

CHESHIRE EAST COUNCIL

Community Governance Review Sub Committee

Date of Meeting: 26 July 2011
Report of: Registration Service and Business Manager
Briefing Paper: Crewe Community Governance Review

1.0 Introduction

- 1 This paper is intended as an initial briefing paper for the Sub Committee to provide Members with an outline of the process to be followed in conducting this Community Governance Review. It is based on the statutory guidance in respect of the process for creating a new local council '[Guidance on Community Governance Reviews](#)' issued by the Department for Communities and Local Government (DCLG) and the Electoral Commission. Hard copies of the Guidance will be printed and made available for members of the Sub-Committee at the meeting.

2 Background

- 2.1 At the Council meeting held on 14th October 2010, consideration was given to the following Notice of Motion as submitted by Cllr D Flude:

"Following the resolution of this Council on 25th January 2010 when it was resolved' –

'To accept the vote from the people of Crewe to reject a Town Council for Crewe at this time' –

in the light of the passage of time and the proposed Special Expenses Community Charge for the Town Crewe;

will this Council now return to the matters considered on the 25th January and ask the Constitution Committee to undertake a further Community Governance Review for Crewe".

- 2.2 Having considered the above notice of motion, the Council resolved "that the motion stands referred to the Constitution Committee for consideration".
- 2.3 The Constitution Committee, following its meeting on 18th November 2010, submitted a report to Council on 16th December 2010 which outlined the legal implications and risks of the Motion for the Council. The report also considered the implications of the Wilmslow Community Governance Review, that was ongoing at that time, but which has now been completed (in February 2011). It recommended that only one review be conducted at a time for the most efficient use of resources and to allow for experience to be gained.

- 2.4 Council recommended that further consideration of the subject matter of the Motion be deferred until after the May 2011 elections, after which time the Council be asked to urgently consider undertaking a holistic Borough-wide review of community governance arrangements in Cheshire East.
- 2.5 At the Council meeting held on 16th December 2010, the above recommendation was agreed and the decision made to defer further consideration until after the May 2011 elections.
- 2.6 At a meeting of the Constitution Committee on 2nd June 2011, a motion was moved to conduct a borough-wide review of community governance arrangements in order of the priority listed below:
- a. A review of the unparished areas of Crewe; in accordance with the Notice of Motion to Council on 14 October 2010
 - b. A review of the unparished areas of Macclesfield; in accordance with the representations made by the Macclesfield Civic Society
 - c. A review of parishes in the Borough, with particular focus on areas where there is evidence that parish councils are not fully functional or not operating effectively; due to a lack of parish councillors being elected; or where very small parishes exist which may benefit from a grouping arrangement to facilitate the localism agenda
- 2.6 A Sub-Committee was appointed by the Constitution Committee for the purposes of the Crewe Community Governance Review, with representation by local Members as appropriate.

3 Procedure

- 3.1 Since February 2008 the decision-making power about matters such as the creation of parishes and their electoral arrangements has been devolved from the Secretary of State and the Electoral Commission to principal Councils such as Cheshire East.
- 3.2 Cheshire East Council can decide whether to give effect to the recommendations made arising from the Community Governance Review provided it takes the views of local people into account.
- 3.3 This process will follow several phases which are outlined below:
- Determine the viable options for community governance in the area under review
 - Draw up a consultation plan for consulting on these options
 - Stage 1 consultation on options
 - Evaluation and analysis of responses
 - Draft recommendations for the Constitution Committee to consider for recommendation to Council
 - Draft proposal advertised
 - Stage 2 consultation on the draft proposal
 - Council decides outcome of the review process

- 3.4 A draft project plan is included in this report as Appendix 1. This is intended to be a initiating document to aid project planning. The time scales will be continually reviewed and updated.
- 3.5 The consultation stages of the review will be critical to the process. As such, the Sub-Committee needs to:
- agree a list of consultees (Appendix 2)
 - agree the methods of consultation to be used
 - agree the timing of the consultation stages
- 3.6 Other key considerations:
- The impact of community governance arrangements on community cohesion
 - The size, population and boundaries of a local community or parish
 - Parishes should reflect distinctive and recognisable communities of interest with their own sense of identity
 - The degree to which the proposals offer a sense of place and identity for all residents
 - The ability of the proposed authority to deliver quality services economically and efficiently providing users with a democratic voice
 - The degree to which a town or parish council would be viable in terms of a unit of local government providing at least some local services that are convenient, easy to reach and accessible to local people
- 3.7 Any views received as part of the consultation process must be taken into account.
- 3.8 The view of the Electoral Commission must be sought on any proposed electoral arrangements.
- 3.9 The intention is that the initial phase of consultation will be based largely on written representations received in response to public notices and specific invitations. It is suggested that two public meetings are held to give interested parties the opportunity to express their views in a public forum, and a postal ballot of the electorate be conducted. The Sub-Committee will need to consider the wording and the format of the ballot paper. It is recommended that the Cheshire East website be used to encourage feedback online, and as the main mechanism for availability of information.
- 3.10 It is recommended that an explanatory leaflet be prepared and distributed to the consultees outlining the details of the review and the options being consulted. Examples of the explanatory leaflet and ballot papers used in the past Crewe Community Governance Review and the recent Wilmslow Community Governance Review will be available at the meeting for the sub-committee to consider and adapt as required.

4 Criteria when undertaking a review

- 4.1 In considering the results of the consultation and formulating recommendations, Members will be required to ensure that the community governance within the area under review will be:

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

4.2 Key considerations for the Sub-Committee to identify if the review meets the criteria include:

- The impact of community governance arrangements on community cohesion
- The size, population and boundaries of local communities or parishes
- Parishes should reflect distinctive and recognisable communities of interest with their own sense of identity
- The degree to which the proposals offer a sense of place and identify for all residents
- The ability of the proposed authority to deliver quality services economically and efficiently whilst providing users with a democratic voice
- The degree to which a town or parish council would be viable in terms of a unit of local government providing some local services that are convenient and accessible to local people

4.3 The guidance also indicates that as part of the review other viable options should be considered to determine if they represent a better option in terms of addressing the criteria. Work was completed as part of the last Crewe Community Governance Review to gather further information to make an initial evaluation of the options below so this should not need to be repeated.

- **Area committees:** formed as part of the structure of principal Councils, often including Councillors. They can be involved in a wide range of service provision and fulfil a number of community governance roles. Their primary role is to contribute to the shaping of Council services and improving local service provision. In Cheshire East, the Local Area Partnerships provide a coherent and consistent pattern across the borough by coordinating partners in small local areas
- **Neighbourhood management:** generally aimed at service delivery improvement and implementation at a local level, facilitated by a neighbourhood manager rather than advising or making decisions at a local level
- **Tenant Management Organisations:** largely public/social housing focused and estate based
- **Area/Community Forums:** mechanisms to give communities a say on principal Council matters or local issues and to influence decision-making. Membership usually consists of those people living or working in a specific area
- **Residents'/Tenants' Associations:** usually neighbourhood/estate focused, established with or without direct support from the principal Council
- **Community Associations:** democratic model for local residents and community organisations to work together for the benefit of the neighbourhood. The principal Council may be represented on the management committee

- **Multiple Parish Councils:** these may best meet the community cohesion requirements of the review, and may use natural geographical boundaries to form communities

5 Recommendations and decision on the review outcome

- 5.1 The guidance requires that recommendations must be made with respect to the following:
- The need to ensure that community governance reflects the identities and interests of the community in the area, and is effective and convenient
 - Any other arrangements that have been made for the purposes of community representation or engagement
 - Any representation received
 - Supported by evidence which demonstrates that the community governance arrangements would meet the criteria

6 Electoral Arrangements

- 6.1 The Review must give consideration to the electoral arrangements that should apply in the event that a Parish or Town Council is established. In particular, the following must be considered:
- The ordinary year of election – the first year would be the 2015 Borough and Parish Elections
 - Council size – the number of councillors
 - Parish/Town warding – whether the town or parish should be divided into wards; the number and boundaries of any such wards; the number of councillors per ward; the names of any such wards

7 Background Documents

- 7.1 The Sub Committee will be provided with the current electorate and an outline map showing the area under review. Additional information can be provided to assist members as required.

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

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