

CHESHIRE EAST COUNCIL

Community Governance Review Sub Committee

Date of Meeting: 18 July 2012
Report of: Borough Solicitor
Subject/Title: Crewe Community Governance Review - Outcome of Final Stage of Consultation

1.0 Report Summary

- 1.1 This report provides the background in relation to the Crewe Community Governance Review under the provisions of the Local Government and Public Involvement in Health Act 2007. The report provides details of the outcome of stage three of the public consultation on the Council's draft recommendation for the review, as made by the Council on 16th May 2012.

2.0 Recommendation

- 2.1 To consider the responses from the Stage 3 consultation and to recommend to the Constitution Committee that it makes an appropriate recommendation to Council, having regard to the results of consultation on the draft proposal.

3.0 Reasons for Recommendations

- 3.1 The third stage of Consultation for the Crewe Community Governance review took place from 28th May to 2 July 2012 and following this meeting the results will be considered by the Constitution Committee on 20th September 2012. The recommendation of the Constitution Committee for the final outcome of the Review will then be reported to the Council meeting on 11th October 2012 for approval, including approval of any Reorganisation Order required for the formation of new parishes as may be determined.

4.0 Wards Affected

- 4.1 Wards covering the unparished area of Crewe.

5.0 Local Ward Members

- 5.1 As above

6.0 Policy Implications

- 6.1 None

7.0 Financial Implications

- 7.1 The Council has a statutory duty to conduct and meet the costs associated with undertaking the Community Governance Review.
- 7.2 In the event that parish councils are established, there will be costs associated with the administration of the elections. The Council's policy is for the cost of any parish elections, which do not fall on an ordinary day of election for which other elections are being administered, are met by the parish councils concerned. This will be a consideration for the Council in determining the parish precept for the first year of operation.

8.0 Legal Implications

- 8.1 With effect from April 2008 the power to take decisions about matters such as the creation of parishes and their electoral arrangements was devolved from the Secretary of State and the Electoral Commission under the Local Government and Rating Act 1997 to local authorities under Chapter 3 of the Local Government and Public Involvement in Health Act 2007.

9.0 Risk Management

- 9.1 The Council has followed the Guidance on Community Governance Reviews published by the Electoral Commission and the Department of Communities and Local Government.

10.0 Background

- 10.1 The Local Government and Public Involvement in Health Act 2007 permits the Council to undertake a community governance review of the whole or part of the Borough Council area.

10.2 The Review

The Constitution Committee agreed in June 2011 to conduct a community governance review for Crewe, in accordance with Section 83(2) of the above Act. This decision was made in response to a notice of motion submitted to the Council meeting in December 2010.

In conducting the Review the Council has, in accordance with the guidance, considered viable options for forms of community governance including no change; Town / parish council(s); Neighbourhood Management; Community forums; Residents and Tenants Associations; Community associations / community development trusts.

Explanatory leaflets about the community governance review were prepared and used as a basis for the early stages of consultation which ended on 29th February 2012.

This community governance review has provided the Council with an opportunity to examine and review existing community governance arrangements and to consider whether or not new arrangements were required to best meet the needs of local people.

The initial phases of consultation had included written representations received in response to public notices, specific invitations, a website tool and information leaflets. Two public meetings had been held in September to give members of the public the opportunity to learn more about the review and express their views in a public forum. Attendance at these meetings was low, so the opportunity was taken to provide information at various community events and locations during November and December 2011. The Council's website was also used as a source of information and as a tool for people to record their views. A voting paper was sent to all electors in Crewe to be returned by 29th February 2012.

Consideration was given to the comments and representations received from these first stages of consultation and on the basis of those representations the Council's draft recommendation for the final outcome of the review was made on 16th May 2012. This was then published on 28th May 2012.

10.3 Criteria and aim of the Review

Section 93 of the Local Government and Public Involvement in Health Act 2007 requires councils to ensure that community governance in the area under review will be reflective of the identities and interests of the community in that area and is effective and convenient. In considering this criteria the Council is required to take account of a number of influential factors including the impact of community governance arrangements on community cohesion.

The Guidance on community governance reviews published by the Department of Communities and Local Government in April 2008 sets out in detail the factors for consideration to help inform the Council's judgement against the statutory criteria.

10.4 Previously Unparished Areas

The Council is required by law to consider other forms of community governance as alternatives or as stages towards establishing parish councils. The Council has noted the existing arrangements in place in the area for community representation and community engagement and the extent to which they were creating opportunities for engagement, empowerment and co-ordination in local communities.

10.5 Consultation

In reaching its draft recommendation in this review, the Council took into account the representations received having regard to the criteria in the Local Government and Public Improvement in Health Act 2007.

10.6 Result of consultation with electors

12,213 were returned (32%). The results were as follows in response to the Question “ Do you want a Single Town Council for Crewe?”:-

Area	No of voting papers received	“Yes”	“No”	Rejected
Crewe	12,135	10,741	1,381	13
Leighton (unparished)	78	69	9	0
TOTAL	12,213	10,810	1,390	13

10.8 Draft Recommendation

The third stage of consultation ran from 28th May to 2nd July 2012 and sought views on the Council’s draft recommendation.

The draft recommendation of the Council for the outcome of the review, as agreed at the Council meeting held on 16th May 2012 was as follows:-

RESOLVED

1. a. that the interests of effective and convenient local government and community identities in the area would be served by the creation of a new parish with a Parish Council for the unparished area of Crewe and that Parish Council be advised to consider its designation as a Town Council;
- b. that the Parish should be divided into 6 wards (see map below) for the purposes of election to the Parish Council, such wards to be coterminous with the existing Borough wards except that, subject to recommendation c. below, the unparished part of Leighton (Polling District 1FJ4) be incorporated into the St Barnabas parish ward, and that each ward should have the number of Parish Councillors as follows:

St Barnabas	2
Crewe Central	2
Crewe North	2
Crewe South	3
Crewe East	4
Crewe West	3
TOTAL	16

- c. that the electors of the unparished part of the Borough ward of Leighton be asked whether they would prefer to be included within the proposed parish of Crewe or within the existing parish of Leighton;
 - d. that elections to the Crewe Parish Council should be held as soon as is practicably possible and should thereafter be synchronised with the ordinary date of Parish Council elections; and
 - e. that these proposals form the basis of a second stage of public consultation and that the Boundary Commission be informed of the proposals.
2. the proposed arrangements for the final stage of the consultation process, as set out in paragraph 4.2 of the report to the Community Governance Review Sub-Committee on 27th April 2012, be approved, subject to the dates being altered in line with paragraph 4 below;
 3. the proposed consultation with the electors for the unparished part of Leighton be conducted by means of a formal ballot;
 4. the indicative timetable proposed by the Sub-Committee for the latter stages of the Review be approved as follows and the project plan be amended accordingly:

28 th May 2012	Publish Notice of final stage of consultations
11 th June – 2 nd July 2012	Final stage of public consultations Postal Ballot in unparished part of Leighton Borough Ward
20 th September 2012	Constitution Committee
11 th October 2012	Council makes final decision and approves Order
1 st April 2013	Order comes into effect
4 th April 2013	Elections to new parish council
 5. it be noted that Gresty Brook (Polling District 1GM2) in the Crewe South Borough Ward is already located within the parish of Shavington and accordingly does not form part of this Review; and
 6. the Community Governance Review Sub-Committee be asked to consider the detailed arrangements for setting a budget and precepting and the extent and timing of the transfer of assets to the new Parish Council, to enable the relevant provisions to be included in the Order.

Representations were invited from all interested persons, organisations, stakeholders and the public. Interested parties were encouraged to submit their views in writing, by email, or via a feedback form on the Council's website.

10.9 Submissions received in response to Stage 3 Consultation

Copies of all responses received to the Stage 3 (the final stage) of consultation are attached as an appendix to this report together with the results of the ballot of electors in the unparished area of Leighton. A further representation is expected from the Crewe Charter Trustees following their meeting held on 5th July 2012. This will be reported at the meeting.

10.10 Key Issues

In making its final decision on the outcome of the Community Governance Review for Crewe the Council must take into account representations received. The Council is also required to have regard to the need to ensure that community governance within the area reflects the identities and interests of the community and is effective and convenient.

In terms of proposed Council size and the number of councillors to be elected for parish wards, this is a matter for the Council to determine, having regard to "Section 5: Electoral Arrangements" of the government's guidance on conducting community governance reviews.

As soon as practical after the Council has decided to what extent it will give effect to the recommendation made in the review, it must publish the decision and the reasons for making that decision. The Council must also take steps to ensure that people who are interested in the review are informed.

Should the final decision be taken to establish a Town Council, a formal Order will be made by the Council to give effect to the new arrangements.

12.0 Access to Information

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

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- Guidance on Community Governance Reviews published by the Electoral Commission and the DCLG
- Explanatory Leaflet and Notice of Publication for the first stage of consultation
- Notice of Publication of Draft Recommendations

Appendices - Representations received from the Stage 3 consultation ending on 2nd July 2012 and results of the ballot of electors in the unparished area of Leighton.