

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 18th November 2010
Report of: Borough Solicitor & Monitoring Officer
Subject/Title: Local Service Delivery in Unparished Areas

1.0 Report Summary

- 1.1 This report proposes structures for discussion of service delivery issues in unparished areas, where devolution to a local council is not possible.

2.0 Recommendation

- 2.1 That it be recommended to Council that

- (1) A Local Service Delivery (Crewe) Committee be constituted where membership shall be those councillors who represent wards within the unparished area of the town.
- (2) A Local Service Delivery (Macclesfield) Committee be similarly constituted.
- (3) The powers of each committee be:

‘to make representations to Cabinet and Council about the delivery of local services in the area and to monitor local services where a town or parish council acting under local devolution arrangements would have been expected to do so (but not otherwise)’.

3.0 Reasons for Recommendations

- 3.1 The Council’s programme of devolution to local councils requires complementary arrangements for unparished areas to promote equality of treatment.

4.0 Wards Affected

- 4.1 Crewe North, Crewe East, Crewe South, Crewe West, Broken Cross, Macclesfield Town, Macclesfield West, Macclesfield Forest, Prestbury and Tytherington (partly unparished).

5.0 Local Ward Members

- 5.1 Cllrs. T. Beard, D. Bebbington, J. Jones, S. Conquest, M. Martin, C. Thorley, D. Cannon, D. Flude, B. Howell, R. Cartledge, R. Parker, J. Weatherill,

Cllrs. A. Arnold, J. Goddard, J. Narraway, S. Broadhurst, D. Neilson, C. Tomlinson, D. Beckford, S. Bentley, M. Hardy, M. Asquith, H. Gaddum, L. Smetham, J. P. Findlow, T. Jackson and B. Livesley.

6.0 Policy Implications

- 6.1 The proposals are an important element in the Council's local agenda.

7.0 Financial Implications

- 7.1 Any extra service requirements for unparished areas should be reflected in the budget.

8.0 Legal Implications

- 8.1 The Local Authorities (Groups) Regulations 1990 enable local ward members to form the membership of local area committees as an exception to the strict proportionality rules.

9.0 Risk Management

- 9.1 Failure to hold representative discussions in unparished areas could create inequalities of treatment and a perception of democratic deficit.

10.0 Background and Options

- 10.1 The Council is actively promoting the transfer of assets and service delivery to town and parish councils. Initial discussions are taking place with representatives of those bodies.
- 10.2 Local councils are independent bodies, with power to precept to enable them to run services and the legal capacity to enter into agreements with this Council. However, some areas (Crewe, Wilmslow, Styal, Handforth and Macclesfield) are unparished.
- 10.3 Crewe and Macclesfield have charter trustees. They are independent precepting bodies but their function is to preserve civic traditions and the mayoralities. They have no general powers to run services and are therefore not able to negotiate the transfer of assets and contractual terms.
- 10.4 Wilmslow, Styal and Handforth will shortly have independent local councils (subject to the decisions of Council) and the Wilmslow Community Governance Review Sub Committee is competent to carry forward preparatory discussions in advance of elections in May 2011.
- 10.5 For the unparished areas of Crewe and Macclesfield, it is proposed that separate local committees of Cheshire East councillors be created, with the purpose of representing the interests of those areas in matters of local service delivery. Normally, committees have to follow the proportionality ratios of the

Council but a statutory local area exception can be used to ensure that only the members who represent the relevant wards can serve on the committee, irrespective of their group membership.

- 10.6 It is therefore proposed that the Council creates the Local Service Delivery (Crewe) Committee and the Local Service Delivery (Macclesfield) Committee, whose membership in each case would be those members who represent wards in the respective unparished areas. The powers of each committee would be:

‘to make representations to Cabinet and Council about the delivery of local services in the area and to monitor local services where a town or parish council acting under local devolution arrangements would have been expected to do so (but not otherwise)’.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer: None.

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