

# Community Governance Review Sub-Committee

## Agenda

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<b>Date:</b>	<b>Thursday, 16th January, 2014</b>
<b>Time:</b>	<b>10.30 am</b>
<b>Venue:</b>	<b>The Tatton Room - Town Hall, Macclesfield SK10 1EA</b>

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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.

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

**Contact:** Cherry Foreman  
**Tel:** 01270 686463  
**E-Mail:** [cherry.foreman@cheshireeast.gov.uk](mailto:cherry.foreman@cheshireeast.gov.uk)

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

To approve the minutes of the meeting held on 16 October 2013.

5. **Next Stage of the Review** (Pages 5 - 30)

To consider and agree arrangements for the next stage of consultation for the Governance Review (on the two options of Parishing and An Enhanced Service Delivery Committee), in particular:

- a) Based upon the workshop held at the last meeting (**notes attached**) (**5ai**), to consider a summary of the proposed role of an Enhanced Service Delivery Committee and Assembly Meetings (**attached**) (**5aii**).

Some local authorities operate a system of Area Committees and for comparison purposes a summary of some of their roles is provided for information (**attached**) (**5aiii**).

- b) To discuss and agreed the wording for the draft supporting literature. A main leaflet is proposed (**attached**) (**5bi**) together with a summary leaflet which could be sent out with the ballot packs (**attached**) (**5bii**).

*(Note: Where documents refer to legal clarification being required, this advice will be provided at the meeting).*

- c) To discuss options for the wording of a voting paper(s) taking into account the identities and communities in Macclesfield.

*(Note: A map depicting the Borough Wards within the unparished area and examples of voting papers used for previous Community Governance Reviews will be made available at the meeting to aid discussions).*

- d) To consider and agree publicity required and timescales for the next stage of the Review.

6. **Date of Next Meeting**

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Community Governance Review Sub-Committee** held on Wednesday, 16th October, 2013 at Macclesfield Leisure Centre Meeting Room, Priory Lane, Macclesfield SK10 4AF

**PRESENT**

Councillor D Marren (Chairman)

Councillors G Baxendale, B Murphy, P Whiteley and K Edwards.

**Councillors in attendance:**

Councillors C Andrew, L Jeuda and B Livesley.

**Officers in attendance**

Lindsey Parton – Registration and Business Manager

Rose Hignett – Senior Electoral Services Officer

Cherry Foreman – Democratic Services Officer

**19 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Jackson and P. Groves.

**20 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**21 ANNOUNCEMENT BY THE CHAIRMAN**

The Chairman announced that he wished to allay any concerns that the option of creating a Parish/Town Council would no longer be pursued. Requests had been made, however, for more detailed information on the other options available prior to deciding upon how best to proceed.

**22 PUBLIC SPEAKING TIME/OPEN SESSION**

**Keith Smith, Chairman of Macclesfield Civic Society**, spoke in support of the establishment of a Town Council for Macclesfield; he considered it to be the only democratic option open to residents for the delivery of their services and he considered it to be the best of the options available.

**Richard Watson** thanked the Chairman for the clarification given in his announcement at the beginning of the meeting. He stated that he would have like more information regarding the earlier consultation process and an assessment of why it had not been as successful as had been hoped. He expressed concern that the information on the Councils website was not easily accessible; that details on the size of existing Parish/Town Councils already in existence in Cheshire East implied that Macclesfield was too large an area and this was not the case by comparison with Lemington Spa and Weston Super Mere for example; that no clear definition existed of what could be done by a

Local Service Delivery Committee, and that the lack of progress was worrying in view of the total period of 12 months in which this work needed to be completed

**David Whalley** made three key observations. Whilst he sympathised with the position of Members and Officers he did not consider that the July consultation had been carried out well as the methods of publicity used had not reached those for whom it was intended; this needed to be remedied for future stages. The advantages of having a democratically accountable local/town based body would be found to be a huge benefit in the support of local cultural initiatives, and his own experiences in setting up a number of cultural and community projects showed that the role of the internet and social media was critical for the next stages of the process, especially in engaging the under 30's.

**Liz Braithwaite** stated that the purpose of any consultation was to engage positively with the people at whom it was aimed. She did not feel, however, that this had been the case in this process and that instead it had been left to the electorate to find out for themselves. She wanted the relevant information to be made clearly available in order to make an informed decision.

In response to the points raised with regard to advertising and making information available a resume was given of all that had been done to get the information into the public arena for which a number of different methods of communication had been used.

## 23 MINUTES OF PREVIOUS MEETING

### RESOLVED

That the minutes be approved as a correct record subject to the wording of recommendation 1 of minute 15 being amended to read 'Parishing for Macclesfield' instead of 'Town Council for Macclesfield'.

## 24 OPTIONS FOR THE NEXT STAGE OF THE REVIEW

At the suggestion of the Chairman the meeting moved into a work shop session, in which both the public and visiting Councillors were invited to participate, in order to better explore the meaning of an Enhanced Local Service Delivery Committee (ELSDC) and exactly what it could or could not do.

It was stated that the creation of an ELSDC did not exclude moving to a Town/Parish Council in the future. This view was not, however, agreed with by all as it was considered that the opportunity to create a Town/Parish should be grasped and that the time of the General and Local Elections in 2015 would be an ideal as it would be a time of political interest and activity.

It was noted that the existing Charter Trustees in Macclesfield involved the same 12 Councillors as would be involved in a LSDC i.e. they represented the unparished areas of the town.

The main powers of a LSDC were listed as being:

1. Monitoring Services.
2. To provide advice and recommendations to Cabinet on the issues and needs of Macclesfield.

3. To be the Cheshire East's principal consultee for matters and decisions relating to the Parish of Macclesfield.
4. To liaise and co operate with local organisations to pursue the wellbeing of the unparished area.
5. To nominate representatives from its membership to serve on local bodies.
6. To advise and liaise with Cheshire East Council on preparatory measures for the devolution and transfer of assets.
7. To consider the cost implications of the development and transfer of services to the unparished area.
8. To make recommendations to Cabinet on the level of service provision.
9. To consider and recommend to Cabinet the amount of any special expenses levy to be raised from residents in the unparished area.

It was pointed out that the main weakness of the above list was point no. 3 as in accordance with the Localism Act 2011 any self selecting group could set themselves up as a 'local economic forum' which then meant that the planning authority had to give special consideration to any views it expressed, as had been the case with the Macclesfield Town Centre Redevelopment proposals and the 'Make it Macclesfield' group; only a democratically elected body could override such a group and therefore the core of the debate should centre on whether or not Macclesfield wanted to have a self elected or a democratically elected body.

It was stated that a LSDC could only act as a consultative or advisory body whereas a Town/Parish Council could decide upon the level of services it wished to provide. The example of Congleton Town Council, formed in 1982, was given as a good example of how a Town Council had grown and gone from strength to strength and with the greater powers now available it was employing staff to carry out a greater range of duties the aim of which was to provide a service of a higher standard than that which could be provided by Cheshire East Council.

In considering the range of assets that could be taken on by a LSDC it was noted that car parking revenue could not be included as a LSDC was not a separate entity whereas a Parish/Town Council was; legal advice and also some political will would be needed to finalise a list including whether the direct management of services would be possible (which implied that staff would be available to do so).

In discussing what might become the responsibility of a LSDC reference was made to what could be learnt from areas that had already gone through this process. It was reported that unfortunately there was no direct comparison to be made as elsewhere the option of a LSDC had been dismissed.

The main difference between areas that had already gone through this process was in the level of public support; there was little evidence of support in Macclesfield for the creation of a new and additional tier of local government although this view was not agreed with by all those present who felt that lack of interest was a result of inadequate publicity and the consultation being held across the summer holiday period.

As Councillor Murphy had previously produced a paper which had been considered by the Constitution Committee, on the possible role of an Enhanced Local Service Delivery Committee, it was agreed that he and the Registration and Business Manager should discuss the matter to produce a form of wording for this option. In addition consideration needed to be given to the format and

question(s) for the ballot paper(s). Cllr Murphy had long held the view that the area of Tytherington would be better dealt with separately to the remainder of Macclesfield as it was a clearly identifiable area which had grown considerably in recent times.

In the light of the discussion, and the comments expressed by Councillors and the public the Chairman recommended that a paper be produced for the next meeting giving a comparison of the powers available to an Enhanced LSDC, and to a Town/Parish Council, and the advantages and disadvantages of each. In addition he was keen that the members of the public who had taken part in the session should be able to contribute further to what might be added to the responsibilities of an Enhanced LSDC, and to the questions to be posed on a ballot paper, and requested that they forward any such comments to the Registration and Business Manager.

It was suggested that a face book page be set up to facilitate comments being made; that clear maps be provided of the areas involved; and that a doormat leaflet be provided to support the stage 2 consultation.

It had been suggested that an empty shop unit in Macclesfield Town Centre be utilised to assist in publicity; whilst there was no objection to this in principal it was reported that it was not yet the time for this.

#### **RESOLVED**

1. That the comments and views expressed at this meeting be taken on board in formulating the responsibilities of an Enhanced Local Service Delivery Committee.
2. That Cllr B Murphy and the Registration Service and Business Manager liaise regarding the suggested wording for the meaning of an Enhanced Local Service Delivery Committee.
3. That all those present contact the Registration Service and Business Manager direct with any further suggestions for either the duties and responsibilities of an Enhanced Local Service Delivery Committee, or the format/wording of the ballot paper.

#### **25 DATE OF NEXT MEETING**

That arrangements be made for the next meeting when appropriate.

The meeting commenced at 10.30 am and concluded at 12.35 pm

Councillor D Marren (Chairman)

5ai

**CGR Sub Committee – 16 October 2013****Outcome of Workshop re: Proposals for the role of an Enhanced Service Delivery Committee**

1. Membership to consist of all Borough Councillors for the Unparished Area of Macclesfield (12 Members)
2. Powers to recommend to Cabinet – Services / Assets to be provided through a special expenses levy on Macclesfield residents

**Additional Powers - Needs a constitutional status**

1. To monitor Services and to make recommendations to Cabinet on the level of service provision
2. To provide advice and recommend to Cabinet on issues and needs of Macclesfield
3. To be the Council's principal consultee matters and decisions relating to the Parish of Macclesfield *(NB - Require legal advice on this point – and also on the provisions of the Localism Act 2011 in respect of the ability of Economic Forums to now have this status in respect of planning applications)*
4. To liaise and cooperate with local organisations to pursue the wellbeing of the unparished area
5. To nominate representatives from its membership to serve on local bodies
6. To advise and liaise with Cheshire East Council on preparatory measures for the devolution and transfer of assets
7. To consider the cost implications of the development and transfer of services to the unparished area.
8. To consider and recommend to Cabinet the amount of any special expenses levy to be raised from residents in the unparished area
9. Management of Assets? – *Legal clarification required*

**Macclesfield Assembly**

The ELSDC would meet periodically as a Macclesfield Assembly. Constituted bodies in Macclesfield, such as the Civic Society and the Macclesfield Forum would be invited to attend.

**Comparison of powers of Parish Council(s) and an Enhanced Service Delivery Committee**

<b>Parish Council(s)</b>	<b>Enhanced Service Delivery Committee</b>
Independent democratically elected body	Part of Cheshire East Council
Ability to raise a council tax	Unable to raise a council tax
Management of Services / Assets	Unable to manage services and assets? (legal advice required)
Principal Consultee for Planning matters	Unable to be a Principal Consultee for Planning matters? (legal advice required)



**Proposals for the Role of an Enhanced Macclesfield Local Service Delivery Committee (LSDC)**

- 1) The Committee will consist of the 12 Elected Macclesfield Borough Ward Members:

Broken Cross Ward	– 2 Members
Macclesfield Central Ward	– 2 Members
Macclesfield East Ward	– 1 Member
Macclesfield Hurdsfield	– 1 Member
Macclesfield South	– 2 Members
Tytherington	– 2 Members
Macclesfield West and Ivy	– 2 Members

- 2) The terms of reference for the Committee are set out in Appendix A
- 3) The quorum for meetings is x Members
- 4) The Committee will meet x times per year
- 5) A Chairman and Vice Chairman will be elected by the Committee from amongst its membership.
- 6) X times per year a Macclesfield Assembly meeting will be convened, membership to comprise the Service Delivery Committee Members plus x representatives of the Macclesfield Forum and x representatives of the Macclesfield Civic Society. Agenda items can be proposed to the Chairman by any member of the Assembly upto two weeks before each meeting. Meetings of the Assembly will be open to the public? Recommendations on issues and needs within the unparished area of Macclesfield can be made to the Cabinet.
- 7) At each meeting (of the LSDC or Assembly), members of the public can submit a question to the Chairman on matters that are relevant to the unparished area of Macclesfield. All questions must be in writing and received no later than 24 hours before the start time of the meeting?
- 8) The LSDC may invite other properly constituted organisations within Macclesfield to join the membership of the Macclesfield Assembly.

## Appendix A

### Enhanced Local Service Delivery Committee Terms of Reference

1. To monitor the delivery and effectiveness of services provided by the Council to the residents and other stakeholders in the unparished area of Macclesfield.
2. To advise and make recommendations to the Cabinet on issues and needs within the unparished area of Macclesfield.
3. To be the Council's principal consultee in matters and decisions relating exclusively to the unparished area of Macclesfield and this shall include the rights of a "statutory consultee" in relation to planning matters, the closure of facilities, and the terminations of services. *(NB –legal clarification required)*
4. To liaise and co-operate with local organisations – voluntary, statutory or commercial – in pursuing the wellbeing of the unparished area.
5. To nominate, from within its membership, representative(s) to serve on local bodies when invited to do so by local bodies.
6. In the event of a decision to establish a Town or Parish Council (or alternative equivalent) for the unparished area of Macclesfield, to advise and liaise with the Council on preparatory measures required for the devolution of service provision and /or the transfer of assets in accordance with the Council's policy for local service delivery arrangements.
7. If and when appropriate, to consider and review the cost implications of both the delivery of services and the delivery of assets within the unparished area in accordance with the policy for Local service delivery arrangements, and to make recommendations to Cabinet.
8. To make recommendations to cabinet on the level of service provision.
9. If and when appropriate, to consider and accordingly make recommendations to the Cabinet with regard to the necessity for and amount of any "special expense levy" being or likely to be imposed on the unparished area.
10. Management of Assets? *(NB –legal clarification required)*

**Examples of Delegations to Local Area Committees****Eastleigh Borough Council**

- Planning applications and planning enforcement
- Deciding on local priorities
- Traffic Management
- Leisure facilities
- Local refuse collection and recycling
- Each committee (x5) has its own budget and is able to use this in whatever way it thinks is appropriate to meet local circumstances, provides its operates within overall council guidelines

**Ashfield District Council**

- Dealing with Grant Aid Applications
- To consider formulation of schemes for progression utilising monies paid to the council as developer contributions under section 106 Town and Country planning Act 1990.
- To be responsible for the consideration of capital bids in so far as they relate to the area.
- To approve the allocation of street names for new developments or the alteration of existing names to avoid confusion.
- To be responsible for formulating a response to consultation documents (eg. Road traffic proposals, statutory undertakers works etc)
- Liase and consult with local people and the voluntary sector in order to formulate a response to consultation exercises about strategic issues where the views of local communities are sought.
- To be responsible for making recommendations to the council on matters that concern the local community and which have been referred to the area consultative group by the council
- To be responsible for making recommendations to cabinet in so far as they relate to the area on the following:
  - § Car parks
  - § Markets
  - § Community centres
  - § Leisure centres
  - § Parks
  - § Allotments
  - § Visitor centres
  - § Toilets
  - § Cemeteries
  - § Housing issues
- Receive presentations on key strategic initiatives likely to affect the district and local residents.
- Scope to hold an annual public forum on a topic chosen by the committee. Such a debate to include the suspension of formal council

procedure rules to allow flexibility for extended public participation and comment.

- Representatives from relevant partner organisations be invited to attend committee meetings to provide updates on current performance / initiatives and to be questioned by the committee or members of the public.

### **Stockport Metropolitan Borough Council**

- Area Committees (x7) have budgets to make decisions about traffic calming, road closures, pavement repairs, public rights of way and other local highways matters.
- They determine applications for the use of parks for events,
- They nominate governors to local schools
- They comment on planning applications and other development control matters in respect of land within the area committee's area (and determine planning applications where authorised to do so in accordance with a Council agreed scheme of delegation).
- They determine the use of commuted sums.
- They undertake local environmental improvement schemes.
- They prepare and adopt district centre plans.
- They consider and determine objections to the designation of litter control areas.
- They monitor the operation of service provided by the council and external agencies within their area and can make proposals on how services can be improved.
- They focus upon and encourage the wellbeing of the local community and coordinate processes for public consultation with the local community, community schools, tenants and residents associations, and other local groups on those issues which are of interest or concern to them.
- To hold open forums, public question times, and facilitate public speaking on planning applications.
- To act as a focal point for dissemination information on the council's services, policies and performance and community plans.
- To draft ward plans
- To determine applications for street trading permits.

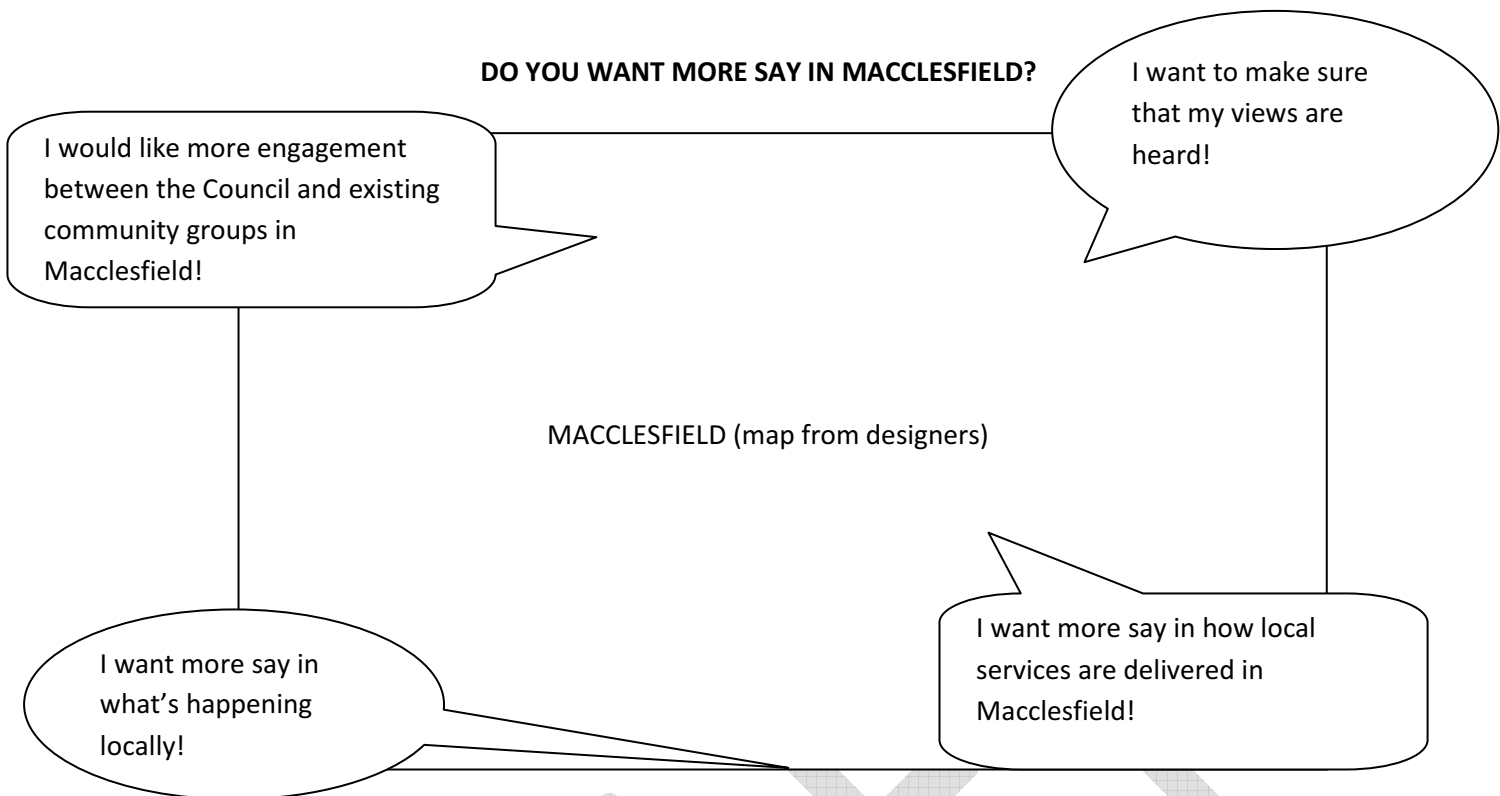
### **Sefton Council**

- Area Committees (x3) are a focus for consultation and discussion about issues in their area and for making decisions on local transport, planning and environmental matters.
- Agenda consist of
  - o Public Forum – Police issues, Area Management Update, outlining local activity by both Council departments and partner organisations (e.g NHS, voluntary groups)
  - o Consultation and engagement - presentation of reports and matters of local interest

- Council business - consideration of reports requiring a decision from councillors (e.g transport, planning and environmental matters)

Note: Cambridge, Hull, Derbyshire, Leeds and Kirklees Councils also have some limited information on their websites about the operation of their Area Committees.

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**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 and Parish Councils 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 which should also be considered.

**What arrangements exist now?**

At the moment, Macclesfield has Charter Trustees, a Local Service Delivery Committee and a Local Area Partnership. (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 is decided, there will be a cost, as there is now. Currently, as Macclesfield residents, you contribute to the cost of delivery of local services through your Cheshire East Council Tax.

Whatever is decided, Cheshire East Council will remain responsible for major services such as social care, highways, education admissions, children's services, environmental protection, planning decisions etc. Cheshire East Councillors will continue to represent individuals and groups in their wards.

*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. Please check the Cheshire East website and local notice boards for details.*

### **What are the options for Macclesfield?**

As part of undertaking a Community Governance Review the Council should have regard to different forms of community governance which could be out in place. The earlier stage of consultation with the public and stakeholders in July 2013 provided an opportunity for people to express their support for No Change, Parish / Town Council(s), Community Forums, Community Development Trusts, Neighbourhood Management, Residents and Tenants Associations and community Associations.

Based upon the feedback received to date, the Council has decided to undertake the next stage of consultation based upon two options, which are: 1) Parishing for Macclesfield; and 2) An Enhanced Macclesfield Service Delivery Committee. Both options are explained below.

1. **Parishing for Macclesfield** (you may see the words Parish / Town Council(s) used separately but they mean the same thing)

Parish/Town councils (PTCs) 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 40,000 people (for example the newly formed Crewe Town Council which has 36,500 electors). The general rule is that PTCs are based on an area which reflects community identity and interests. The community interests of the residents of the parish are represented by elected local councillors. Parish/Town councils(s) represent your local community's interests to Cheshire East Council on things like planning applications and highways; they can choose to deliver services that can improve the local area (e.g., public toilets, allotments, Christmas lighting, floral arrangements, bus shelters, burial grounds, litter bins, tourism, traffic calming and public transport schemes). The Localism Act 2012 gives greater powers to town and parish councils as they offer democratic representation and accountability, the ability to influence decision making by other bodies and the ability to deliver existing services or provide additional services. These include the preparation of a neighbourhood development plan or order which when completed becomes part of the local development plan for the area and has to be used as a basis for making decisions on planning applications. Costs would be met by setting a council tax.

A single Parish/ Town Council could be established to cover the whole of the unparished area of Macclesfield or a number of Parish Councils, of smaller geographical area, could be formed.

If Parish/ Town council(s) were formed, Cheshire East Council would remain responsible for major services such as social care, highways, education admissions, children's services, environmental protection, planning decisions etc. Cheshire East Councillors would continue to represent individuals and groups in their wards and influence officers' actions with the support and advice of the Town/ Parish councillors.



If Town / Parish Council(s) were created which covered the whole of the unparished area of Macclesfield, then the Charter Trustees (explained below) would be dissolved. The Local Service Delivery Committee would also cease to exist. The Macclesfield Local Area Partnership (as explained below) would continue.

Cost: Costs vary depending on the size of PTCs and services they deliver. The costs to residents for PTCs 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 Town Council, for example, will meet its costs by setting a council tax of £28.96; but there will no longer be a Charter Trustee charge nor a Special Expense charge introduced.

## 2. An enhanced Macclesfield Local Service Delivery Committee

The second option is to continue with current arrangements, which includes working with all the existing organisations such as the Macclesfield Local Area Partnership and Macclesfield Charter Trustees, and to enhance the role of the Macclesfield Local Service Delivery Committee. What this means is explained below.

- **Local Area Partnership (LAP)**

The Macclesfield LAP is one of seven across Cheshire East. It brings together the 17 neighbouring Parish Councils and associated Cheshire East Councillors (including those from the unparished area of Macclesfield) as well as a wide range of people from the voluntary, community and private sectors to focus on improving services, to influence decision making and to engage and empower communities. The LAP management group is consulted by Cheshire East Council; it influences service delivery, such as decisions on minor highway works including traffic regulations, but does not have the power to deliver local services itself. It is envisaged that the Macclesfield LAP will continue alongside any future governance arrangement for Macclesfield.

Cost: will continue to be covered by Cheshire East Council.

- **Macclesfield Charter Trustees**

Charter Trustees preserve the historic identity of the town by carrying out ceremonial functions, usually by the Mayor. The Trustees are Cheshire East (Macclesfield wards) councillors. In the capacity of Trustee they do not represent the interests of the local people to Cheshire East Council 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 one or more parish councils were created in Macclesfield, which covered the whole of the Charter Trustee area, then the Charter Trustees would be dissolved and its duties transferred. The costs would be covered by setting a council tax. A parish Council can resolve to designate itself as a Town Council ; which then entitles the Chairman of that Council to have the title of Mayor.

- **An Enhanced Macclesfield Local Service Delivery Committee**

The existing Service Delivery Committee was set up by Cheshire East Council (CEC) as Macclesfield currently has no Parish/Town Council(s). It is run by 12 Cheshire East Councillors who were elected to serve Macclesfield's town wards. The Committee doesn't currently represent the interests of the local community on things such as planning applications and highways matters. It has been set up in its current form to consider and advise the Council on the quality, quantity and cost of service provision in Macclesfield.

This option proposes that the role of the existing Service Delivery Committee be enhanced to take on the following functions:

- To monitor Services and to make recommendations to Cabinet on the level of service provision
- To provide advice and recommend to Cabinet on issues and needs of Macclesfield
- To be the Council's principal consultee matters and decisions relating to the Parish of Macclesfield *(NB - Require legal advice on this point – and also on the provisions of the Localism Act 2011 in respect of the ability of Economic Forums to now have this status in respect of planning applications)*
- To liaise and cooperate with local organisations to pursue the wellbeing of the unparished area
- To nominate representatives from its membership to serve on local bodies
- To advise and liaise with Cheshire East Council on preparatory measures for the devolution and transfer of assets
- To consider the cost implications of the development and transfer of services to the unparished area.
- To consider and recommend to Cabinet the amount of any special expenses levy to be raised from residents in the unparished area.

Cost: In the future, the cost of some services provided principally for the benefit of Macclesfield Town residents may be met from part of the Council Tax set for Macclesfield residents, (called a Special Expense) rather than through the Cheshire East Council Tax. The cost of running the Enhanced Service Delivery Committee would continue to be met by Cheshire East Council as part of its arrangements for local democracy.

**(NOTE: An Enhanced Service Delivery Committee would be a committee of Cheshire East Council, rather than being a separate legal entity as is the case for Parish/ Town Councils. This means that it would not have the legal capacity to run and manage assets and services such as Markets, Public Conveniences, allotments etc.)** *(NB – Require legal clarification on this point)*

If you would like more information please visit the Macclesfield Community Governance Review website on [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) or email us at [communitygovernance@cheshireeast.gov.uk](mailto:communitygovernance@cheshireeast.gov.uk)

We would like to know your views on what arrangements would work best for you to secure improved community engagement, better local democracy and delivery of services in the most efficient and convenient way.

Please send your views in writing to :

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

or by email to: [communitygovernance@cheshireeast.gov.uk](mailto:communitygovernance@cheshireeast.gov.uk)

**APPENDIX 1****LIST OF LEGAL POWERS AND DUTIES**

This is a list of powers and functions for parish councils which are covered by Acts of Parliament. The services which parish councils provide vary considerably and this is reflected in the amount of council tax they charge for the delivery of services.

<b>Function</b>	<b>Powers and Duties</b>
<b>Allotments</b>	<b>Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so</b>
<b>Borrowing Money</b>	<b>Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs</b>
<b>Baths and Washhouses</b>	<b>Power to provide public baths and washhouses</b>
<b>Burial Grounds, cemeteries and crematoria</b>	<b>Power to acquire and maintain</b> <b>Power to provide</b> <b>Power to agree to maintain monuments and memorials</b> <b>Power to contribute towards expenses of cemeteries</b>
<b>Bus Shelters</b>	<b>Power to provide and maintain shelters</b>
<b>Byelaws</b>	<b>Power to make bylaws in regard to pleasure grounds</b> <b>Cycle Parks</b> <b>Baths and Washhouses</b> <b>Open spaces and burial grounds</b> <b>Mortuaries and post-mortem rooms</b>
<b>Charities</b>	<b>Duties in respect of parochial charities</b>

	<b>Power to act as charity trustees</b>
<b>Clocks</b>	<b>Power to provide public clocks</b>
<b>Closed churchyards</b>	<b>Powers to maintain</b>
<b>Commons and common pastures</b>	<b>Powers in relation to inclosure, regulation and management and providing common pasture</b>
<b>Function</b>	<b>Powers and Duties</b>
<b>Conference facilities</b>	<b>Power to provide and encourage the use of facilities</b>
<b>Community Centres</b>	<b>Power to provide and equip buildings for the use of clubs having athletics, social or educational objectives</b>  <b>Power to acquire, provide and furnish community buildings</b>
<b>Crime Prevention</b>	<b>Powers to spend money on various crime prevention measures</b>
<b>Drainage</b>	<b>Power to deal with ponds and ditches</b>
<b>Entertainment and the Arts</b>	<b>Provision of entertainment and support of the arts</b>
<b>Environment</b>	<b>Power to issue fixed penalty notices for litter, graffiti and offenses under dog control orders</b>
<b>Gifts</b>	<b>Power to accept</b>
<b>Highways</b>	<b>Power to repair and maintain public footpaths and bridleways</b>  <b>Power to light roads and public places</b>  <b>Provision of litter bins</b>  <b>Power to provide parking places for vehicles , bicycles and motor cycles</b>  <b>Power to enter into agreement as to dedication and widening</b>  <b>Power to provide roadside seats and shelters and omnibus shelters</b>  <b>Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway</b>  <b>Power to complain to district council as to protection of rights of way and roadside wastes</b>

	<p>Power to provide certain traffic signs and other notices</p> <p>Power to plant trees etc. and to maintain roadside verges</p>
Honorary titles	Power to admit to be honorary freemen of the council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area
Investments	Power to participate in schemes of collective investment
Function	Powers and Duties
Land	Power to acquire by agreement, to appropriate, to dispose of
Litter	Provision of receptacles
Lotteries	Power to promote
Markets	Power to establish or acquire by agreement markets within their area and provide a market place and market buildings
Mortuaries and Post mortem rooms	Power to provide mortuaries and post mortem rooms
Newsletters	Power to provide information relating to matters affecting local government
Nuisances	Power to deal with offensive ditches
Open Spaces	<p>Power to acquire land for public recreation and maintain</p> <p>Power to acquire and maintain land for open spaces</p>
Parish property and documents	<p>Power to direct as to their custody</p> <p>Duty to deposit certain published works in specific deposit libraries</p>
Public Buildings and village halls	Power to acquire and provide buildings for public meetings and assemblies
Public conveniences	Power to provide
Recreation	<p>Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them</p> <p>Power to provide a large range of recreational facilities</p> <p>Provision of boating pools</p>

<b>Town and Country Planning</b>	<b>Right to be notified of planning applications if right has been requested</b>
<b>Tourism</b>	<b>Power to contribute to organisations encouraging tourism</b>
<b>Traffic Calming</b>	<b>Powers to contribute financially to traffic calming schemes</b>
<b>Transport</b>	<b>Powers to spend money on community transport schemes</b>
<b>War Memorials</b>	<b>Power to maintain, repairs, protect and adapt war memorials</b>
<b>Function</b>	<b>Powers and Duties</b>
<b>Water Supply</b>	<b>Power to utilise well, spring or stream and to provide facilities for obtaining water from them</b>
<b>Websites</b>	<b>Power for Councils to have their own websites</b>
<b>Well-being</b>	<b>Power for (eligible) parish councils to do anything they believe is likely to achieve the promotion or improvement of the economic and /or social and/or environmental well-being of their area</b>

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## APPENDIX 2

## EXAMPLES OF TOWN COUNCILS IN CHESHIRE EAST

TOWN COUNCIL	NUMBER OF ELECTORS	EXAMPLES OF SERVICES PROVIDED (NB - THIS IS ILLUSTRATIVE AND NOT AN EXHAUSTIVE LIST)	PARISH COUNCIL TAX (PER BAND D PROPERTY)
Alsager Town Council	9605	<p>Runs facilities including Alsager Civic Centre, Crewe Road Toilets, Alsager Market and Allotment sites.</p> <p>Provision of grants to local organisations totalling £28,000.</p> <p>Play facilities at Wood Park and Northholme Gardens.</p> <p>Support of community events such as “the big switch on”; Christmas market; annual carnival and summer concerts.</p> <p>The Town Council also owns and manages the Alsager Institute which provides a valuable and well used community building .</p> <p>Funding is provided to support two PCSOs for the Town .</p>	£64.48
Bollington Town Council	6,113	<p>Running of Bollington Civic Hall, and during 2013 consideration being given to running of the Town Hall and the Bollington Recreation Ground.</p> <p>Improvements to footpaths and rights of way.</p> <p>Provision of grants to local organisations.</p>	£55.00

		<p>Funding provided to support one PCSO for the Town.</p> <p>Support for and organisation of numerous community and civic events including Christmas lights, annual carol service, mayor making ceremony and regular litter picks. Investment has been made in the Coronation Gardens and land has been acquired by the Town Council for allotments at Harrop Road.</p>	
Congleton Town Council	21,580	<p>Management of Congleton Town Hall and Allotments.</p> <p>Management of Congleton Paddling Pool and the accountable body for the Congleton Market Town Initiative.</p> <p>Provision of grants to local organisations.</p> <p>Organisation and support of various community events such as home coming parades, music and food festivals and carnival.</p> <p>Provision of notice boards, road signs and street furniture.</p> <p>Tourism including Tourist Information kiosk.</p> <p>Community safety, crime prevention measures and traffic calming.</p> <p>Shopmobility, public toilets and play areas.</p> <p>Maintenance of closed churchyard and clock tower and war memorial.</p> <p>Budget for Highways / Roads.</p>	£66.56
Crewe Town Council	36,000	<p>Council established in April 2013.</p> <p>Allotments and public conveniences to transfer to the town council to manage in 2013.</p> <p>The Town Council will determine other services it wishes to provide in due course.</p>	£28.96



<b>Knutsford Town Council</b>	<b>10,579</b>	<b>draft</b>	<b>£27.35</b>
<b>Middlewich Town Council</b>	<b>10,701</b>	<b>draft</b>	<b>£66.34</b>
<b>Nantwich Town Council</b>	<b>11,453</b>	<p><b>Management of Nantwich Civic Hall, Market, and Public Toilets.</b></p> <p><b>Planting of hanging baskets and planters.</b></p> <p><b>Shop Mobility.</b></p> <p><b>Tourism.</b></p> <p><b>Town Centre Management.</b></p> <p><b>Street Entertainment.</b></p> <p><b>Christmas Lights.</b></p> <p><b>Financing Town Events.</b></p> <p><b>Allotments.</b></p> <p><b>Provision of grants to local organisations.</b></p> <p><b>Millenium Clock.</b></p> <p><b>CCTV.</b></p> <p><b>Organisation and support of various community events such as home coming parades, music and food festivals, carnival annual carol service, mayor making ceremony and regular litter picks.</b></p> <p><b>Provision of notice boards, road signs and street furniture.</b></p>	<b>£95.24</b>
<b>Poynton Town Council</b>	<b>11,863</b>	<b>Promotion of Poynton Civic Hall as a community hub ( already home to CAB, U3A, You and Yours counselling service, AA, St John Ambulance etc)</b>	<b>£53.06</b>

		<p><b>Provision and maintenance of two play areas</b></p> <p><b>Maintenance of two extensive rural paths – Prince’s and Lady’s Inclines</b></p> <p><b>Operations and Events Manager (responsible for coordinating the day to day maintenance of the village and promoting local business)</b></p> <p><b>Handyman services around the village, including litter picking, scrub clearance, maintenance of signs etc</b></p> <p><b>Part funding of 5 PCSOs (to maintain a visible presence in the village, liaise with local schools and deter anti-social behaviour)</b></p> <p><b>Arrange for regular crime updates to be given to the Town Council by the Inspector from the Macclesfield Policing team</b></p> <p><b>Provide sponsorship for large scale social events such as the Summerfest, the Christmas Fest etc</b></p> <p><b>Provide Christmas trees at two locations and decorative lights in main retail area</b></p> <p><b>Organise the annual Civic Sunday and Remembrance Day</b></p> <p><b>Provide the services of a Youth Coordinator and an Adult Health and Wellbeing Coordinator</b></p> <p><b>Run a weekly café for those residents who may be socially isolated</b></p> <p><b>Provide a Home Services Scheme, to link residents with trusted local contractors.</b></p>	
<b>Sandbach Town Council</b>	<b>14,684</b>	<p><b>Town Hall (Letting and Direct Event Management)</b></p> <p><b>Indoor Market</b></p> <p><b>Outdoor Market</b></p> <p><b>Public Toilets</b></p>	<b>£56.82</b>

		<p><b>Car Parking</b></p> <p><b>Artisan (Crosses) Market</b></p> <p><b>Farmers' Market</b></p> <p><b>Councillor Surgery</b></p> <p><b>Newsletter</b></p> <p><b>Hanging Baskets and Planters</b></p> <p><b>Christmas Trees</b></p> <p><b>Town Centre Management</b></p> <p><b>Community Events and Activities (Children's Fun Days, National Town Crier Competitions and Musical Concerts)</b></p> <p><b>Applications for funding from local organisations</b></p>	
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**VOTE NOW!**

**Please use your vote to have your say!**

“insert map”

**A Macclesfield Community Governance Review** is currently being conducted to consider options for improved community engagement. The best way 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?

**We would like to know your views on what arrangements would work best for Macclesfield.**

You can also respond in writing to: Registration Service and Business Manager, Democratic Services, Cheshire East Council, Westfields, Sandbach, Cheshire, CW11 1HZ ; or by email to [communitygovernance@cheshireeast.gov.uk](mailto:communitygovernance@cheshireeast.gov.uk)

To request more information please visit our website on [www.cheshireeast.gov.uk/maccgovreview](http://www.cheshireeast.gov.uk/maccgovreview) or contact us by :

Email: [communitygovernancereview@cheshireeast.gov.uk](mailto:communitygovernancereview@cheshireeast.gov.uk)

Telephone: 0300 123 5016

Leaflets can also be collected from Macclesfield Town Hall and Macclesfield Library.

Please find enclosed a voting paper seeking your views on the future governance of Macclesfield.

**It's easy ... just follow these simple steps**

**Step One:** On the enclosed voting paper answer the questions by placing a cross (X) in the box opposite the option you are voting for

**Step Two:** Put your voting paper into the enclosed prepaid envelope

**Step Three:** Return the envelope so that it is received by no later than 5pm on .....  
Results of the consultation and a draft recommendation will be communicated in the local media and on our website in .... 2014.

See overleaf for the Options :

## **What are the options for Macclesfield?**

### **Option 1 - Parishing**

You may see the words Parish / Town Council(s) (PCTs) used separately but they mean the same thing). PTCs are the most local form of government and can represent areas ranging from around 100 to 40,000+ people. They are based on an area which reflects community identities and residents are represented by elected local parish councillors. They can deliver services to improve the area (e.g., public toilets, allotments, Christmas lighting, floral arrangements, bus shelters, burial grounds, litter bins, tourism, traffic calming and public transport schemes). The Localism Act 2012 gives greater powers to town and parish councils including the preparation of a neighbourhood development plan which becomes part of the local development plan for the area. Costs would be met by setting a council tax.

A single Parish/ Town Council could be established to cover the whole of the unparished area of Macclesfield or a number of Parish Councils, of smaller geographical area, could be formed. If Parish/ Town council(s) were formed, Cheshire East Council would remain responsible for major services such as social care, highways, education admissions, children's services, environmental protection, planning decisions etc. and Cheshire East Councillors would continue to represent their wards.

If Town / Parish Council(s) were created which covered the the unparished area of Macclesfield, then the existing Charter Trustees (which carry out civic and ceremonial functions and the mayoralty) would be dissolved.

Cost: Costs vary depending on the size of PTCs and services they deliver. The costs to residents for PTCs 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.

### **Option 2 - An Enhanced Macclesfield Service Delivery Committee**

This option is to continue with current arrangements, which includes working with all the existing organisations such as the Macclesfield Local Area Partnership and Macclesfield Charter Trustees, and to enhance the role of the Macclesfield Local Service Delivery Committee.

The **Macclesfield Local Area Partnership (LAP)** is one of seven across Cheshire East. It brings together the 17 neighbouring Parish Councils and associated Cheshire East Councillors (including those from the unparished area of Macclesfield) as well as the voluntary, community and private sectors to focus on improving services.

**Macclesfield Charter Trustees** preserve the historic identity of the town by carrying out ceremonial functions, usually by the Mayor. The Trustees are Cheshire East (Macclesfield wards) councillors. You currently pay £1.55 (Council Tax band D) to Charter Trustees.

**The existing Macclesfield Service Delivery Committee** was set up by Cheshire East Council (CEC) and is run by 12 Councillors who were elected to serve Macclesfield's town wards. It's role is to consider and advise the Council on the quality, quantity and cost of service

provision in Macclesfield. This option proposes that the role of the existing Service Delivery Committee be enhanced to take on the following functions:

- To monitor Services and to make recommendations to Cabinet on the level of service provision
- To provide advice and recommend to Cabinet on issues and needs of Macclesfield
- To be the Council's principal consultee matters and decisions relating to the Parish of Macclesfield (*NB - legal advice being sought on this point*)
- To liaise and cooperate with local organisations to pursue the wellbeing of the unparished area
- To nominate representatives from its membership to serve on local bodies
- To advise and liaise with Cheshire East Council on preparatory measures for the devolution and transfer of assets
- To consider the cost implications of the development and transfer of services to the unparished area.
- To consider and recommend to Cabinet the amount of any special expenses levy to be raised from residents in the unparished area.

Cost: In the future, the cost of some services provided principally for the benefit of Macclesfield Town residents may be met from part of the Council Tax set for Macclesfield residents, (called a Special Expense) rather than through the Cheshire East Council Tax.

**(NOTE: An Enhanced Service Delivery Committee would be a committee of Cheshire East Council, rather than being a separate legal entity as is the case for Parish/ Town Councils. This means that it would not have the legal capacity to run and manage assets and services such as Markets, Public Conveniences, allotments etc.)** (*NB – Require legal clarification on this point*)

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