

CHESHIRE EAST COUNCIL

Minutes of a meeting of the
Community Governance Review Sub-Committee
held on Wednesday, 18th July, 2012 at East Committee Room - Municipal
Buildings, Earle Street, Crewe, CW1 2BJ

PRESENT

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

Councillors J Jackson, B Murphy and P Whiteley

Absent

Councillor G Baxendale

In attendance

Councillor M Grant

Officers

Lindsey Parton, Registration Service and Business Manager
Mike Flynn, Community Governance Advisor
Chris Allman, Corporate Improvement Project Advisor
Rose Hignett, Senior Electoral Services Officer
Jamie Oliver, Communications Officer
James Morley, Democratic Services Officer

45 DECLARATIONS OF INTEREST

Councillor Janet Jackson declared a personal interest as a Member of the Macclesfield Charter Trustees.

Councillor Brendan Murphy declared a personal interest as a Member of the Macclesfield Charter Trustees.

46 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public who wished to address the Committee.

47 MINUTES OF PREVIOUS MEETING

RESOLVED

- (1) That the minutes of the meeting on the 27th April be approved as a correct record.
- (2) That Councillor J Jackson's abstention from voting on the minutes of the previous meeting be noted.

48 CREWE COMMUNITY GOVERNANCE REVIEW - OUTCOME OF CONSULTATION

The Sub-Committee gave consideration to a report on the outcomes of the third stage of consultation for the Crewe Community Governance Review including the result of the ballot of electors in the unparished part of the Borough ward of Leighton.

The Registration Service and Business Manager presented the report. The report set out the review process so far including the results from the second stage of consultation and draft recommendations proposed by Council on 16th May 2012. Consultation was carried out on these proposals as well as a ballot of electors in the unparished part of Leighton Borough ward who were asked whether they wished to be part of the existing Minshull Vernon & District Parish Council or the new Crewe town council. The Sub-Committee received 8 responses to the third stage of consultation. The results of the ballot and copies of the representations received were appended to the report.

The results of the ballot of electors in unparished part of Leighton showed that 85% of respondents were in favour of being part of Minshull Vernon and District Parish Council.

The Sub-Committee gave consideration to the responses received. The majority of responses commented on the proposed wards for the parish and the number of councillors that would be elected to the parish council. The Sub-Committee agreed that a recommendation to Council on the warding arrangements and number of councillors should be made by the Constitution Committee.

The next phase of the review was to draft a formal Order for the establishment of a parish council for Crewe based on the recommendations of the review. The Order was to be formally made by Council in October 2012. Officers were asked to give consideration to a draft of the Order and present it to the Sub-Committee at a future meeting.

RESOLVED

- (1) That the report and responses to stage 3 consultation of the Crewe Community Governance Review be noted.
- (2) That, having considered the results of the ballot of electors in the unparished part of the Borough ward of Leighton, the Sub-Committee recommend to the Constitution Committee that the unparished part of the Borough ward of Leighton be included as part of the Leighton Urban ward of Minshull Vernon & District Parish Council.
- (3) That a decision on recommendations to Council on the warding arrangements and number of parish councillors for Crewe be deferred to the Constitution Committee.

- (4) That officers be commissioned to carry out work on the drafting of a Reorganisation Order.

49 CREWE COMMUNITY GOVERNANCE REVIEW - DEVELOPING A BUDGET AND TRANSFER OF ASSETS

The Sub-Committee discussed the work required from the Sub-Committee in determining the budget for the parish council's first year of operation. Part of the Reorganisation Order made by Council for the formation of a town council for Crewe would need to include a budget for the first year of operation and precept to be paid by residents of the parish. The Order would also include any assets to be transferred to the parish council from the Borough Council (Cheshire East Council).

The Sub-Committee agreed that the budget needed by the parish council would depend on the level of activity expected and the value and cost of assets to be transferred to the parish council. Consideration was given to the types of assets that may be transferred to the parish council such as public toilets and allotments which are assets which have typically been transferred to town and parish councils in other parts of the Borough. Consideration was also given to the possibility of transferring specific assets relevant to Crewe such as the Market Hall, Lyceum Theatre and Queens Park.

A Special Expenses Levy was a charge made by the Borough Council to residents in an area who benefit from a particular asset (e.g. leisure centre/park) provided by the Borough Council. The purpose of this was to ensure that local people benefiting from an asset were paying for it as opposed to all residents of a Borough covering the cost as part of Council Tax. It was suggested that if a special expenses levy was going to be applied by the Borough Council to an asset then it may be beneficial to residents for the local parish council to receive the asset from the Borough Council and charge a precept to residents to fund the asset. In this case the local residents would still be covering the cost however would have more say in the operation of the asset at a local level.

It was unclear what types of assets could be included in a reorganisation order and which would require negotiation with the parish council once formed and handed over to elected parish councillors. The Sub-Committee required officers to give legal and financial advice on plans and proposals regarding assets.

There seemed to be a consensus that £50-£60 as a precept seemed reasonable when compared to precepts in existing parish councils and considering the potential needs of the Crewe town council. The Sub-Committee agreed that once a budget and precept is proposed by Cheshire East Council it will be necessary to communicate this to residents effectively to explain the reasons for the budget and precept chosen.

RESOLVED

That officers be requested to consider what assets could be transferred to the new town council including the implications on budget requirement so that a budget and precept for 2013/14 can be identified for inclusion in the draft Reorganisation Order. Consideration would need to be given to the effect special expense levies would have on council tax bills for residents of Crewe.

50 COMMUNITY TRUSTS

Item 8 on Community Trusts was moved to Item 6 of the Agenda.

There had been confusion among Councillors, members of the public and Officers about the possibility of a community trust being set up to receive assets and deliver services particularly as part of the options for the Macclesfield Community Governance Review. Clarification had been sought by Councillors from Officers about any powers under legislation that Cheshire East Council had in setting up such a Trust.

Officers confirmed that legal advice had been sought and would report their findings to the Sub-Committee in due course.

51 MACCLESFIELD COMMUNITY GOVERNANCE REVIEW - PROJECT PLAN

The Sub-Committee gave consideration to the proposed project plan for Stage 1 of the consultation for the Macclesfield Community Governance Review including proposed arrangements for public meetings to be held.

A decision had originally been made to fast track the review for Macclesfield to complete the review and produce an Order in time for the February 2013 meeting of Full Council so that if a Parish Council for Macclesfield was recommended it could be created in April 2013. Public meetings for the review had been planned for August during school summer holidays. The Sub-Committee believed that the Council may receive criticism for this due to many members of the public taking vacations during August and being unable to attend the meetings.

This was now considered to be an unrealistic timescale and in order to complete a robust and comprehensive review it was agreed that a new project plan would be needed. The Sub-Committee agreed that lessons needed to be learned and absorbed from the Crewe Community Governance Review and put into practice during the Macclesfield Review. Officers would be given more time to develop the literature for Stage 1 of the review and public meetings could be held once the school summer holidays had ended.

It was originally proposed that two public meetings would be held at Macclesfield Town Hall. It was suggested that several meetings should be held in various locations around the unparished area to improve publicity and coverage of the review.

It was noted that, unlike the Crewe Community Governance Review, there was no requirement for the Macclesfield Community Governance Review to be completed within a period of 12 months as the 12 month deadline only applied to reviews that had been carried out as a result of a petition.

RESOLVED

That the proposed project plan illustrated in the Agenda be rejected and officers be requested to return to the Sub-Committee with a revised longer term project plan for stage 1 of the review at the next meeting.

52 MACCLESFIELD COMMUNITY GOVERNANCE REVIEW - STAGE 1 CONSULTATION

The Item on Macclesfield Community Governance Review – Stage 1 Consultation was deferred to a later meeting due to the rejection of the project plan for the Macclesfield Community Governance Review during the previous item.

53 DATE OF NEXT MEETING

The Sub-Committee discussed possible dates for the next meeting.

RESOLVED

- (1) That the next meeting of the Sub-Committee be held on Wednesday 8th August 2012 at 9am.
- (2) That a tentative date of Wednesday 29th August at 9am be held for the subsequent meeting of the Sub-Committee.

The meeting commenced at 10.04 am and concluded at 11.35 am

Councillor D Marren (Chairman)