

CHESHIRE EAST COUNCIL

Community Governance Review Sub Committee

Date of Meeting: 7 October 2014
Report of: Head of Governance and Democratic Services
Subject/Title: Macclesfield Community Governance Review

1.0 Report Summary

- 1.1 The Macclesfield Community Governance Review commenced in June 2013 with the Community Governance Review Sub Committee leading the review under powers delegated to it by the Constitution Committee. This report provides Members with an outline of the process followed in respect of this Review. It is based upon statutory guidance: "Guidance on Community Governance Reviews" issued by the Department for Communities and Local Government and the Electoral Commission.
- 1.2 The first stage of consultation was conducted in June/ July 2013 and consisted of consultation with stakeholders and the public. The consultation focussed upon 7 different options (no change; Parish/ Town Council(s); Community Forums; Community Development Trusts; Neighbourhood Management; Residents' and Tenants' Organisations and Community Associations). Local organisations, (including businesses, political and religious organisations, and community groups) were contacted by letter and invited to express their views. 8 public meetings were held in each of the Borough wards, which were attended by 114 people out of a possible electorate of 39,750 (i.e. 0.3%). Publicity for the first stage of consultation included press releases to local press and media, a public notice in the Macclesfield Express, exhibition boards at the Town Hall and distribution of information on several days within the Grosvenor Centre. A consultation feedback form was made available in hard copy and electronic formats. Information was provided on the website and in various local newsletters. Flyers and public notices were widely distributed with assistance from local ward members, the Town Centre Manager and the Local Area Partnership Team.
- 1.3 92 responses to the stage 1 consultation were received (0.24% of the total electorate). Of these responses 68 expressed an opinion on the 7 proposed options. 44 people expressed a wish to see a Town Council; 10 people expressed a wish to see multiple parish councils; and 4 people wished to see no change.
- 1.4 On the basis of the feedback received from the Stage 1 consultation, the Sub Committee agreed that the second stage of consultation should be in respect of the options of Parishing, and an Enhanced Macclesfield Local Service Delivery Committee. The proposal for an Enhanced Local Service Delivery Committee stemmed from discussions at the various public meetings held

during the first stage of consultation. In terms of the option for Parishing, this was put forward for further consideration, as some level of support had been demonstrated for one or more parish councils to be created. The Sub Committee considered the communities and interests in Macclesfield, and subsequently agreed that electors in each ward should be given the opportunity to consider whether they wished to see a Single Parish / Town council created for the whole of Macclesfield, or a parish council based on their Borough Ward boundary; in addition to the option for an Enhanced Local Service Delivery Committee. This approach was endorsed by the Constitution Committee on 1 May 2014.

- 1.5 The second stage of consultation took place from 2 June to 28 July 2014.
- 1.6 A public notice was issued in the press at the start of the consultation period, and information about the Review was provided on the Council's website with a direct link from the front page. Copies of a more detailed 15 paged explanatory leaflet were also made available at Macclesfield Town Hall and at Macclesfield Library. A telephone point of contact was provided in the literature posted to all electors to assist with any queries. A4 notices to publicise the next stage of the Review were distributed locally with the assistance from the Town Centre Manager and copies were sent to local ward Councillors for their information.
- 1.7 All local government electors in the area, and all 16 and 17 year olds on the electoral register were sent a postal voting paper, and a four paged summary leaflet. Electors, and any person with an interest in the Review, were also able to submit written representations, by post or email during this period.
- 1.8 The results of the voting and representations received during this second stage of consultation are attached to this report (**Appendices A and B**). 6448 electors responded by returning their voting papers (16.15% of the electorate). 35 written representations were received.
- 1.9 The representations and feedback received from the Stage 1 Consultation were previously considered by the Sub Committee at meetings held on 15 August and 16 October 2013. A summary is attached (**Appendix C**). Copies of the individual representations received during the Stage 1 consultation are available for public inspection upon request. Copies are also deposited in the Members' Rooms at Westfields, Sandbach and at the Town Hall, Macclesfield.

2.0 Recommendation

- 2.1 The Sub Committee is requested to consider the feedback received from the consultation and to make a recommendation to the Constitution Committee regarding the next steps of the Review.

3.0 Reasons for Recommendations

3.1.1 The Review has now concluded two stages of public consultation and consideration now needs to be given to the next steps of the Review.

4.0 Wards Affected

4.1 Wards covering the unparished area of Macclesfield.

5.0 Local Ward Members

5.1 As Above.

6.0 Policy Implications

6.1 None identified.

7.0 Financial Implications

6.1 The cost associated with conducting the Community Governance Review will be required to be met from existing budgetary resources within Governance and Democratic Services.

7.0 Legal Implications

7.1 The Local Government and Public Involvement in Health Act 2007 ('the Act') devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities.

7.2 The Act provides for a principal council (in this case, Cheshire East Council) to carry out a community governance review at any time, as well as providing for certain circumstances in which a review must be carried out. The Act further allows principal councils to determine the terms of reference of a community governance review.

7.3 The Act requires consultation with local government electors in the area under review and others whom appear to the principal council to have an interest in the review.

7.4 Statutory Guidance is available on community governance reviews and must be followed by principal councils.

7.5 Consultation has been undertaken in respect of this proposal. The general principles that must be followed when consulting are well established:

- The consultation must be at a time when proposals are still at a formative stage.
- Consultation documents must give sufficient reasons for any proposal to enable intelligent consideration and response.

- Adequate time must be given for consideration and response.
- The product of consultation must be conscientiously taken into account in finalising any proposals

8.2 Whilst the Committee will only make recommendations and is therefore not the decision maker it is nevertheless important that the Committee is aware of the consultation results and takes them into account when considering this matter.

8.0 Risk Management

8.1 The review has been conducted with due regard to the Government's Guidance on the conduct of Community Governance Reviews.

9.0 Background and Options

9.1.1 There is a statutory requirement to consult local government electors in the area under review as part of any Community Government Review conducted, together with others with an interest in the Review. The Sub Committee therefore agreed to consult all electors in the unparished area of Macclesfield, for the second stage of consultation, by sending out a voting paper, based upon the options explained above. As emphasised in the report to the Constitution Committee on 1 May, the results of the consultation with electors should be treated as an advisory poll. This is purely a means of consultation, which should be considered along side other views and opinions received and evidence collected, having regard to the statutory key criteria:

- that community governance in the area will be "reflective of the identities;

and

- that interests of the community in the area" and will be "effective and convenient".

9.2 Key considerations in meeting the criteria as part of the Community Governance Review include:

- The impact of community governance arrangements on community cohesion
- The size, population and boundaries of a local community 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 to deliver quality services economically and efficiently providing users with a democratic voice
- The degree to which proposals 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.

10.0 Access to Information

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

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