

CHESHIRE EAST COUNCIL

Minutes of a private meeting of the Local Service Delivery Committee (Macclesfield)

held on Monday, 10th September, 2012 at Executive Meeting Room 1 - Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor L Jeuda (Chairman)
Councillor L Roberts (Vice-Chairman)

Councillors C Andrew, G Boston, L Brown, D Druce, K Edwards, A Harewood, J Jackson, B Murphy and D Neilson

Apologies

Councillor M Hardy

ALSO PRESENT

Councillor David Marren
Paul Jones – Democratic Services Team Manager
James Morley – Democratic Services Officer

28 APOLOGIES

Apologies for absence received from Councillor Martin Hardy

29 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

Nominations for Chairman:

Councillor Jeuda (nominated by Councillor Edwards and seconded by Councillor Boston)

Councillor Druce (nominated by Councillor Andrew and seconded by Councillor Brown)

Votes for Chairman:

Councillor Jueda 6 votes

Councillor Druce 4 votes

Abstentions 1

Nominations for Vice Chairman:

Councillor Roberts (nominated by Councillor Murphy and seconded by Councillor Edwards)

There were no other nominations.

RESOLVED – That Councillor Laura Jueda be appointed Chairman and Councillor Lloyd Roberts appointed Vice Chairman of the Local Service Delivery Committee for Macclesfield.

Councillor Jueda (Chairman) in the chair

30 MACCLESFIELD COMMUNITY GOVERNANCE REVIEW

The Committee received a report which had been presented to the Community Governance Review Sub-Committee on 27 April 2012. The report was intended as an initial briefing paper to provide Members with an outline of the process to be followed in conducting the Macclesfield Community Governance Review. The Review process is based on statutory guidance in respect of the process for creating a new local council issued by the Department for Communities and Local Government.

Councillor David Marren, the Chairman of the Community Governance Review Sub-Committee was present to give an overview of the process to be followed. The process would be similar to that taken in conducting the Community Governance Review for Crewe which was coming to an end and for Wilmslow in 2010. The report included the project plan for the first stage of the review process which was approved by the Community Governance Review Sub-Committee on 4 September 2012. The intention was for all stages of the review process to be completed before April 2014 to allow for the establishment of a town council in April 2014 if a town council was the outcome of the review. It was noted that the establishment of a town council could be delayed until April 2015 to allow elections to coincide with the date of Ordinary Elections for Borough and Parish Council.

There were a number of options for governance arrangements that could be considered during a review and the consultation process was required to establish which option residents of the unparished area would prefer. The Committee would be consulted during the review and meetings of the Community Governance Review Sub-Committee were held in public and open for anyone to attend. The Community Governance Review Sub-Committee would make recommendations on the outcomes of the review which would be passed onto the Constitution Committee who would make the final recommendations to Council which would make the final decision on governance arrangements in the unparished area of Macclesfield.

31 MACCLESFIELD CGR - STAKEHOLDER LIST

The Committee were asked to consider a list of Stakeholders that had been produced for the Macclesfield Community Governance Review and offer comments. An additional list of potential stakeholders that had been omitted for the list in the Agenda was tabled at the meeting. All identified stakeholders would be contacted during the review process to request their views on the options for governance arrangements in the unparished area of Macclesfield.

The list included individuals and groups such as local political parties, local councils and councillors, schools, community organisations, faith groups, media

and business among others. Members of the Committee would be able to make suggestions for the inclusion of groups/individuals that would have an interest in or be affected by the governance arrangements for Macclesfield.

Some members of the Committee questioned the inclusion in the list of neighbouring parish councils to the unparished area of Macclesfield. Neighbouring parish councils had been consulted during the Crewe Community Governance Review and it was felt that the chosen governance arrangements may have an effect on those parishes and their residents. The statutory guidance issued by the Department of Communities and Local Government has minimum standards for consultation. Officers were asked to check whether neighbouring parishes were a statutory consultee. Officers were also asked to ensure that any suggestions previously made were included.

The LSD Committee was asked for guidance as to who the Community Governance Committee might consult during the review process. The decision on the list of stakeholders to be consulted would be made by the Community Governance Review Sub-Committee. The views of the LSD Committee and other groups would be taken into account when making the decision. Possible stakeholders could be added to the list at any time.

The LSD Committee would be consulted throughout the process by the Community Governance Review Sub-Committee.

RESOLVED – That Members of the Committee be asked to consider potential stakeholders for the Macclesfield Community Governance Review and submit their suggestions to Lindsey Parton for submission to the Community Governance Review Sub-Committee.

32 SPECIAL EXPENSES LEVY

The Committee received a paper which gave a brief outline on double taxation and special expenses.

Double taxation occurred when a parish or town council provided a service, and raised a precept to fund that service, whilst the Borough Council was providing an equivalent service to the unparished areas and charging all tax payers for those services including those tax payers who have already paid for locally provided equivalent services through their precept.

Special Expenses was a mechanism that could be used to alleviate double taxation. Before a special expense could be levied on residents the existence of double taxation had to be established.

Determining whether there was double taxation was not straight forward; it required the identification of concurrent functions and then a detailed assessment of those concurrent functions to identify: those that were concurrent by virtue of local enhancement; those that were not equivalent; and those which were truly like for like. Examples of when double taxation did not occur included when Cheshire East funded a service in an unparished area that was for the benefit of the wider community and not just the local residents.

It was the role of this Committee to identify services that need to be provided in the unparished area of Macclesfield by Cheshire East Council in the absence of a

town or parish council. The Committee would also be required to identify the quality and quantity of service provision so that any double taxation and there for need for a special expense could be identified.

RESOLVED – That the paper be noted.

33 IDENTIFICATION OF SERVICES TO BE MONITORED AND SERVICE PROVISION STANDARD

This item was deferred to the next meeting.

34 NEXT MEETING

The Committee gave consideration to the date and agenda of its next meeting.

The Committee wanted to give consideration to changes to its terms of reference and potential area of work that the Committee could be involved in. It was agreed that until any changes to the terms of reference had been clarified and agreed by Council the Committee would continue to hold informal private meetings.

Members of the Committee were concerned that there was insufficient consultation on a number of key issues and hoped that this Committee would have a significant role in representing the views of local people.

RESOLVED:

- (a) That the next meeting of the Committee be held on 29 October 2012 at 16:00.
- (b) That until potential changes were made to the terms of reference and work programme for the Committee the Committee would continue to hold informal private meetings.

The meeting commenced at 4.00 pm and concluded at 6.00 pm

Councillor L Jeuda (Chairman)