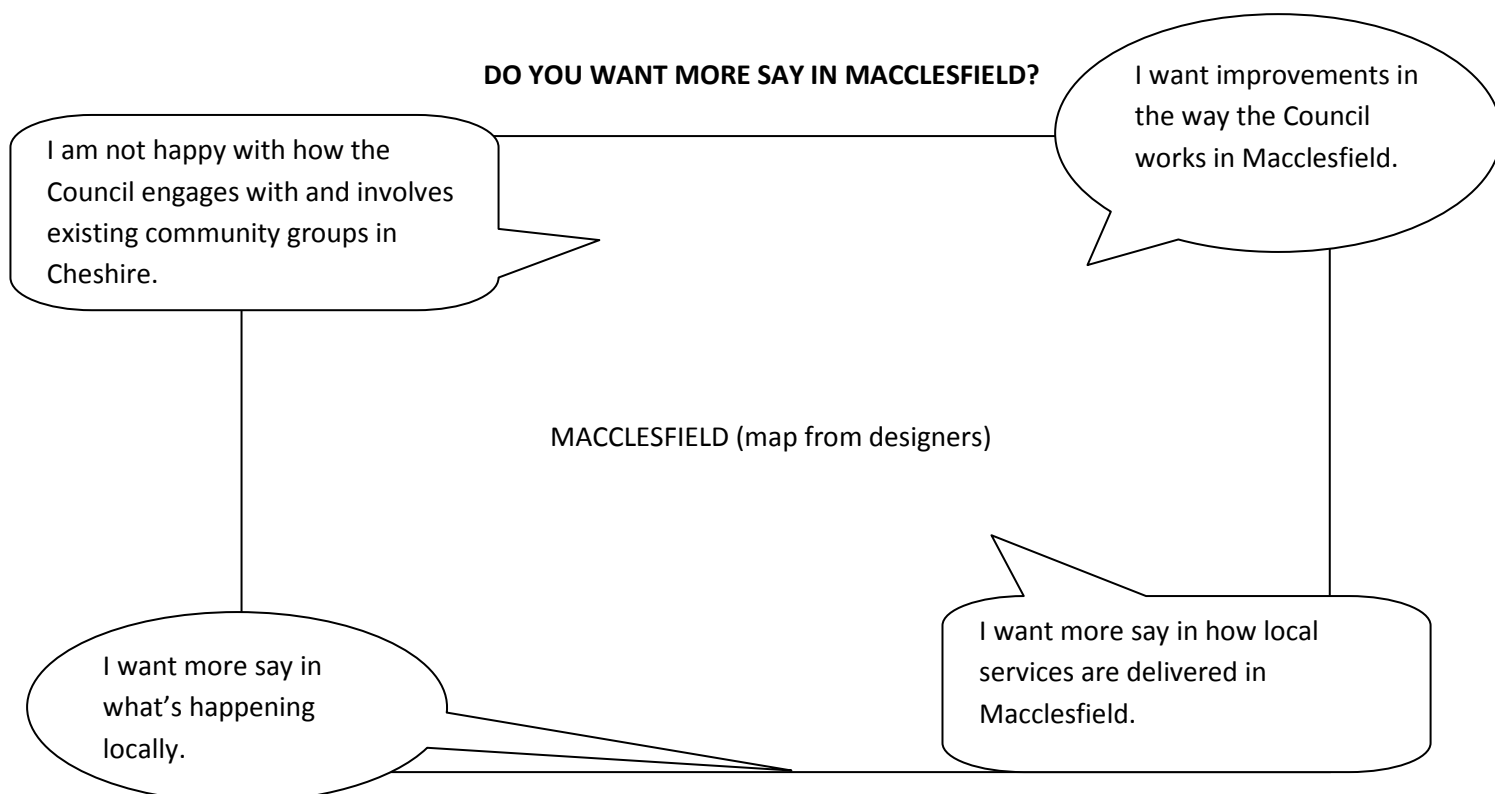
Updated – LParton – 28.3.2013

MACCLESFIELD CGR PROJECT PLAN

ACTIVITY	APRIL	MAY	JUNE	JULY	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL
Sub Committee Mtg	11												
Publicity prior to Review													
Press release	17												
Public Notice	24												
Public Meetings		1,2,3											
Public Engagement		1-15											
Stage 1 Consultation													
Publicity for stage 1		1											
Consultation – Stage 1		15 May– 5 June											
Collate representations			7										
Sub Committee Meeting			w/c 17										
Stage 2 Consultation													
Publish notice of ballot				1									
Conduct Ballot – Stage 2 consultation				10-31									
Collate representations					x								
Sub Committee Meeting					x								
Constitution Committee						19							
Full Council							17						
Final Stage Consultation													
Final Stage consultation (3 weeks)							28 Oct – 12Nov						
Sub Committee Mtg								w/c 18					
Constitution Committee								21					
Council approves Order *									12		27 *		
Order takes effect													1
Elections thereafter (date tbc)													

*Note: Timetable allows for some slippage (if required) for the final approval of the Re-Organisation Order by Council on 27 February 2014.

This page is intentionally left blank

DO YOU WANT MORE SAY IN MACCLESFIELD?**What happens now?**

At present Cheshire East Council provides a wide range of local services, from planning and pest control to street lighting and leisure. The Council continually strives to provide services as cost-effectively as possible. The Council is made up of 82 elected councillors who make decisions on how to provide these local services on behalf of local people within the 52 wards that make up Cheshire East. Decisions are made by full Council, the Cabinet, individual Cabinet Members and Committees.

Community governance review

Cheshire East Council has committed to a programme of devolving services and assets to local groups that will be able to run those services more effectively. As Macclesfield does not have a Parish/Town Council, this community governance review offers an opportunity to look at all the options available for Macclesfield. Although Parish/Town Councils are widely seen as the most local form of government there are other options to consider.

What arrangements exist now?

At the moment, Macclesfield has Charter Trustees, a Local Service Delivery Committee, a Local Area Partnership and the Make it Macclesfield Forum (these are explained further overleaf).

How can I know what is best for Macclesfield?

One of the best ways of deciding what's best for Macclesfield is to consider three key questions

- will it improve community engagement?
- will it deliver better local democracy?
- can it delivery local services in a more effective and convenient way?

What will it cost?

Whatever option is chosen, there will be a cost associated. Currently as Macclesfield residents you contribute to the delivery of local services as part of your Cheshire East Council Tax.

We are consulting local people over the next few months (see local media and Cheshire East website) and will take account of any views and opinions that we receive. In addition to this leaflet, we will be out and about in Macclesfield ready to answer your questions. Please check the Cheshire East website and local notice boards for details.

What are the options for Macclesfield?

1. No change

Continue with current arrangements and community engagement through working with all the existing organisations – Macclesfield Local Area Partnership, Macclesfield Local Service Delivery Committee and Charter Trustees

- **Local Area Partnership (LAP)**

The Macclesfield LAP is one of seven across Cheshire East which brings together a wide range of people from the voluntary, community and private sectors to focus on improving services, influence decision making and engage and empower communities. It brings together groups from a wide range of sectors. The LAP management group is consulted by Cheshire East Council; it influences service delivery but does not have the power to deliver local services. It is envisaged that the Macclesfield LAP will continue alongside any future governance arrangement for Macclesfield.

Cost: covered by Cheshire East Council.

Local Service Delivery Committee

This was set up by Cheshire East Council (CEC) as Macclesfield currently has no Parish/Town Council (or alternative form of local government structure). It is run by 12 Cheshire East Councillors who were elected to serve Macclesfield's town wards. Whilst the Committee doesn't specifically represent the interests of the local community on things such as planning applications and highways matters, it has been set up to consider and advise the Council on the level of local services and facilities in Macclesfield. Its function is to ensure fairness across the area, in relation to a range of functions delivered in Macclesfield that elsewhere in the Borough are provided by Parish / Town Councils.

Cost: costs would be dependent on the levels of service provided, and in the future may be met from part of the Council Tax set for Macclesfield residents.

- **Macclesfield Charter Trustees**

Charter Trustees preserve the historic identity of the town by carrying out ceremonial functions, usually by the Mayor. They are run by Cheshire East (Macclesfield wards) councillors. They do not represent the interests of the local people to CEC on issues such as planning or highways and they do not have the power to deliver local services. They can raise money to cover the costs of their ceremonial functions (eg Remembrance Day).

Cost: You currently pay £1.55 (Council Tax band D) to Charter Trustees.

If a Parish/Town Council was created in Macclesfield, the Charter Trustees would be replaced by that Council who would carry out its functions and the costs would be met by setting a council tax.

2. Parish/Town council(s) (you may see these words used separately but they mean the same thing)

Parish/Town councils (PTC) are the most local form of government and can represent areas ranging from around 100 people (e.g., Barthomley which is a small local Parish Council of 180 people) to up to approx 36,500 people (which is the size of the newly formed Crewe Parish Council). The general rule is that a PTC is based on an area which reflects community identity and interests, and the individuals of the PTC area elected are local councillor members. They represent your local community's interests to Cheshire East Council on things like planning applications and highways; they deliver services that can improve the local area (e.g., public toilets, allotments, Christmas street lighting, floral arrangements, bus shelters, burial grounds, litter bins, tourism, traffic calming and public transport schemes); costs would be met by setting a council tax.

A Parish/ Town Council could be established to cover the whole of the unparished area of Macclesfield; or one or more Parish Councils, of smaller geographical areas could be formed.

Cost: Costs vary depending on the size of the PTC and services it delivers. The costs to residents for PTC in Cheshire East range from as low as £5.53 for Aston by Budworth Parish to as high as £95.24 for Nantwich Town Council. The newly created Crewe Parish (Town) Council, for example, will meet costs by setting a council tax of £28.96; but there will no longer be a Charter Trustee charge.

3. **Community forums** – such as the Make it Macclesfield Forum - can be set up by Cheshire East Council , or created by local residents as a way of giving communities a say on Cheshire East Council matters or local issues. They increase participation and consultation, aiming to influence decision making, determine key priorities for Macclesfield and inform the implementation of local services. They can vary in size, purpose and impact, but membership usually consists of people working or living in a specific area. A Forum could include local Cheshire East Ward Councillors along side representatives from the community, business, education, charities, youth and church and include representatives from Cheshire East Council.

These are run by local volunteers and/or council officers and would represent Macclesfield's interests to Cheshire East Council on areas such as are economic development, town centre regeneration and development, planning and highway matters. They can influence local service by working with local partners but do not have the power to deliver services.

Cost: They can not raise money by setting a council tax, but can obtain funds through grants for specific projects.

4. Community Development Trusts – these engage in a wide range of economic, social and environmental regeneration; ranging from the development and restoration of property to advice and training. They promote and support economic activity; they improve the local environment and can improve local services and amenities. A Development Trust is an independent not-for-profit organisation and is usually a company limited by guarantee with charitable status. They bring together private, public and voluntary sectors to take action to renew an area physically and socially. They can deliver some local services. Profits can not be distributed to members but must be used for the further benefit of the local community. Membership of a Trust would be drawn from the Macclesfield Area and members can be both individuals and organisations.

Cost: A Trust would expect to obtain revenue to cover its costs from a mix of grants and trading income. They can not raise money by setting a council tax.

The following options usually work over a smaller area than Macclesfield and if they were selected for the town more than one would need to be set up to represent the whole town area.

5. Neighbourhood management

Neighbourhood management programmes create the opportunity for residents to work with local agencies to improve services at the neighbourhood level. They aim to improve 'quality of life' through implementation of (rather than advising or making decisions on) better management of the local environment, increasing community safety, improving housing stock, and encouraging employment opportunities. They are supported by Local Area Partnerships, and tend to cover smaller populations than area committees or Parish/Town Councils.

These are run by volunteers and are not set up to represent the interests of the local community to Cheshire East Council on planning and highways matters, but they can influence local services. However they cannot deliver or raise money to deliver local services.

Cost: As run by volunteers no direct cost; but there could be some running costs depending on scope of activity. They cannot raise money by setting a council tax.

6. Residents' and tenants' associations

Residents' and tenants' associations enable local people to participate in local issues affecting their specific neighbourhood or housing estate, e.g., the local environment, crime, anti-social behaviour matters, or housing management. They can be set up by any group of people living in the same area and can choose who members will be; how they will be represented and what they want to achieve. In the case of tenants' and residents' associations on estates, they may be established with direct support from the principal council, as a mechanism for communicating with the tenants and residents on its estates. To engage effectively with other organisations, residents' and tenants' associations must be able to show that they are accountable and represent the views of the whole community, rather than narrow self interests of just a few local people. These are run by volunteers and are not set up to represent the interests of the local community to Cheshire East Council on planning and highways matters but they can influence local services.

Cost: As run by volunteers no direct cost; but there could be some running costs depending on scope of activity. They cannot raise money by setting a council tax.

7. Community associations

Community associations offer a model for local residents and local community-based organisations in a defined neighbourhood to work together for the benefit of that neighbourhood. They can use a model constitution registered with the Charity Commission. The principal council may also be represented on the association's committee. They usually manage a community centre as a base for their activities. Membership is open to everyone resident in the area.

These are run by volunteers and are not set up to represent the interests of the local community to Cheshire East Council on matters such as planning or highways. They can run some local services but they can't raise money to deliver local services.

Cost: As run by volunteers no direct cost; but there could be some running costs depending on scope of activity. They cannot raise money by setting a council tax.

If you would like more information please visit the Macclesfield Community Governance Review website on www.cheshireeast.gov.uk or email us at communitygovernance@cheshireeast.gov.uk

We would like to hear your views and opinions on this governance review for Macclesfield you can fill it in online or on the attached comments sheet and return to:

Registration Services and Business Manager
Democratic Services
Cheshire East Council
Westfields
Sandbach
Cheshire CW11 1HZ

or via email on communitygovernance@cheshireeast.gov.uk

Macclesfield Community Governance Review

Have your say

Please refer to the Macclesfield Community Governance Review Leaflet or the FAQs on the Cheshire East website.

Consultation response form

Consultation questions

Are you a Macclesfield resident? If so where do you live?

Do you belong to an existing community group or organisation in Cheshire East?

What type of organisation is it (eg charity, resident group, neighbourhood group, business group)?

Are you happy with how the Council engages with and involves existing community groups in Cheshire East?

What improvement, if any would you like to see in the way that the council currently engages with existing community groups in Cheshire East?

Which form of community governance option (from the ones explained in the leaflet) do you think would be best for Macclesfield? And why?

What services would you like this option to provide?

Are there any other comments that you would like to make in relation to future community governance in Macclesfield ?

This page is intentionally left blank