

Constitution Committee

Agenda

Date: Thursday, 2nd June, 2011
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Minutes of Previous meeting** (Pages 1 - 8)

To approve the minutes of the meeting held on 24th March 2011.

Contact: Paul Mountford, Democratic Services
Tel: 01270 686472
E-Mail: paul.mountford@cheshireeast.gov.uk

5. **Introduction to the Work of the Committee** (Pages 9 - 10)

For Members' information, the Committee's terms of reference and those of its sub-committees, as set out in the Constitution, are attached.

The Borough Solicitor, Democratic and Registration Services Manager, Democratic Services Team Manager and Elections and Registration Team Manager will give Members a brief outline of the work of the Committee.

6. **Work of the Civic Sub-Committee** (Pages 11 - 12)

To advise the Committee on the work of the Civic Sub-Committee.

7. **Review of the Constitution** (Pages 13 - 16)

To consider the ongoing review of the Council's Constitution.

8. **Holistic Borough-wide Review of Community Governance Arrangements** (Pages 17 - 22)

To consider proposals for a holistic Borough-wide review of community governance arrangements in Cheshire East.

9. **Review of Polling Districts and Polling Places** (Pages 23 - 28)

To consider a review of Polling Districts and Polling Places in Cheshire East.

10. **Appointments to Outside Organisations 2011-2015** (Pages 29 - 44)

To make appointments to Category 2 organisations.

11. **Questions at Council meetings** (Pages 45 - 46)

To review the arrangements for questions at Council meetings.

(There are no Part 2 items)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Constitution Committee**
held on Thursday, 24th March, 2011 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor J P Findlow (Chairman)
Councillor D Brickhill (Vice-Chairman)

Councillors M Asquith, C Beard, D J Cannon, R Cartlidge, S Jones, A Moran,
D Topping, R West, P Whiteley and J Wray

In attendance

Councillor D Thompson, Chairman of the Local Authority Governor
Appointments Panel

Officers

Brian Reed, Democratic Services Manager
Paul Mountford, Democratic Services
Diane Moulson, Democratic Services
Carol Jones, Democratic Services
Andy Kent, Children and Family Services
Ruth Agnew, Children and Family Services

Apologies

Councillor W Livesley

48 DECLARATIONS OF INTEREST

No interests were declared.

49 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public wishing to speak or ask a question.

50 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting held on 27th January 2011 be approved as
a correct record.

51 COUNCILLOR CALL FOR ACTION PROTOCOL

The Committee considered a proposed amendment to the Councillor Call for Action Protocol to allow the Scrutiny Chairmen's Group to take the lead in determining which of the Council's five overview and scrutiny committees dealt with cross-cutting issues raised under the Councillor Call for Action procedure.

RESOLVED

That the role of the Scrutiny Chairmen's Group in determining which of the five overview and scrutiny committees should deal with cross-cutting issues raised under the Councillor Call for Action procedure be recognised and Council be recommended to authorise the Borough Solicitor to make appropriate reference to the role of the Scrutiny Chairmen's Group in the Councillor Call for Action Protocol by amending Section 7 of the Protocol.

52 LOCAL AUTHORITY APPOINTMENTS TO GOVERNING BODIES

The Committee considered proposed revisions to the procedure for the appointment of Authority Governors to educational establishments.

The requirement to make Authority Governor appointments was a statutory obligation on all Local Authorities. The current Appointment Process had been approved by the Governance and Constitution Committee on 3rd November 2008.

Cheshire East's Authority Governor vacancy level had been very high when the Council was established. Over the last eighteen months, through the application of the approved process, this level had fallen to a level below the national average. Large numbers of vacancies led to a risk of weaker Governing Bodies and Headteachers being unsupported or insufficiently challenged in their role. The revised procedure would make the process more robust and more transparent, particularly in relation to the appointment of governors in schools in the Authority's Improving Outcomes Programme.

The need for transparency and effectiveness in the process had been increased by the publication of the recent Education Bill which, if enacted unamended, would remove the requirement for schools to have an Authority Governor position. If the Local Authority wished to retain a representation on school Governing Bodies it was essential that schools were satisfied that the appointment process was transparent and effective, and was supplying them with valuable governors.

RESOLVED

That the revised procedure for the appointment of Authority Governors to school governing bodies in Cheshire East as set out in Annexe A to the report be approved subject to the following amendments:

1. where there are two or more competing nominations for a vacancy at a primary school and one nominee is a local ward member for the ward in which the school is situated, the local ward member shall be appointed;
2. where there are two or more competing nominations for a vacancy at a secondary school and one nominee is a local ward member for a ward served by the secondary school, the local ward member shall be appointed;
3. where there are two or more nominations of local ward members in either case above, those members shall decide among themselves which one of them shall be appointed; in the event that agreement cannot be reached, all such nominations shall be considered equally alongside any others against the agreed criteria; and
4. nominations by local ward members where they themselves are not the nominee shall be considered equally with other nominations against the agreed criteria.

53 OUTSIDE ORGANISATIONS - VARIOUS MATTERS

The Committee considered a number of issues relating to appointments to outside organisations, including proposals concerning specific organisations, a revised casual vacancies procedure, a proposed procedure for dealing with new requests for representation, and a progress report on the guide for members appointed to outside bodies.

RESOLVED

That

- (1) the appointment of representatives to the Adoption Panel, Cheshire Admissions Forum and the Fostering Panel be referred to Annual Council;
- (2) no action be taken in respect of the appointment to the Crewe and Nantwich Twinning Association in the current Municipal Year;
- (3) Councillor S Wilkinson be appointed to the Standing Advisory Council for Religious Education (SACRE) to serve for the remainder of the Municipal Year;
- (4) no action be taken to appoint to Dial-a-Ride and Community Transport at the present time, pending the outcome of the Portfolio Holder's review of the arrangements for appointments to this organisation;

- (5) Holmes Chapel Partnership be added as a Category 2 outside organisation and Councillor Les Gilbert be appointed as the Council's representative;
- (6) the revised Casual Vacancies Procedure set out in the report be adopted for use in respect of Category 2 organisations and be commended to Cabinet for application to all Category 1 organisations;
- (7) the proposed procedure for dealing with new requests for representation on outside organisations as set out in the report be adopted;
- (8) the Sub-Committee be authorised to refer Category 1 organisations direct to Cabinet;
- (9) the procedure for making appointments in 2011-2012 be noted; and
- (10) it be noted that the Guide for Members Appointed to Outside Organisations has been finalised and issued to all Members.

54 MEMBER DEVELOPMENT: CHAIRMAN'S END OF YEAR REPORT

The Committee considered a report summarising the member training and development events held in 2010/11 and outlining planned activities for 2011/12.

The 2010/11 Member Development Programme had continued to build on the successes achieved in year 1 by maintaining the flow of information to Councillors and enhancing Members' knowledge on a wide range of subjects.

Work would continue during 2011 to maintain the standard required under the North West Development Charter to enable the Council to apply for re-accreditation in 2012.

The Panel's priorities for 2011/12 included the creation of a comprehensive Induction Programme for newly-elected Members, a review of the Member Development Strategy and personal development planning.

RESOLVED

That the end of year report by the Chairman of the Member Development Panel be noted.

55 MID-YEAR REVIEW OF SCHEME OF MEMBERS' ALLOWANCES

The Committee considered a further report of the Independent Remuneration Panel following a meeting between the Panel and the Council's political leaders on 2nd March 2011.

The Panel had submitted its final report to the meeting of the Constitution Committee on 27th January 2011 (Appendix 1). Having debated the report the Committee had resolved that:

“The Independent Remuneration Panel be thanked for its report which is noted, and the Panel be invited to meet with the Council's political leaders and Group Whips to discuss the recommendations in the report.”

The report summarised the discussion which had taken place on 2nd March and set out the recommendations of the Panel as amended in the light of that discussion.

RESOLVED

That the Independent Remuneration Panel be thanked for its further consideration of the Member Allowances Scheme and the Panel's recommended changes to the Scheme as set out below be recommended to Council for adoption and implementation with effect from the beginning of the next municipal year:

- 1) The Cheshire East Scheme of Members' Allowances should make provision for the Independent Remuneration Panel to review, on an annual basis, the current Scheme's allowances and recommend whether any adjustments were appropriate;
- 2) The level of Basic Allowance for 2011/2012 should not be increased and remain at the same level awarded in the Scheme of Members' Allowances for 2010/2011;
- 3) Except as provided for in recommendations 4 (a) - (c) in respect of the role of Vice-Chairmen, the level of remuneration in respect of Special Responsibility Allowances, Subsistence Allowances, Co-opted Member Allowance, Dependent Carer's Allowance, Broadband/Line Rental fees and Members' Surgery fees for 2011/2012 should not be increased and remain at the same level awarded in the Scheme of Members' Allowances for 2010/2011;
- 4a) Special Responsibility Allowances for the post of Vice Chairman be retained within the Scheme of Members' Allowances for 2011/2012;
- 4b) The role of Vice Chairman of Constitution Committee and Vice Chairman of Audit and Governance Committee be included in the

Schedule of Special Responsibility Allowances appended to the 2011/2012 Scheme of Members' Allowances;

- 4c) A Special Responsibility Allowance of £1,000 per annum be awarded to the Vice Chairman posts included in Schedule 1 of the 2011/2012 Scheme of Members Allowances, with an additional £50 payable for each meeting chaired up to an accumulated maximum total of £1,500 per annum;
- 5a) The role of Chairman of Constitution Committee and Chairman of Audit and Governance Committee be included in the Schedule of Special Responsibility Allowances appended to the 2011/2012 Scheme of Members' Allowances ;
- 5b&c) A gearing equivalent to 0.65 of Basic Allowance be applied to the post; the position to be kept under review;
- 6) The level of Travel Allowances for 2011/2012 should not be increased and should remain at the same level awarded in the Scheme of Members' Allowances for 2010/2011; except for car mileage rates which are to remain linked to the amounts payable to officers in accordance with the National Joint Council for Local Government Agreement;
- 7) No Special Responsibility Allowance be allocated to the Chairman or Members of Cheshire and Wirral Joint Health Scrutiny Committee at this time; the position to be kept under review;
- 8) No Special Responsibility Allowance be payable to Cheshire East Councillors appointed to the Cheshire Pension Fund Committee;
- 9) No Special Responsibility Allowance be payable to Cheshire East Councillors appointed to the Borough's Local Area Partnerships at this time; the position to be kept under review;
- 10) A payment of up to £50 per four hour session or part thereof be paid to School Appeal Panel Co-opted Members attending appeal meetings or associated training on receipt of proof from their employer that a loss of income had been incurred as a direct result of the performance of their duties on the Panel; and
- 11) The following wording be inserted into the 2011/2012 Scheme of Members' Allowances –
"The Council has introduced a Pension Scheme for Members as provided under Section 7 of the Superannuation Act 1972 and in accordance with the statutory regulations and guidance issued by the Local Government Pensions Committee and the Local Government Pension Scheme (LGPS). Under the Council's Scheme, elected Members of Council are entitled to join the LGPS, providing they meet the eligibility criteria; contributions to be

calculated on the Basic Allowance payable and any Special Responsibility Allowance whilst the Member is in receipt of such Allowances.”

The meeting commenced at 2.00 pm and concluded at 3.06 pm

Councillor J P Findlow (Chairman)

This page is intentionally left blank

**CONSTITUTION COMMITTEE
TERMS OF REFERENCE**

14 Members (9:2:2:1)

The Constitution Committee is responsible for:

1. overseeing, monitoring, co-ordinating and implementing the Council's administrative and political business, including electoral matters; administrative boundaries and parishing; support for and facilities for Members, including Members' learning and development and party groups for the purpose of their duties as councillors; and administrative arrangements for and the conduct of the Council and other meetings;
2. determining policies and conventions in relation to the political management of the Council, including statutory requirements concerning political balance and rights to information;
3. reviewing the Council's Constitution and recommending any changes to the Council;
4. advising the Council on, and overseeing the promotion of private legislation on behalf of the Council;
5. recommending to the Council, as appropriate, the appointment of Members to Committees and Sub-Committees (including any co-opted members other than in respect of Scrutiny Committees);
6. appointing representatives to serve on outside bodies and organisations (including education bodies and establishments) not falling to the Cabinet to appoint;
7. overseeing and monitoring the Members' Allowance budget, including pensions, and keeping under review the scheme for the payment of allowances to Members through the appointment of an Independent Remuneration Panel to advise the Council on the adoption or the scheme and on any proposed amendments;
8. approving annual conference and seminar attendance;
9. making recommendations to the Council on civic issues, including those affecting the Mayor, Freeman and Aldermen;
10. approving reasons for absence for Members;
11. approving the overall seating plan for Council meetings.

The Constitution Committee has appointed the following standing sub-committees:

Civic Sub-Committee

7 Members (5:1:1:0)

The Sub-Committee is responsible for:

- reviewing and making recommendations to the Constitution Committee on the Mayoralty, including the Mayoral Code of Practice;
- reviewing and making recommendations to the Constitution Committee on all matters relating to Honorary Aldermen and Freemen, including upon the benefits, rights and privileges to which they should be entitled;
- determining all matters relating to nationally significant events except for those matters which the Sub-Committee considers it appropriate to refer to the Constitution Committee for determination; and
- reviewing and making recommendations to the Constitution Committee on civic matters such as the Council's flag flying policy and civic regalia.

Outside Organisations Sub-Committee

6 Members (3:1:1:1)

The Sub-Committee is responsible for

- overseeing the Council's appointments to outside organisations and making recommendations to the Constitution Committee or the Cabinet as appropriate; and
- reviewing the process for considering appointments to outside organisations and recommending any changes to the Constitution Committee.

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting:	2 nd June 2011
Report of:	Democratic and Registration Services Manager
Subject/Title:	Work of the Civic Sub-Committee

1.0 Report Summary

To advise the Committee on the work of the Civic Sub-Committee.

2.0 Recommendations

That the Committee note the work of the Civic Sub-Committee.

3.0 Financial Implications

- 3.1 No issues can be identified as arising from the proposals contained in this report.

4.0 Legal Implications

- 4.1 No issues can be identified as arising from the proposals contained in this report.

5.0 Risk Management

- 5.1 No issues can be identified as arising from the proposals contained in this report.

6.0 Background

- 6.1 The terms of reference of the Civic Sub-Committee are:-

- reviewing and making recommendations to the Constitution Committee on the Mayoralty, including the Mayoral Code of Practice;
- reviewing and making recommendations to the Constitution Committee on all matters relating to Honorary Aldermen and Freeman, including upon the benefits, rights and privileges to which they should be entitled;
- determining all matters relating to nationally significant events except for those matters which the Sub-Committee considers it appropriate to refer to the Constitution Committee for determination; and

- reviewing and making recommendations to the Constitution Committee on civic matters such as the Council's flag flying policy and civic regalia.
- 6.2 There are three matters that the Sub-Committee is required to consider.
- 6.3 To mark 60 years of the Queen's reign, the Diamond Jubilee will take place in 2012. The celebrations will centre on an extended weekend in 2012 on 2nd, 3rd, 4th and 5th June. The Department for Culture Media and Sport will be responsible for co-ordinating the Government's role for Her Majesty's Diamond Jubilee celebrations.
- 6.4 Local communities are being encouraged to organise and celebrate the Diamond Jubilee in their own way. The Department of Communities and Local Government will be working with local authorities on producing guidance to help communities to organise locally-run events in their area. Local authorities in conjunction with their Lord Lieutenant will be expected able to provide details of any planned activities in each area.
- 6.5 Cheshire East will need to consider its activities and a local programme of events and the Civic Sub-Committee will fulfill this role.
- 6.6 The Council has agreed a number of matters relating to Honorary Alderman. The Civic Sub-Committee needs to identify which of the former members of Cheshire East Council might be eligible to be receive the title of Honorary Alderman and the arrangements for this to take place.
- 6.7 Finally the Council has, from the Clerk to Nantwich Town Council, received a request to hand over possession of certain Regalia held by the former Crewe and Nantwich Borough Council. Regulations, set out rules by which ownership is determined between the Charter Trustees and the Council. Assets colleagues are leading on completing a study and catalogue of all of the regalia etc held by the Council in order to definitively establish what belongs to the Charter Trustees under the provisions of Regulations, and what belongs to the Council. This process will help establish that certain items belong to other parties such as the Town Council

Access to Information

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

Name: Brian Reed

Designation: Democratic and Registration Services Manager

Tel No: 01270 686670

Email: brian.reed@cheshireeast.gov.uk

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 2nd June 2011
Report of: Democratic and Registration Services Manager
Subject/Title: Review of the Constitution

1.0 Report Summary

- 1.1 To consider the ongoing review of the Council's Constitution.

2.0 Recommendation

That the Committee agree the revised scope of the review and await a further report.

3.0 Wards Affected

- 3.1 All Council Wards are affected by the Constitution, which has application across the Borough.

4.0 Local Ward Members

- 4.1 All local Ward Members are affected for the reasons set out in paragraph 3.0.

5.0 Policy Implications

- 5.1 The Constitution sets out the procedures by which Council policy is set. Any proposed changes to the Constitution would need to align with the requirements of legislation which often stipulates the Council decision-making route associated with the adoption of policies.

6.0 Financial Implications

- 6.1 There are no financial implications associated with the proposed review.

7.0 Legal Implications

- 7.1 Any changes to the Constitution would need to be agreed by Council, following a recommendation from the Constitution Committee. Proposed changes would need to align with any statutory requirements.

8.0 Risk Management

- 8.1 There would appear to be no risks associated with this element of review of the Constitution. The proposed review will provide an opportunity to ensure that all elements of the document are consistent with one another.

9.0 Background

- 9.1 The Constitution is a document of significant size and critical importance to the work of the Council. In its 458 pages, it provides important information about the Council, its Members and officers. It also provides a record of the officer and Member processes which underpin all decisions made by the Council. The rules by which Council, Committee and Cabinet business are conducted are recorded in the Constitution.
- 9.2 This information is not only of great importance to Members, officers and members of the public, in order for them to understand the Council's decision-making processes and rules; it is also of critical importance in directing the way in which decisions are made. Failure to follow the procedural requirements of the Constitution could invalidate decisions made.
- 9.3 The Constitution is published on the Council's website, and is available to all Members. It ensures transparency of decision-making and enables all who are interested in doing so, to check that procedures have been followed properly. Members of the public and other interested parties are able to influence decisions made by reference to the procedures and mechanisms set out in the Constitution.
- 9.4 The preparation of the Council's existing Constitution had to be carried out within a narrow timeframe but the Constitution is robust and fit for purpose. The Council has approved a number of refinements to the originally approved Constitution.
- 9.5 Whilst the Constitution continues to serve the Council well, but the Constitution Committee agreed that a review of the Constitution should take place in order to secure further improvements. It agreed a schedule to help manage the process. Since the schedule was adopted two additional matters need to be included.
- 9.6 The Overview and Scrutiny Committee Chairman at the conclusion of the last municipal year requested the Borough Solicitor to report on potential revisions to the Council Procedure Rules in respect of urgency procedures.
- 9.7 At the Annual meeting of Council provisional changes were made to the number and functions of the Overview and Scrutiny Committees. It was resolved that this Committee be asked to make recommendations on these matters.
- 9.7 Set out below is an update in respect of the Review.

The Council's Executive Arrangements

- 9.5 The Committee agreed previously that Cabinet and other Members of the Council be consulted upon issues relating to the Council's executive arrangements, including executive procedure rules, decision-making by

individual Cabinet Members, the Forward Plan and the definition of “key decisions”.

- 9.6 The former Chairman and Vice Chairman asked the Democratic and Registration Services Manager to consult with Cabinet. Cabinet asked that these matters be deferred to the start of this Municipal Year.

Finance and Contract Procedure Rules

- 9.9 An Officer Group consisting of senior officers from Legal, Procurement, Audit and Democratic Services have produced revised Finance and Contract Procedure Rules together with associated guidance. They are consulting with officers on the impact of the revised arrangements. The next meeting of the officer group is due to take place on 8th June. Once the Finance and Contract Rules are improved this will support the review of the delegation scheme that will more clearly define the responsibilities of and delegations to Portfolio holders; and the responsibilities of and delegations to officers.

Officer Delegation Scheme

- 9.10 Departmental structures are now established and the officer delegation scheme needs to be revised to reflect the changes since vesting day. The scheme also needs to be reviewed to reflect any potential changes in the Finance and Contract Procedure Rules. This is being undertaken in conjunction with the recently appointed Monitoring Officer.

10.0 Access to Information

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

Name: Brian Reed

Designation: Democratic and Registration Services Manager

Tel No: 01270 686670

Email: Brian.reed.@cheshireeast.gov.uk

Appendix

Material to be reviewed	Comments
Council Procedure Rules	Completed
Cabinet Procedure Rules Key Decision Provisions and the Forward Plan Responsibilities of Individual Cabinet Members	Redrafted ready for further consideration as recommended by Cabinet. Cabinet and the Corporate Scrutiny Committee should be consulted prior to the meeting of the Constitution Committee
Finance and Contract Procedure Rules Scrutiny Procedure Rules	An Officer Working Group is redrafting these. The recently appointed Monitoring Officer has requested the opportunity to review the work of the Group Scrutiny Chairman have undertaken work in this area.
Staff Employment Procedure Rules	The Head of HR and Organisational Development has been requested to review these rules

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 2nd June 2011
Report of: Democratic Services Manager
Subject/Title: Holistic Borough-wide Review of Community Governance Arrangements

1.0 Report Summary

- 1.1 At a Council meeting held on 14th October 2010, consideration was given to the following Notice of Motion as submitted by Councillor 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”.

- 1.2 Having considered the above notice of motion, the Council resolved ‘that the motion stand referred to the Constitution Committee for consideration’.
- 1.3 The Constitution Committee on 18th November 2010 considered a report on 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 due to the implications of the Cheshire East Boundary Review, but which has now been completed (in February 2011). It was 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. However, it also noted that should a further valid petition from electors be received from any area in the near future then the Council would be under a duty to conduct and complete a Community Governance Review within a timescale of 12 months.
- 1.4 The Committee 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.

- 1.5 At a Council meeting held on 16th December 2010, the above recommendation was agreed..
- 1.6 Since this decision in December 2010, the Council has received a letter from the Macclesfield Civic Society (5th May 2011), formally requesting that the Constitution Committee consider the issue of a governance review for Macclesfield at the first opportunity. This letter is attached as Appendix A.

2.0 Recommendations

- 2.1 The Constitution Committee is requested to
- (1) determine the terms of reference and scope for the conduct of a holistic Borough-wide review of community governance arrangements in Cheshire East;
 - (2) appoint a Sub –Committee of 6 Members (4:1:1) with delegated authority to conduct the Review; and
 - (3) inform the Macclesfield Civic Society of the Committee's decision concerning the scope of the Review.

3.0 Wards Affected

- 3.1 All the Wards covered by the agreed scope of the Review.

4.0 Local Ward Members

- 4.1 As above.

5.0 Policy Implications

- 5.1 None.

6.0 Financial Implications

- 6.1 The cost of conducting a further Community Governance Review for an area such as Crewe or Macclesfield would be approximately £12,000. This cost would increase dependent upon the agreed scope of the Review. Costs would need to be met from within existing budgets.

7.0 Legal Implications

- 7.1 Community Governance Reviews are conducted under the provisions of the Local Government and Public Involvement in Health Act 2007. With effect from 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 Public Involvement in Health Act 2007.

- 7.2 The Guidance on Community Governance Reviews, published jointly by the Government and the Electoral Commission, indicates that where a review has been conducted within the last two years, the principal council still has the power to undertake another review if it so wishes. The duty for the Council to undertake a community governance review in response to the receipt of a petition, however, does not apply if the council has conducted a review within the last two years.
- 7.3 The 2007 Act provides for a principal council to conduct a Community Governance Review at any time. It is considered good practice for principal authorities to consider conducting a review every 10-15 years.
- 7.4 The Committee has received a request from the Macclesfield Civic Society for a Community Governance Review to be conducted for Macclesfield. The Council would be under a duty to conduct a Community Governance Review for this area should a valid petition signed by the requisite number of local government electors be received. However, the Council could choose to instigate a Community Governance Review for any area of its own volition. The Committee is asked to consider the formal request of the Macclesfield Civic Society in its deliberations.

8.0 Risk Management

- 8.1 There are no risks identified.

9.0 Background

- 9.1 On 30th March 2009, Crewe and Nantwich Borough Council received a petition which called for a Community Governance Review and identified recommendations arising from a Review (i.e., that a new parish be constituted and that the new parish should have a council to be known as Crewe Town Council). Following receipt of the petition, the Council had a duty to conduct and complete a Community Governance Review for the area within a period of 12 months from the receipt of the petition. The Government Guidance was followed in terms of the conduct of the review, and the final decision was made by Council on 25th January 2010, when it was resolved: - "To accept the vote from the people of Crewe and to reject a Town Council for Crewe at this time".
- 9.2 A Community Governance review for the area of Wilmslow, Handforth and Styal was also undertaken and completed in February 2011, following the receipt of three valid petitions from local government electors of these areas. The outcome of the Review was the creation of three new parish councils for which elections took place on 5 May 2011.

10.0 Access to Information

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

Name: Mrs Lindsey Parton

Designation: Elections and Registration Team Manager

Tel No: 01270 686477

email: lindsey.parton@cheshireeast.gov.uk

Brian Read

MACCLESFIELD CIVIC SOCIETYRECEIVED
11*working for a town to be proud of*

Mrs Erika Wenzel, Chief Executive,

Cheshire East Council,

Westfields,

Middlewich Road,

Sandbach

CW11 1HZ

5 May 2011

Dear Mrs Wenzel

Cheshire East Governance Review

At the meeting of the Civic Society Committee on Monday 13 December 2010 I was instructed to the Democratic Services Team regarding the prospect of a governance review for Macclesfield. The Society and other local organisations have noted the progress of Wilmslow/Handforth towards the establishment of new town and parish councils with both interest and support. We also understand that the position with regard to Crewe may be revisited in 2011. Should these areas eventually obtain town or parish status this would leave only Macclesfield as an area without a lower tier of local government. Rather than remain as an administrative anomaly the Society would wish to see a town council established and to this end have already collected a number of signatories to a petition calling for that end.

The reply received in January of this year from Mrs Parton indicated that the position may be revisited following elections to the Council which take place today.

From recent discussions which the Society has had with the Macclesfield Guild and Chamber of Trade there appears to be real concern that the review ought to be pursued as a matter of urgency given impending changes heralded in the Localism Bill. It would be unfortunate if Macclesfield and Crewe remained the only parts of Cheshire East without a lower tier council in place and reliant upon the workings of ad hoc bodies such as local area committees to oversee delegated or devolved functions.

The Society does not consider that the role of the Macclesfield Charter Trustees (in the absence of direct elections to such positions by Macclesfield residents) would enjoy democratic credibility should they be

accorded further responsibilities for devolved or delegated services. In addition as Cheshire East Councillors the Charter Trustees have many other duties that may have first call on their time and involvement.

In view of this I am instructed by the Society to write to you to formally request that the issue of a governance review for Macclesfield and Crewe be placed before the newly elected Cheshire East Council at the first appropriate opportunity.

I understand that the Macclesfield Guild may be writing to you in similar terms.

With best wishes for the forthcoming Local Government Year and looking forward to your advice I remain

Yours sincerely

Keith Smith

Chairman, Macclesfield Civic Society

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 2nd June 2011
Report of: Democratic Services Manager
Subject/Title: Review of Polling Districts and Polling Places

1.0 Report Summary

- 1.1 Local authorities have always been required to divide their area into Polling Districts for the purposes of elections, to designate Polling Places for these Polling Districts, and to keep these under review.
- 1.2 The Electoral Administration Act 2006 introduced a statutory duty for local authorities to carry out a review of their parliamentary Polling Districts and Polling Places by 31 December 2007; and at least every four years thereafter.

2.0 Recommendations

- 2.1 That the Committee
 - (1) authorise the publication of the notice of the Polling Districts and Polling Places Review; and
 - (2) appoint a Sub-Committee of 6 Members (4 Con :1 Lab :1 Ind) with delegated powers to undertake the Review of Polling Districts and Polling Places as required by the Electoral Administration Act 2006.

3.0 Wards Affected

- 3.1 All wards are affected.

4.0 Local Ward Members

- 4.1 As above.

5.0 Policy Implications

- 5.1 Recent implementation of the Cheshire East Boundary Review and the conduct of local Elections based on the new ward boundaries in May 2011 means that this is now an opportune time to conduct the Review.

6.0 Financial Implications

- 6.1 Costs incurred will be met from existing budgets.

7.0 Legal Implications

7.1 None.

8.0 Risk Management

8.1 Undertaking this Review is a statutory duty. Delegating the power to conduct the Review to a Sub Committee of the Constitution Committee is considered the most effective way for the Review to be conducted, and will ensure that representations received can be fully considered. This approach will also ensure sufficient flexibility to ensure that the process is completed by the statutory deadline.

9.0 Background

9.1 A **Polling District** is the area created by the division of a constituency, ward or division into smaller parts within which a Polling Place can be determined which is convenient to electors.

9.2 A **Polling Place** is the building or area in which Polling Stations will be selected by the Returning Officer.

9.3 The **Polling Station** is the room or building where the poll takes place which is chosen by the Returning Officer for the election.

9.4 The Review has three stages:-

9.4.1 The Preliminary Stage

The first stage of the process involves giving notice of the Review. It is intended that this will be published at the end of June 2011. At the same time, all interested parties, including elected members and disability groups, will be notified of the review and invited to make representations.

9.4.2 The Proposal Stage

The Authority must devise a proposal for the new Polling District and Polling Place arrangements. There is no requirement to change any existing arrangements, however, any change or decision to make no change must be supported by a reason.

In practical terms, it is ideal to identify good quality Polling Stations first so that these can be used to build Polling Places and then Polling Districts. A review of existing Polling Stations, to assist both the Authority in drawing up its proposals and the Returning Officer in commenting on the proposals, will be published at the end of June 2011.

In making a decision on the proposals, there are two key factors which must be addressed:

- The reasonable requirements of the electors

- The accessibility for disabled persons to the probable Polling Stations within the Polling Place.

9.4.3 The Consultation Stage

The consultation stage is for representations and comments on the local authority proposals for Polling Districts and Places. There are two parts to this:

- A compulsory submission from the Returning Officer
- Submissions from other persons and bodies.

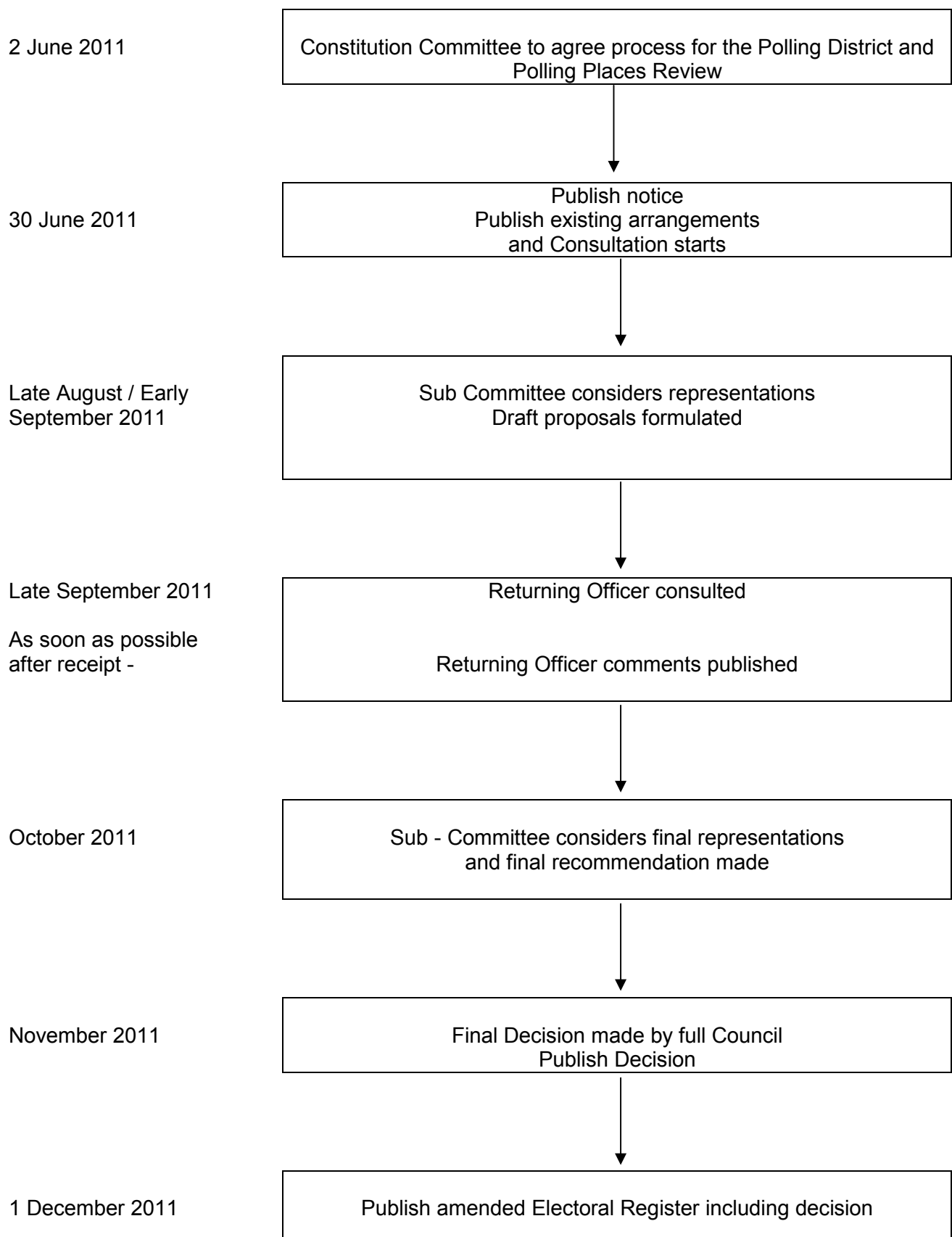
- 9.5 Following the consultation stage, the Authority must make its final decisions on the review, taking into account all the representations received.
- 9.6 The last formal review of Polling Districts and Polling Places was undertaken by the three former district councils in 2007. Since that time, Polling Stations have been reviewed at election times by the Returning Officer. If any changes have been deemed necessary, Ward Members have usually been informally consulted and any changes made.
- 9.7 The function of carrying out this statutory review rests with full Council under the Constitution. The function is not one which the Cabinet may carry out.
- 9.8 Given the nature of the review and the imminent timescale, delegating power to a Sub -Committee to undertake this Review would ensure that the final decision could be made and published prior to publication of the Register of Electors on 1 December 2011. The final decision would be made by full Council in November.
- 9.9 The proposed timetable is set out in Appendix A.

10.0 Access to Information

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

Name: Mrs Lindsey Parton
Designation: Elections and Registration Team Manager
Tel No: 01270 686477
Email: lindsey.parton@cheshireeast.gov.uk

This page is intentionally left blank

POLLING DISTRICT AND POLLING PLACES REVIEW

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 2nd June 2011
Report of: Democratic Services Manager
Subject/Title: Appointments to Outside Organisations 2011-2015

1.0 Report Summary

This report invites the Committee to make appointments to Category 2 outside organisations until such time as representation is reviewed following the elections in 2015.

2.0 Recommendations

2.1 That

- (1) appointments be made to the outside organisations listed in Appendix A attached;
- (2) appointments be made until such time as representation is reviewed following the elections of the new Council in 2015;
- (3) notwithstanding (b) above, the Council retains the right to review the representation on any outside organisation, at any time;
- (4) the organisations listed on Appendix B be referred to the appropriate town or parish council and deleted from the Borough schedule; and
- (5) the Friends for Leisure Advisory Committee and Greater Manchester Integrated Transport Authority be deleted from the schedules as representation is no longer appropriate.

3.0 Reasons for Recommendation

- 3.1 It is important for Cheshire East Council to appoint to outside organisations to ensure that it continues to represent the interests of the Authority and the wider community.

4.0 Wards Affected

- 4.1 Not applicable.

5.0 Local Ward Members

5.1 Not applicable.

6.0 Policy Implications

6.1 None identified.

7.0 Financial Implications

7.1 None identified.

8.0 Legal Implications

8.1 Whilst membership of outside bodies carries with it the potential for personal liability for elected Members undertaking such roles as ancillary to their status as a Councillor, particularly in respect of trusteeships, Cheshire East Borough Council has already resolved to put in place for elected Members the maximum indemnity which is allowed by law.

9.0 Risk Management

9.1 No risks identified other than as referred to in paragraph 8.1 above.

10.0 Background

10.1 At its meeting held on 24 June 2010, the Constitution Committee established a standing Sub-Committee entitled "Outside Organisations Sub-Committee", with the following terms of reference –

- (a) To meet on an *ad hoc* basis;
- (b) To comprise six Members on a proportionate basis
(4 Conservative, 1 Liberal Democrat and 1 Labour);
- (c) To oversee appointments to outside organisations, in general, and address any issues emerging in respect of those appointments;
- (d) To continue with its review of appointments to establish the effectiveness and appropriateness of representation; and
- (e) To report back to the Constitution Committee as and when it considers appropriate.

Following the elections on 5 May 2011, the political proportionality was calculated and the Sub-Committee has been re-constituted in the proportions 3:1:1:1. At Annual Council on 18th May 2011, the following Members were appointed to the Sub-Committee:

Councillor G Baxendale	Conservative
Councillor D Marren	Conservative
Councillor B Moran	Conservative
Councillor R Cartlidge	Labour
Councillor B Murphy	Independent
Councillor S Jones	Liberal Democrat

10.2 During the past year, the Sub-Committee has reviewed appointments to outside organisations taking into account:

- the effectiveness and appropriateness of representation;
- term of office of appointees;
- political proportionality, where appropriate;
- continuity of representation and Members' interests
- the finalising of the legal guidance for Members
- Officer support for Members appointed to outside organisations

10.3 Effectiveness and Appropriateness of Representation

A survey of Councillors was undertaken between May 2010 and December 2010 to establish the effectiveness and appropriateness of representation. The views of Members have been considered by the Sub-Committee.

The survey took into account (a) the number of meetings held each year; (b) approximate time spent on meetings and other duties associated with the outside organisation; and (d) whether the aims were in accordance with the Council's Corporate Plan.

Where an organisation's aims are not in accordance with the Corporate Plan, this does not, necessarily, mean that no appointments should be made. There may be other benefits to the community, and there was an opportunity for Members to identify this.

In reviewing representation, the Sub-Committee identified a number of outside bodies where it would be more appropriate for the local town or parish council to appoint representatives. (These are listed on Appendix B.)

Two organisations have been suggested for deletion, namely, (1) Friends for Leisure Advisory Committee, where there is no constitutional requirement for Borough Council representation; and (2) Greater Manchester Integrated Transport Authority. There is no requirement for the Borough Council to appoint, and the current representative attends as an observer only, at the request of the Portfolio Holder.

There is no proposal to conduct annual surveys. The 2010 survey was carried out because the Council was newly-created and it was important to try to establish if representation, as identified by the

predecessor authorities, continued to be appropriate. It is expected that during the next four-year period, Members will report as and when appropriate if they consider that representation on the organisation(s) to which they have been appointed is no longer relevant.

10.4 Term of Office

The former Governance and Constitution Committee agreed that, wherever possible, the term of office for Members should be in accordance with the requirements of the organisation itself. This requirement is to accommodate those organisations which have expressed a preference for Member(s) to be appointed for longer than one year in the interests of continuity. Representatives build up experience and expertise which can be a loss to that organisation if the appointment is for 12 months only. It is suggested that for convenience, appointments be made until such time as representation is reviewed following the election of the new Council in 2015. Notwithstanding this, the Council would retain the right to review representation on any outside organisation at any time.

Casual vacancies will be addressed through the revised Casual Vacancies Procedure which the Constitution Committee approved on 24 March 2011.

10.5 Political Proportionality

When making appointments to outside organisations, there is no requirement to adopt the rules of proportionality, but there are some organisations where it is appropriate for the leading political group to take the places. These will, for the most part, be those organisations identified as Category 1 (top level strategic bodies at regional, national or local level) and it is Cabinet which makes these appointments.

Following the elections on 5 May 2011, the political proportionality for Cheshire East Council has been established as follows –

Conservative	52 seats	63.40%
Labour	14 seats	17.08%
Independents	10 seats	12.20%
Liberal Democrats	4 seats	4.88%
Vacancies	<u>2 seats</u>	<u>2.44%</u>
	82 seats	100.00%

10.6 Consultation

Group Whips have been consulted and a schedule of proposed appointments will be provided under separate cover/tabled at the meeting.

10.7 Legal Guidance for Members

A legal Guidance for Members Appointed to Outside Organisations was developed during 2010 and has been issued to all Members. Copies will be made available to any new Councillors who are appointed to outside organisations.

10.8 Officer Support for Members

The Sub-Committee considered it important that Members should be supported in their role by a named Support Officer who would act as a first point of contact for Members and be able to provide information about the organisation to which they have been appointed. This is enshrined in the “Guidance for Members” -

“.....ensure that a robust support system is in place for Members appointed to outside bodies. Wherever possible, a Cheshire East Council support officer will be allocated to each outside body; the role of the Officer will be that of a specialist to offer advice on the topic area of the outside body to which individual Members have been appointed.”

Where possible, named Officers have been identified. However, It must be recognised that not all outside organisations have the same relevance in respect of the Council’s strategic ambitions. In these circumstances, the most appropriate Officer as a first point of contact would be a Democratic Services Officer

11.0 **Access to Information**

The background reports can be inspected by contacting the report Author:

Contact Officer:	Carol Jones
Designation:	Democratic Services Officer
Tel:	01270 686471
E-mail:	carol.jones@cheshireeast.gov.uk

This page is intentionally left blank

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
3-99	Beard, W T	Trustee Local Member	Alexandra Soccer & Community Association TRUST			1
2-89	Bebbington	Trustee	Almshouse Charity of Sir Edmund Wright, Crewe & Others TRUST			1
2-43	Jones, S	Local Member	Alsager Education Foundation			1
3-100	Fletcher Hough Jones, S		Alsager Leisure Centre Advisory User Panel			3
2-44	Brown		Alsager Partnership			1
2-139	Findlow		APSE – Association for Public Service Excellence			1
4-101	Baxendale		Astbury Mere Trust			1
2-46	Bailey, Rachel	Local Members	Audlem Education Foundation	Require 2 reps. Former CCC organisation which appointed 1, with one being appointed by the former CNBC. Legal Services currently reviewing this: may not be an outside body.		2
3-102	Murray		BAE Systems Woodford Local Consultative Committee			1
2-47	Brown Mason	Local Members	Bent Farm Sand Quarry Liaison Committee			2

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
2-48	Jackson Livesley Narraway		Bollin Valley Steering Committee			3
3-103	Bebbington Moran, A (Dep)		C & N Gymnastics & Community Activities Assoc'n			2
2-50	Andrew		Charitable Trust for The Assets of The Former Over Alderley Primary School			1
2-51	Asquith Walton		Chelford Sand Quarry Liaison Group			2
2-53	Wilkinson		Cheshire Agricultural Society			1
2-54	Flude		Cheshire Association of Local Councils County Training Partnership			1
2-54	Moran, Arthur		Cheshire Association of Local Councils Quality Accreditation Panel			1
2-54	Jones, Shirley		Cheshire Association of Local Councils - Quality Forum			1
2-54	Andrew		Cheshire Association of Local Councils Executive Committee			1
2-55	Goddard Macrae McGrory Thorley Walton		Cheshire Brine Subsidence Compensation Board			5

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
2-49	Goddard Tomlinson	Trustee	Cheshire CAB North			2
2-56	Ranfield		Cheshire Community Action Exec Comm			1
2-57	Beard, W T Hardy	Trustee	Cheshire Community Council Playing Fields Assoc			2
2-58	Hardy Hough		Cheshire County Playing Fields Association			2
2-49	Thwaite Martin, M	Trustee	Cheshire East CAB Citizens' Advice Bureau			2
2-59	Brickhill		Cheshire Landfill Tax Advisory Panel			1
2-60	Narraway		Cheshire Landscape Trust			1
4-104	Flude		Cheshire Local History Association			1
2-61	Crockatt Whiteley	Local Members	Colshaw Farm Estate Neighbourhood Management Board (Housing Assoc)			2
2-62	Cannon Thwaite		Community Transport (Macclesfield)			2
3-106	Domleo Knowles Thwaite		Congleton Leisure Centre Advisory User Panel			3

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
2-63	Topping	Local Member	Congleton Trust and Museum			1
3-107	Beard, W T		Crewe & Nantwich Sports Council Executive Committee			1
4-108	Vacancy		Crewe & Nantwich Twinning Association			1
3-103	Bebbington A Moran (Dep)		C & N Gymnastics & Community Activities Association			2
2-62	Cannon Thwaite		Dial-a-Ride Congleton, Crewe, Nantwich			2
2-66	Asquith Knowles		Eaton Hall Sand Quarry Liaison Group Congleton			2
2-14			Fairtrade Steering Group	Newly established for 2011-12		3
2-67	Tomlinson		Fence Trust, Macclesfield			1
2-69	Brown Knowles		Groundwork Cheshire			2
2-141	Gilbert	Local Member	Holmes Chapel Partnership			1
2-70	Beard, C Findlow Gaddum		King's School, Macclesfield			3
2-71	Hunter		Knutsford Education Foundation			1
2-138	Moran, B		Linden Bank Community Liaison Group			1

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
2-72	Asquith	Local Member	Lindow School Trust (Wilmslow)			1
2-74	Fitzgerald	Local Member	Macclesfield Chamber of Commerce and Business Link			1
3-113	Davenport		Macclesfield College of Further Education			1
2-75	Moran, A	Local Member	Malbank School Prize Fund and the Nantwich & Acton Grammar School Foundation			1
3-114	Merry		Malkins Bank Golf Course Advisory User Group			1
2-137	Hammond Thorley		Maw Green Landfill Site Community Liaison Meeting			2
2-76	Asquith		Mere Farm Liaison Committee			1
2-77	Cannon		Mid-Cheshire Hospitals NHS Foundation Trust: (Leighton Hospital)			1
2-78	Dykes	Local member	Nantwich Museum Trust			1
3-118	Flude		North Regional Assoc for Sensory Support			1
2-79	Wilkinson	Trustee Local Member	Over Peover Educational Foundation			1
2-90	Bailey, Rhoda Davenport Fletcher		Public Trans. Consortium (The)			3
2-82	Wilkinson		Reaseheath College, Nantwich			1

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
3-124	Baxendale		Reserve Forces and Cadets Assoc.			1
3-133	Merry		Sandbach Park Steering Group			1
3-125	Moran		Sandbach Partnership			1
2-83	Merry Moran, B		Sandbach School (Boys School)			2
2-134	Edwards		Sir John Deane's College, Northwich			1
2-84	Walker Vacancy		Sir Thomas Delves Foundation, Wybunbury			2
2-86	Macrae		South Cheshire Chamber of Commerce & Industry			1
2-87	Hardy		Sports Cheshire Trust			1
2-37	Jones, Shirley Wilkinson Gaddum		Standing Advisory Council on Religious Education (SACRE) (statutory organisation)			3
4-126	Livesley		Stanley & Brocklehurst Almshouses Trust			1
2-134	Davenport		Transport Futures			1
2-91	Baxendale Hammond Kolker Goddard		Univ. Keele - Court			4

Schedule of Category 2 Outside Organisations – For Appointment – 2011-2015
(Appointments to be made by the Constitution Committee)

APPENDIX A

Ref No	Current Members 2009-2011	Capacity of Rep	Organisation	Notes	Nominations 2011-2015	No. of Places
2-92	Findlow		University of Manchester – General Assembly			1
2-93	Cartlidge Topping		Weaver Valley Partnership			2
2-94	Fletcher Hough		White Moss Sand Quarry Alsager Local Liaison Group			1
2-96	Walker		Wybunbury United Charities			1
2-97	Beard		Youth Federation for Ches, Halton, Warrington and Wirral			1
						113

This page is intentionally left blank

Outside Organisations for Referral to Local Town or Parish Council

APPENDIX B

Ref	Current Members 2009-2011	Category	Organisation	Notes	Nominations 2011-2015	No. of Places
2-45	Barton Crockatt	Trustees	Amos Johnson Fund	Refer to Wilmslow Parish Council for appointments – delete from Borough schedule		2
4-105	Baxendale		Congleton Drill Hall Trust	Refer to Congleton Town Council for appointments – delete from Borough schedule		1
2-65	Whiteley	Local Member	Dean Row Community Centre	Refer to Wilmslow Parish Council for appointment – delete from Borough schedule		1
3-132	Crockatt Whiteley		Evans Arts Trust	Refer to Wilmslow Parish Council for appointments – delete from Borough schedule		1
2-68	Knowles		Friends for Leisure Advisory Committee	Suggested for deletion: no purpose in Borough Council representation		1
4-115	Parsons		Middlewich & District Community Association	Refer to Middlewich Town Council for appointments – delete from Borough schedule		1
4-117	Parsons		Middlewich Community and Youth Project	Refer to Middlewich Town Council for appointments – delete from Borough schedule		1

Outside Organisations for Referral to Local Town or Parish Council

Ref	Current Members 2009-2011	Category	Organisation	Notes	Nominations 2011-2015	No. of Places
2-88	Ranfield Hunter		St John's Wood Millennium Community Centre	Refer to Knutsford Town Council for appointment		2
4-128	Crockatt Whiteley		Wilmslow Aid Trust	Refer to Wilmslow Parish Town Council for appointments – delete from Borough schedule		0
2-95	Crockatt		Wilmslow Guild	Refer to Wilmslow Parish Council for appointments – delete from Borough schedule		0
3-129	Stockton		Wilmslow Trust	Refer to Wilmslow Parish Council for appointments – delete from Borough schedule unless its constitution requires Borough Council representation.		0

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 2nd June 2011
Report of: Democratic and Registration Services Manager
Subject: Questions at Council meetings

1.0 Report Summary

- 1.1 This report invites the Committee to review the arrangements for questions at Council meetings.

2.0 Recommendation

- 2.1 That the Committee decide whether further consideration should be given to the constitutional arrangements for questions at Council meetings and, if so, how this should be arranged.

3.0 Financial Implications

- 3.1 No financial implications arise from any change to the Constitution which may result from this process.

4.0 Legal Implications

- 4.1 Any recommendation of the Constitution Committee which would result in constitutional change would be referred to Council for final decision.

5.0 Risk Management

- 5.1 No risks would appear to arise from any change to the Constitution which may result from this process.

6.0 Background

- 6.1 Following comments made by the Mayor at the Annual Council meeting, and discussions with officers, the Chairman agreed that a report should be considered at the first meeting of the Committee of the new Municipal Year.
- 6.2 Concerns were expressed at the Annual Council meeting about the way in which the item permitting questions to be asked of Chairmen and Cabinet Members was used. The Mayor commented that efforts should be made by Members who have legitimate questions to resolve these personally before the Council "question-time" facility is used.

- 6.3 There are a range of recommendations which could be made to Council, if the Committee were minded to do so. However, the Committee might feel it appropriate to seek the views of the Corporate Scrutiny Committee before forming a view as to whether constitutional change may be needed.

7.0 Access to Information

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

Name: Brian Reed

Designation: Democratic and Registration Services Manager

Tel No: 01270 686670

Email: brian.reed@cheshireeast.gov.uk