

Constitution Committee

Agenda

Date: Thursday, 17th November, 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 - 12)

To approve the minutes of the meeting held on 22nd September 2011.

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

5. **Calendar of Meetings for 2012-2013** (Pages 13 - 40)

To consider the draft Calendar of Meetings for Cheshire East Council for 2012-2013.

6. **Review of Polling Districts and Polling Places** (Pages 41 - 42)

To consider the recommendations of the Polling Districts and Polling Places Review Sub-Committee.

The Sub-Committee will be meeting on 9th November 2011. Its recommendations will be reported to the Committee. The report to be considered by the Sub-Committee is attached under Item 6.

7. **Boundary Commission for England: Parliamentary Constituency Boundaries Review** (Pages 43 - 46)

To consider the recommendations of the Parliamentary Constituency Boundaries Review Sub-Committee.

The Sub-Committee will be meeting on 10th November 2011. Its recommendations will be reported to the Committee. The report to be considered by the Sub-Committee is attached under Item 7.

8. **Delegated Powers Relating to Car Parking Charges** (Pages 47 - 50)

To consider a motion referred to the Committee by Council on 13th October 2011 relating to delegated powers to vary car parking charges.

9. **Local Service Delivery Committees Terms of Reference/membership** (Pages 51 - 56)

To consider

1. the proposed terms of reference for the Local Service Delivery Committees for Crewe and Macclesfield; and
2. a motion referred to the Committee by Council on 13th October 2011 relating to the membership of the Local Service Delivery Committee (Macclesfield).

10. **Review of the Constitution** (Pages 57 - 62)

To consider the Committee's approach to the review of the Council's Constitution.

(There are no Part 2 items)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Constitution Committee**
held on Thursday, 22nd September, 2011 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor A Martin (Chairman)
Councillor D Marren (Vice-Chairman)

Councillors G Baxendale, R Cartlidge, P Groves, W Livesley, A Moran,
B Murphy, G Morris, D Newton, A Thwaite, D Topping, P Whiteley and
R Fletcher (for Cllr Jones)

Officers

Caroline Elwood, Borough Solicitor
Brian Reed, Democratic and Registration Services Manager
Paul Jones, Democratic Services Team Manager
Paul Mountford, Democratic Services Officer
Lindsey Parton, Registration Service and Business Manager
Diane Todd, Electoral Services Team Manager
Joanne Jones, Property Services Manager
Denise Griffiths, Corporate Accommodation Manager

Apologies

Councillor Shirley Jones

23 DECLARATIONS OF INTEREST

No interests were declared.

24 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

25 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting held on 14th July 2011 be approved as a correct record.

26 HONORARY ALDERMEN

The Committee considered the recommendations of the Civic Sub-Committee in relation to conferring on former Members of the Council the title of Honorary Alderman.

The Civic Sub-Committee at its meeting on 7th September 2011, having considered a report on the matter, had resolved as follows:

That

(1) the Constitution Committee be asked to recommend to Council that

1. the title of Honorary Alderman be conferred on the following former Members of the Council:

Mr Ainsley Arnold
Mr David Cannon
Mr Ray Westwood
Mr Andrew Knowles
Mr Tony Ranfield
Mr John Goddard

2. the formal ceremony take place at a special meeting of the Council to be held on a day other than the day of an ordinary Council meeting;

3. the ceremonial procedure set out in paragraph 6.6 of the report be approved for the special Council meeting;

(2) the Officers identify a suitable date, time and venue for the special Council meeting in consultation with the Chairman and Vice-Chairman and report thereon to the Constitution Committee; and

(3) the Communications Officer ascertain whether there are any other events of an appropriate civic nature which could be dealt with at the special Council meeting.

With regard to resolution (3), the Communications Officer had identified a number of individuals who could be considered for Freedom of the Borough. It was felt, however, that this should be pursued as a separate process and not attached to the Honorary Alderman ceremony.

Officers reported that the Lyceum Theatre, Crewe had been identified as a suitable venue for the special Council meeting and relevant Members were being consulted on a number of optional dates in November. Final arrangements would be determined in consultation with the Chairman and Vice-Chairman of the Civic Sub-Committee.'

RESOLVED

That Council be recommended that

- (1) the title of Honorary Alderman be conferred on the following former Members of the Council:

Mr Ainsley Arnold
Mr David Cannon
Mr Ray Westwood
Mr Andrew Knowles
Mr Tony Ranfield
Mr John Goddard

- (2) the formal ceremony take place at a special meeting of the Council to be held on a day other than the day of an ordinary Council meeting, the arrangements to be determined in consultation with the Chairman and Vice-Chairman of the Civic-Sub-Committee; and
- (3) the ceremonial procedure set out in paragraph 6.6 of the Appendix be approved for the special Council meeting.

27 PLANNING PROTOCOL OF CONDUCT

The Committee considered an amended version of the Planning Protocol of Conduct which had been developed by the Planning Protocol Sub-Committee. The Sub-Committee had been appointed to review the existing Planning Protocol with a view to redrafting it as short, sensible guide.

The revised version of the Protocol had been submitted to the Strategic Planning Board and the Standards Committee for comments. The Standards Committee had recommended the adoption of the revised Protocol for inclusion in the Constitution. The Standards Committee at its meeting on 25th July 2011 had recommended the approval and adoption of the Protocol subject to the amendment of paragraph 13.1 from

“You should attend the mandatory training prescribed by the Council before you participate in decision-making at meetings”

to

“You **must** attend the mandatory training prescribed by the Council before you participate in decision-making at meetings”.

The Standards Committee had felt that this amendment better reflected actual practice, as Members were not permitted to take part in meetings until they had undergone the required training. This amendment had been

made to the revised version of the Planning Protocol which was attached to the report.

RESOLVED

That Council be recommended to approve the revised Planning Protocol of Conduct for adoption and inclusion in the Constitution.

28 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

The Committee considered a proposal to recommend to Council that the final decision concerning the outcome of the Polling Districts and Polling Places Review be delegated to the Constitution Committee at its meeting on 17th November 2011.

The Electoral Administration Act 2006 had introduced a statutory duty for local authorities to carry out a review of their parliamentary Polling Districts and Polling Places by 31st December 2007, and at least every four years thereafter. The Committee had appointed a Sub-Committee with delegated powers to undertake the Review and report back to the Committee with final recommendations.

The timetable for the review indicated that the final decision needed to be made by the full Council in accordance with the requirements of the Council's constitution. The final decision also needed to be made before the 1st December 2011 in order to meet the statutory timescale for the review. To meet the timescale, a special Council meeting would therefore need to be convened. The most likely date for such a meeting would be 18th November 2011. However, it was now apparent that there would be no other items of business requiring decision at such a meeting. It was therefore suggested that Council could be asked to delegate the final decision on the review to the Constitution Committee at its scheduled meeting on 17th November 2011, thereby removing the need for a Special Council meeting.

RESOLVED

That Council be recommended to agree that the final decision concerning the outcome of the Polling Districts and Polling Places Review be delegated to the Constitution Committee at its meeting on 17th November 2011, thereby removing the need for a Special Council meeting to be convened on 18th November 2011.

29 BOUNDARY COMMISSION FOR ENGLAND: A REVIEW OF PARLIAMENTARY CONSTITUENCY BOUNDARIES

The Committee considered proposals by the Boundary Commission for England to review Parliamentary Constituency boundaries.

The Boundary Commission had published its initial proposals on 13th September 2011. This would be followed by a 12 week consultation period, ending on 5th December 2011. The Commission was required to submit its recommendations to Government by 1st October 2013.

Local authority wards were seen as the basic building blocks for designing constituencies. However, the legislation governing the review defined these as those which were in force as at 6th May 2010. The review would therefore be based on the former Borough Ward boundaries, rather than those introduced by the most recent boundary review.

The consultation on the review would be based on a combination of written representations, and oral representations at public hearings. The Commission would then publish a notice in each region indicating whether or not revisions had been made to its initial proposals for that region. Any revisions to the initial proposals would then be subject to further consultation, following which the Commission would make final decisions upon any further modifications before making a report to Government. This would then be followed by legislation.

The Council's response to the review would normally be agreed by Council. However, the tight timescale within which the Council's response had to be submitted would not make this possible unless a special meeting of Council were convened. It was therefore suggested that Council delegate full powers to the Constitution Committee to agree the Council's final response.

It was proposed that a sub-committee be appointed to manage the process.

Councillor Lesley Smetham attended the meeting and, at the invitation of the Chairman, spoke on this matter.

It was suggested that a briefing be arranged for all Members of the Council, at which they would have an opportunity to comment on the review. Any comments could then be reported to the review sub-committee.

RESOLVED

That

- (1) a sub-committee of 6 Members (4 Con: 1 Lab: 1 Ind) be appointed with full delegated powers to undertake the review;
- (2) Council at its meeting on 13th October 2011 be asked to consider whether it should determine the final response to the review or delegate to the Constitution Committee the power to do so;
- (3) the Council's formal response to the review be submitted in writing; and

- (4) a briefing on the Boundary Commission's review be arranged for all Members of the Council and any feedback from the briefing be reported to the review sub-committee.

30 URGENT DECISION-MAKING

The Committee considered proposed changes to the Council's arrangements for making urgent decisions.

The Council's existing arrangements empowered the Chief Executive or her nominee to make urgent executive and non-executive decisions in circumstances where such decisions were required before the next meeting of the relevant decision-making body. It was suggested that consideration should be given to securing Member involvement in making urgent decisions, with appropriate officer advice and involvement.

Appendix B to the report contained proposed urgency provisions which, if agreed, would need to be incorporated into the Constitution; there would also be a need for some consequential amendments.

RESOLVED

That Council be recommended

- (1) that subject to the following amendments, the revised arrangements for making urgent decisions as set out in Appendix B to the report be approved and adopted:

with regard to urgent executive decisions:

- the relevant scrutiny chairmen be notified of the matter *and invited to make representations*;
- *all* Opposition Group leaders be notified of the matter and invited to make representations.

- (2) that the Borough Solicitor and Monitoring Officer be authorised to make such additions and amendments to the Constitution as she considers are necessary to give effect to the wishes of Council.

31 QUESTIONS AT COUNCIL MEETINGS

The Committee considered proposed changes to the arrangements for questions at Council meetings.

Officers had received a number of comments from Members about the current arrangements for questions at Council meetings:

- question time took too long;
- too many questions were being asked as part of question time;

- there was no reason why questions should not be asked of Officers or Portfolio Holders, thereby removing the need for these to be asked at meetings of Council where other pressing business needed to be dealt with;
- primary questions were sometimes asked which contained a number of subsidiary questions;
- there was need for clarity around rules relating to supplementary questions where a number of questions were asked as part of one primary question;
- some submitted questions were inappropriate.

Generally speaking, the existing rules appeared to be fit for purpose but the Committee was asked to consider whether any amendments should be proposed to Council.

A number of potential amendments to the question time provisions had been circulated for the Committee's consideration as set out in Appendix B to the report.

The views of the scrutiny chairmen on the proposals were reported at the meeting.

RESOLVED

That Council be recommended that

(1) subject to the following amendments, the revised arrangements for questions at Council meetings as set out in Appendix B to the report be approved and adopted:

- a maximum period of 30 minutes be allocated for Members' questions at Council;
- questions be selected by the Mayor in accordance with the criteria as amended;
- those Members submitting more than one question may indicate the priority of importance of each question;
- criterion 2(a) be deleted;
- criterion 2(e) be amended to include reference to executive business;
- paragraphs 3, 5 and 10 be deleted;
- written answers to accepted questions which cannot be dealt with at the meeting be copied to all Members of the Council and not just the questioner;
- the current deadline of 3 clear working days for the submission of questions be retained.

(2) the Borough Solicitor and Monitoring Officer be authorised to make such additions and amendments to the Constitution as she considers are necessary to give effect to the wishes of Council; and

(3) the arrangements be reviewed after 12 months.

32 MEMBER ACCESS TO PART 2 AND CONFIDENTIAL REPORTS

The Committee considered proposed changes to the Council's policy on providing access for Members to Part 2 and confidential reports.

Most reports which were presented to the Council's decision-making and other bodies were freely available and open to inspection by Members and members of the public. However, certain reports, which officers believed contained "exempt information" or confidential information, could be held back from public circulation, for example, because the contents appeared to involve the financial or business affairs of an individual, or information about a proposed prosecution.

Members of the body in question were generally entitled to receive copies of Part 2 or confidential reports. However, where a Member was not a member of that body, there was no automatic right of access. Where this was the case, the Member had to demonstrate a "need to know" such information in order to properly carry out their duties as a Councillor. There was currently no formally agreed mechanism in place which provided for a judgement to be made as to whether or not a legitimate "need to know" existed, when this was claimed to be the case by a Member. In the absence of a formally agreed mechanism, therefore, the judgement had to be made by Officers. In practice, this could put Officers in a difficult position, requiring them to make a decision as to whether or not legal criteria had been met, potentially against a backdrop of strong views expressed by the Member in question.

The Council had previously reviewed the arrangements for access to Part 2 papers and had extended a right to receive such papers to

- Group Leaders
- Ward Members affected, in accordance with the Ward Member Protocol.
- Relevant scrutiny committee Chairmen and Vice-Chairmen.
- Members visiting the meeting in question, who would receive the papers upon arrival.

However, while this approach appeared to have addressed the needs of most Members wishing to see Part 2 reports, it could be argued that the approach was not entirely logical. It was therefore proposed that the arrangements for access to Part 2 and confidential papers be reviewed to address the perceived problems with the current arrangements. In this respect, it was suggested that all Part 2 and confidential reports could be released to Members upon request, except for reports containing the following sensitive categories, which would be excluded from automatic release:

- Staffing information, where the identity of Officers would be revealed; and
- Information relating to vulnerable children or adults

Even in respect of reports containing the above categories of information, it was quite possible that a Member might still claim to have a “need to know”. In order to provide for these circumstances it was suggested that a revised ‘need to know’ procedure as set out at Appendix B to the report could be adopted.

It was recommended that the arrangements be introduced initially for a six month trial period, after which they would be reviewed.

RESOLVED

That Council be recommended that

- (1) the proposed approach to access to Part 2 and confidential papers, including the revised ‘need to know’ procedure set out in Appendix B to the report, be approved subject to the category relating to staffing information being amended to refer to the identity of *individual* Officers;
- (2) the Borough Solicitor be authorised to make such changes and additions to the Constitution as she considers are necessary in order to give effect to the wishes of Council, and that
- (3) the arrangements be put in place for a trial period of 6 months, after which they be reviewed.

33 PROPOSED AMENDMENTS TO THE COUNCIL'S CONTRACT PROCEDURE RULES

The Committee considered proposed amendments to the Council’s Contract Procedure Rules.

At its meeting on 14th July 2011, the Committee deferred consideration of a report on revised Contract Procedure Rules to enable further work to be carried out. Council at its meeting on 21st July noted the Committee’s decision and resolved that in the interim, and in no way fettering the Constitution Committee, the financial threshold at which the Rules require a formal tendering procedure be increased from £50,000 to £75,000.

The Borough Solicitor had also met the Vice-Chairman of the Committee to consider issues arising from the debate at the last meeting of the Committee, and as a result of that meeting further amendments to the Rules had been made as set out in the report.

Since Vesting Day, the Council had approved a number of amendments to the Constitution. As new legislation came into force, and as the Council found better ways of doing things, building upon experience and best practice, the Constitution would continue to need to be amended. The proposed amendments to the Contract Procedure Rules reflected this approach.

The proposed amendments to the Contract Procedure Rules were outlined in the report and highlighted in the Appendix to the report. These included making permanent the change to the financial threshold for tendering.

RESOLVED

That the amendments to the Contract Procedure Rules (as set out in the Appendix to the report) be recommended to the Council for approval and the Constitution be amended accordingly.

34 PROPOSED INTERIM AMENDMENTS TO THE OFFICER DELEGATION SCHEME

The Committee considered proposed interim amendments to the Council's Officer Delegation Scheme.

The officer delegation scheme had been revised to reflect the most recent changes to the senior management structure.

Advice was regularly sought from the Borough Solicitor on what further approvals if any were required when implementing elected member decisions. This was particularly relevant when dealing with processes that required statutory procedures to be followed or consultation exercises to be undertaken. The Officer Delegation Scheme had therefore been revised at paragraph 5.2 to empower officers to deal with statutory procedures or undertake consultation exercises on the basis that in doing so they must consult appropriate members.

A separate exercise had been undertaken by the Assets Team in consultation with relevant Portfolio holders to clarify responsibility for the control and management of the Council's Assets so that day-to-day operational decisions were delegated in future to the Strategic Director (Places and Organisational Capacity).

Only interim changes shown underlined were being proposed to reflect the fact that the Officer Delegation Scheme would need to be consistent with the provisions in the Finance and Contract Procedure Rules and any changes arising from the management review of the third, fourth and fifth tiers being undertaken by the Chief Executive. Accordingly, a further report on the Officer Delegation Scheme would be needed to align the Scheme to any revisions to the Finance and Contract Procedure Rules and the outcome of the next phase of the senior management structure review.

The Officer Scheme of Delegation, showing proposed amendments highlighted, was set out in the Appendix to the report.

In considering the revised management responsibilities, Members asked where responsibility now lay for Crime Reduction, which had previously

been a responsibility of the Chief Executive. Officers undertook to seek clarification and advise Members accordingly.

In considering the proposed delegation of asset management functions to Officers, Members asked about the implications for the operational management of premises by Services and whether specific service level agreements would need to be entered into with relevant service managers.

RESOLVED

That

- (1) the interim amendments to the Officer Delegation Scheme (as set out in the Appendix to the report) be recommended to Council for approval, subject to the amendment of paragraph 5.2 to refer to 'non-statutory *statistically valid* consultations', and the Constitution be amended accordingly;
- (2) a presentation on the Corporate Landlord Function should be made to the Corporate Scrutiny Committee; and
- (3) a further report on the Officer Delegation Scheme be submitted to a future meeting of the Committee when the senior management review has been completed.

The meeting commenced at 2.00 pm and concluded at 4.16 pm

Councillor A Martin (Chairman)

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CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting:	17 th November 2011
Report of:	Democratic and Registration Services Manager
Subject/Title:	Calendar of Meetings for 2012-2013

1.0 Report Summary

1.1 This report includes a draft Calendar of Meetings for Cheshire East Council for 2012-2013, together with an appendix of explanatory notes.

1.2 The Committee is invited to refer the draft calendar to Council for approval.

2.0 Recommendation

2.1 That the draft Calendar of Meetings for Cheshire East Council for 2012-2013 be recommended to Council for approval.

3.0 Reasons for Recommendations

3.1 The Council is required to give public notice of its meetings in order to fulfil its legal obligations under the Access to Information Rules set out in the Constitution and to meet its obligations under the Local Government Act 1972. The Calendar will assist the Council in meeting these requirements.

4.0 Wards Affected

4.1 All Wards

5.0 Local Ward Members

5.1 All Ward Members

6.0 Policy Implications (including carbon reduction and health)

6.1 None identified.

7.0 Financial Implications

7.1 None identified.

8.0 Legal Implications

- 8.1 There are no specific legal implications other than those identified in the main body of the report.

9.0 Risk Management

- 9.1 A published calendar of meetings enables effective business planning and decision making procedures.

10.0 Background and Options

- 10.1 As set out in its Constitution (Part 4 – Council Procedure Rule 1) the Borough Council is required to decide when its meetings will take place and these will be contained in a calendar of meetings.

It is for full Council to approve the calendar.

- 10.2 Under Part 3 of the Constitution, the Constitution Committee is responsible for:

“overseeing, monitoring, co-ordinating and implementing the Council’s administrative and political business, including....administrative arrangements forthe Council and other meetings.”

10.3 Calendar

A summary timetable is attached as **Appendix 1**.

Explanatory notes have been provided (**Appendix 2**) which indicates the assumptions made in drawing up the calendar; further details in respect of each of the Committees are also given.

Appendix 3 gives a more detailed month-by-month calendar.

10.4 Scheduling of Meetings

The frequency of meetings has followed the practice previously adopted. As far as possible, only one Committee per day has been scheduled. Where possible, Fridays have been avoided for Committee meetings; these are to be used for Member development sessions as and when required.

Scheduling of meetings has taken into account the business planning/performance reporting cycles. In addition, dates have been scheduled for financial briefing/budget engagement events.

Meetings which do not form part of the formal decision-making process will be omitted from the public calendar but will be added to the Members’ version for convenience. These include financial briefings/budget consultation events, Member development sessions and meetings of the Police and Fire Authorities.

10.5 Portfolio Holder Meetings

As was in the case in 2011-12, the Committee Suite at Westfields, Sandbach has been reserved on Monday mornings for Portfolio Holder meetings. However, meetings will be arranged at the most appropriate venue, following consultation with Portfolio Holders.

10.6 Scrutiny Committees

The Corporate Management Team (CMT) meets on Tuesday mornings. Scrutiny Committee meetings which are held on Tuesdays have been scheduled in the afternoon to avoid coinciding with CMT. This will enable the appropriate CMT Officers to attend Scrutiny Committee meetings.

10.7 Sub-Committees

There are a number of sub-committees and other bodies which meet on an ad-hoc basis and are therefore not included in the calendar.

10.8 Consultation

The following have been consulted on the production of the Calendar:

- Corporate Management Team
- Cabinet
- Committee Chairmen
- Group Leaders
- Group Whips

- 10.9 Subject to any additional recommendations which Members may wish to make, the Committee is asked to refer the calendar to Council at its meeting on 15th December 2011 for approval.

11.0 Access to Information

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

Name: Rachel Graves

Designation: Democratic Services Officer

Tel No: 01270 686473

Email: rachel.graves@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL – CALENDAR OF PUBLIC MEETINGS 2012 - 2013

Committee	May 2012	June	July	Aug	Sept	Oct	Nov	Dec	Jan 2013	Feb	Mar	Apr
Council (Thursday) Times vary. Venue: to rotate around the Borough	16 11 am		19 6 pm			11 2 pm		13 2 pm		21 2 pm		18 6 pm
Cabinet Bodies												
Cabinet (Monday) 2.00 pm: Venue: to rotate around the Borough	28	25	23	20	17	15	12	10	7	4	4	2 (Tue) 29
Portfolio Holder Meetings Monday am As and when required												
Shared Services (Friday) 2.00 pm: Winsford	25	29	27	31	28	26	30	21	25	22	22	26
Joint Extra Care Housing Management Board (Tuesday) 4.00 pm Winsford					25						26	
Overview and Scrutiny Bodies												
Health and Wellbeing Scrutiny (Thursday) 10.00 am: Westfields		14	12		6	4	8	6	10	7	7	4
Cheshire & Wirral Councils' Joint Scrutiny Committee Dates/Times/Venues tba												
Corporate Scrutiny (Tuesday) 2.00 pm: Westfields		12	10		4	2	6	4	8	5	5	9
Adult Social Care Scrutiny Committee (Thursday) 10.30 am: Westfields	9		5		27		29		31		28	

CHESHIRE EAST COUNCIL – CALENDAR OF PUBLIC MEETINGS 2012 - 2013

Committee	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan 2013	Feb	Mar	Apr
Children and Families Scrutiny (Tuesday) 1.30 pm: Westfields	8	19	17		11	9	13	11	15	12	12	16
Environment and Prosperity Scrutiny (Tuesday) 2.00 pm: Westfields.		26	24		18	16	20	18	22	19	19	23
Sustainable Communities Scrutiny (Thursday) 10.30 am: Westfields	10	21	26		13	25	22	20	17	14	14	25
Regulatory Bodies												
Public Rights of Way Committee (Monday) 2.00 pm: Westfields		11			24			17			11	
Licensing (Monday) 2.00pm Westfields	29		16		10		5		14		18	
Strategic Planning Board (Wednesday) 2.00 pm Town Hall, Macclesfield	2 30	20	11	1 22	12	3 24	14	5	9 30	20	13	3 24
Northern Planning Committee (Wednesday) 2.00 pm Town Hall	23	13	4 25	15	5 26	17	7 28	19	23	13	6 27	17
Southern Planning Committee (Wednesday) 2.00 pm Municipal Buildings, Crewe	9	6 27	18	8 29	19	10 31	21	12	16	6 27	20	10
Corporate Bodies												
Constitution Committee (Thursday) 2.00 pm Westfields, Sandbach	31		5		20		15		24		21	

CHESHIRE EAST COUNCIL – CALENDAR OF PUBLIC MEETINGS 2012 - 2013

Committee	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan 2013	Feb	Mar	Apr
Audit & Governance Committee (Thursday) 2.00 pm: Westfields		28			27				31		28	
Staffing Committee 2.00 pm: Westfields			20 (Fri)			18 (Thu)			11 (Fri)			11 (Thu)
Standards Committee (Monday) 2.00 pm: Westfields, Sandbach		18	30		3	19		21		25		
Appeals Sub Committee (Thursday) 2.00 pm Westfields	31	21	26		13	25	22	20	17	14	14	25
Others												
Local Authority School Governor Appointments Panel (Friday) 10.30 am: Westfields	25					19				1		
Member Training Sessions		15	12 (pm) 13		14	12 23 (pm)	16 26 (pm)	6 (pm) 14	18 28 (pm)	15 7 (pm)	15	12
Financial Briefings/Budget Engagement			24						9			

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EXPLANATORY NOTES: CALENDAR OF PUBLIC MEETINGS 2012/2013**INTRODUCTION**

The draft Calendar of Meetings has been drawn up on the following basis –

- 1 Committee memberships will be agreed at Annual Council. Given the requirement to give adequate public notice of meetings, the first Committee meeting cannot be held before 25 May 2012 (LA School Governor Appointments Panel).

Note: Notwithstanding the above, there is a meeting of the Northern Planning Committee on 23 May 2012 and notice of the meeting will need to be given on 15 May 2012. This meeting was agreed in the previous year to ensure the maintenance of the planning cycle.

- 2 Portfolio Holder meetings have not been scheduled into specific dates, but for ease, Committee Suite 1+2 (Westfields) has been booked on Monday mornings between 9.00 am and 1.00 pm throughout the Municipal Year.
- 3 No meetings have been scheduled for Tuesday mornings to avoid coinciding with Corporate Management Team meetings
- 4 Council meetings and Cabinet meetings will rotate around the borough.
- 5 Meetings are held at Westfields, Sandbach unless otherwise specified.
- 6 Scheduling of meetings has taken into account the business planning/ performance reporting cycles. In addition, dates have been scheduled in for financial briefing/budget consultation events. These have been included in the tabular calendar attached as Appendix 1.
- 7 August has been retained as a recess for all Scrutiny Committee meetings.
- 8 As far as practicable, there is only one Committee meeting on each day and where possible, meetings of each Committee have been scheduled on a set day.
- 9 Police Authority and Fire Authority dates have been included in Appendix 3. These meetings will not be shown in the public calendar.
- 10 Member Development sessions have been included with the exception of August.

- 11 The draft Calendar of Meetings has been subject to the following consultation timetable:

Consultation Group	Date	Deadline for Comments/Meeting Date
Consultation with colleagues in Democratic Services	23 August	Comments by 7 September
Consultation with Officers in Finance and Performance for budget setting implications	23 September	Comments by 30 September
Draft Calendar to Officers of CMT	4 October	Comments by 14 October
Draft Calendar to Group Leaders, Group Whips, Committee Chairman and Cabinet Members	25 October	Comments by 2 November

Note 1

Council: In addition to Annual Council/Mayor-Making, there are 4 ordinary meetings and 1 budget meeting (Note: ordinary business is also dealt with at the budget meeting in February).

Venue: Annual Council/Mayor-Making will be held at Tatton Park, Knutsford. Other meetings of Council will rotate around the Borough, to include (a) Municipal Buildings, Crewe (b) Town Hall, Congleton (c) Macclesfield Town Hall.

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Note 2

Cabinet: Held every four weeks as far as possible.

Meetings: 13 meetings: Mondays - 2.00 pm. To be held on a Monday with the exception of 2 April 2013 - this is on a Tuesday due to a bank holiday.

Venue: Cabinet meetings rotate around the Borough. Meetings are held in Macclesfield, Sandbach and Crewe.

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Note 3

Audit and Governance Committee:

Meetings: 4 meetings: Thursdays at 2.00 pm.

Venue: Committee Suite 1, 2 and 3, Westfields, Sandbach

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Note 4

Constitution Committee:

Meetings: 6 meetings: Thursdays: 2.00 pm

Venue: Committee Suite 1, 2 and 3, Westfields, Sandbach

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Note 5

Health and Wellbeing Scrutiny Committee: Monthly – recess in August.

Meetings: 10 meetings: Thursday: 10.00 am

Dates for these meetings will need to be agreed with the Primary Care Trust (PCT).

Venue: Westfields, Sandbach.

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Note 6

CEC/CWAC/Wirral Joint Scrutiny Committee

There are four meetings each year.

Dates to be agreed with Cheshire West and Chester Council and Wirral Metropolitan Borough Council.

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Note 7

Corporate Scrutiny: Monthly meetings – recess in August.

Meetings: 10 meetings: held on Tuesdays at 2.00 pm.

Venue: Westfields, Sandbach

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Note 8

Children and Families Scrutiny:

Meetings: 11 meetings: held on Tuesdays at 1.30 pm.

Venue: Westfields, Sandbach

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Note 9

Environment and Prosperity Scrutiny:

Meetings: 10 meetings held on Tuesdays at 2.00 pm

Venue: Westfields, Sandbach

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Note 10

Sustainable Communities Scrutiny:

Meetings: 11 meetings held on Thursdays at 10.30 am

Venue: Westfields, Sandbach

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Note 11

Adult and Social Care Scrutiny:

Meetings: 6 meetings bi-monthly on a Thursdays at 10.30 am

Venue: Westfields, Sandbach

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Note 12

Standards Committee: Future role of Committee dependant upon the passage of the Localism Bill

Meetings: 6 meetings: Mondays at 2.00 pm

Sub-Committee meetings: There are three Sub-Committees, the membership of which is drawn from the main Committee; these will meet as and when required.

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Note 13

Staffing Committee: Meetings scheduled in July (Fri), October (Thurs) January 2013 (Fri) and April (Thurs). It has not been possible to schedule meetings of this Committee on a set day.

Meetings: 4 meetings: 2.00 pm. These meetings are preceded by a briefing meeting starting at 1.00 pm.

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Note 14

Appeals Sub Committee: Meetings have been scheduled monthly.

Meetings: 10 meetings: Thursdays – 2.00 pm

Venue: Committee Suite, Westfields, Sandbach (Meeting held in No. 1/2 with No. 3 used as waiting area for appellants.)

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Note 15

Public Rights of Way Committee: Meetings scheduled in June, September, December and March.

Meetings: 4 meetings: held on Mondays at 2.00 pm

Venue: Westfields, Sandbach

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Note 16

Strategic Planning Board: Scheduled on 3-week cycle.

Meetings: 17 meetings: Wednesdays - 2.00 pm

Venue: Capesthorne Room, Macclesfield Town Hall.

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Note 17

Northern Planning Committee: 3-week cycle

Meetings: 16 meetings: Wednesdays - 2.00 pm

Venue: Capesthorne Room, Town Hall, Macclesfield

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Note 18

Southern Planning Committee: 3-week cycle

Meetings: 16 meetings: Wednesdays -2.00 pm

Venue: Council Chamber, Municipal Buildings, Crewe

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Note 19

Licensing Committee:

Meetings: 6 meetings bi-monthly on: Mondays at 2.00 pm except 29 May 2012 meeting which is on a Tuesday

Venue: Westfields, Sandbach

Sub-Committees will meet as and when required.

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Note 20

Shared Services Joint Committee: Scheduled monthly.

Meetings: 11 meetings: Fridays: 2.00 pm

Venue: Wyvern House, Winsford

Dates have been scheduled, but need to be agreed with Cheshire West and Chester Council.

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Note 21

Budget Consultation/Financial Briefings

Budget consultation meetings are an essential part of the budget-setting process. Financial Briefings and Budget Engagement events have been included. These will not be added to the public calendar but will be included in the Members' Diary.

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CHESHIRE EAST COUNCIL – DRAFT CALENDAR OF PUBLIC MEETINGS 2012-2013

May 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2 Strategic Planning Board – 2 pm	3	4	5
6	7 Bank Holiday	8 Children & Families Scrutiny – 1.30 pm	9 Adult Social Care Scrutiny – 10.30 am Southern Planning 2 pm	10 Sustainable Communities Scrutiny - 10.30 am	11	12
13	14	15	16 ANNUAL COUNCIL 11 am Tatton Park	17	18	19
20	21	22	23 Northern Planning Committee – 2 pm	24	25 LA School Governor Appointments Panel 10.30 am	26
27	28 Cabinet – 2 pm	29 Licensing Committee – 2 pm	30 Strategic Planning Board – 2 pm	31 Constitution Committee – 2 pm		

June 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Note: School Holidays 4 to 8 June					1	2
3	4 Bank Holiday	5 Bank Holiday	6 Southern Planning 2 pm	7	8	9
10	11 Public Rights of Way Committee 2 pm	12 Corporate Scrutiny 2 pm	13 Northern Planning Committee – 2 pm	14 Health & Wellbeing Scrutiny – 10.00 am	15 Member Training	16
17	18 Standards Committee – 2 pm	19 Children & Family Scrutiny – 1.30 pm	20 Strategic Planning Board – 2 pm	21 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	22	23
24	25 Cabinet – 2 pm	26 Environment & Prosperity Scrutiny 2.00 pm	27 Southern Planning 2 pm	28 Audit & Governance Committee – 2 pm	29 Shared Services Joint Committee 2pm	30

July 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4 Northern Planning Committee – 2 pm	5 Adult Social Care Scrutiny – 10.30 am Constitution Committee – 2 pm	6	7
8	9	10 Corporate Scrutiny 2 pm	20 Strategic Planning Board – 2 pm	12 Health & Wellbeing Scrutiny – 10.00 am Member Training	13 Member Training	14
15	16 Licensing Committee – 2 pm	17 Children & Family Scrutiny – 1.30 pm	18 Southern Planning 2 pm	19 COUNCIL 6 pm	20 Staffing Committee 2 pm	21
22	23 Cabinet – 2 pm	24 Environment & Prosperity Scrutiny 2.00 pm Finance Briefing	25 Northern Planning Committee – 2 pm	26 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	27 Shared Services Joint Committee 2pm	28
29	30 Standards Committee – 2 pm	31	Note: School Holidays 23 July to 1 September			

August 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 Strategic Planning Board – 2 pm	2	3	4
5	6	7	8 Southern Planning 2 pm	9	10	11
12	13	14	15 Northern Planning Committee – 2 pm	16	17	18
19	20 Cabinet – 2 pm	21	22 Strategic Planning Board – 2 pm	23	24	25
26	27 Bank Holiday	28	29 Southern Planning 2 pm	30	31 Shared Services Joint Committee 2pm	

September 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 Standard Committee – 2 pm	4 Corporate Scrutiny 2 pm	5 Northern Planning Committee – 2 pm	6 Health & Wellbeing Scrutiny – 10.00 am	7	8
9	10 Licensing Committee – 2 pm	11 Children & Family Scrutiny – 1.30 pm	12 Strategic Planning Board – 2 pm	13 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	14 Member Training	15
16	17 Cabinet – 2 pm	18 Environment & Prosperity Scrutiny 2.00 pm	19 Southern Planning 2 pm	20 Constitution Committee – 2 pm	21	22
23	24 Public Rights of Way Committee 2 pm	25 Joint Extra Care Housing Management Board 4 pm	26 Northern Planning Committee – 2 pm	27 Adult Social Care Scrutiny – 10.30 am Audit & Governance Committee – 2 pm	28 Shared Services Joint Committee 2pm	29
30						

October 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 Corporate Scrutiny 2 pm	3 Strategic Planning Board – 2 pm	4 Health & Wellbeing Scrutiny – 10.00 am	5	6
7	8	9 Children & Family Scrutiny – 1.30 pm	10 Southern Planning 2 pm	11 COUNCIL 2 pm	12 Member Training	13
14	15 Cabinet – 2 pm	16 Environment & Prosperity Scrutiny 2.00 pm	17 Northern Planning Committee – 2 pm	18 Staffing Committee 2 pm	19 LA School Governor Appointments Panel 10.30 am	20
21	22	23 Member Training	24 Strategic Planning Board – 2 pm	25 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	26 Shared Services Joint Committee 2pm	27
28	29	30	31 Southern Planning 2 pm	Note: School Holidays 22 to 26 October		

November 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5 Licensing Committee – 2 pm	6 Corporate Scrutiny 2 pm	7 Northern Planning Committee – 2 pm	8 Health & Wellbeing Scrutiny – 10.00 am	9	10
11	12 Cabinet – 2 pm	13 Children & Family Scrutiny – 1.30 pm	14 Strategic Planning Board – 2 pm	15 Constitution Committee – 2 pm	16 Member Training	17
18	19 Standard Committee – 2 pm	20 Environment & Prosperity Scrutiny 2.00 pm	21 Southern Planning 2 pm	22 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	23	24
25	26 Member Training	27	28 Northern Planning Committee – 2 pm	29 Adult Social Care Scrutiny – 10.30 am	30 Shared Services Joint Committee 2pm	

December 2012						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4 Corporate Scrutiny 2 pm	5 Strategic Planning Board – 2 pm	6 Health & Wellbeing Scrutiny – 10.00 am Member Training	7	8
9	10 Cabinet – 2 pm	11 Children & Family Scrutiny – 1.30 pm	12 Southern Planning 2 pm	13 COUNCIL 2 pm	14 Member Training	15
16	17 Public Rights of Way Committee 2 pm	18 Environment & Prosperity Scrutiny 2.00 pm	19 Northern Planning Committee – 2 pm	20 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	21 Shared Services Joint Committee 2pm	22
23	24	25 Bank Holiday	26 Bank Holiday	27	28	29
30	31	Note: School Holidays 21 December 2012 to 4 January 2013				

January 2013						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 Bank Holiday	2	3	4	5
6	7 Cabinet – 2 pm	8 Corporate Scrutiny 2 pm	9 Strategic Planning Board – 2 pm Finance Briefing	10 Health & Wellbeing Scrutiny – 10.00 am	11 Staffing Committee 2 pm	12
13	14 Licensing Committee – 2 pm	15 Children & Family Scrutiny – 1.30 pm	16 Southern Planning 2 pm	17 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	18 Member Training	19
20	21 Standard Committee – 2 pm	22 Environment & Prosperity Scrutiny 2.00 pm	23 Northern Planning Committee – 2 pm	24 Constitution Committee – 2 pm	25 Shared Services Joint Committee 2pm	26
27	28 Member Training	29	30 Strategic Planning Board – 2 pm	31 Adult Social Care Scrutiny – 10.30 am Audit & Governance Committee – 2 pm		

February 2013						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Note: School Holidays 18 to 22 February					1 LA School Governor Appointments Panel 10.30 am	2
3	4 Cabinet – 2 pm	5 Corporate Scrutiny 2 pm	6 Southern Planning 2 pm	7 Health & Wellbeing Scrutiny – 10.00 am Member Training	8	9
10	11	12 Children & Family Scrutiny – 1.30 pm	13 Northern Planning Committee – 2 pm	14 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	15 Member Training	16
17	18	19 Environment & Prosperity Scrutiny 2.00 pm	20 Strategic Planning Board – 2 pm	21 COUNCIL 2 pm	22 Shared Services Joint Committee 2pm	23
24	25	26	27 Southern Planning 2 pm	28		

March 2013						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4 Cabinet – 2 pm	5 Corporate Scrutiny 2 pm	6 Northern Planning Committee – 2 pm	7 Health & Wellbeing Scrutiny – 10.00 am	8	9
10	11 Public Rights of Way Committee 2 pm	12 Children & Family Scrutiny – 1.30 pm	13 Strategic Planning Board – 2 pm	14 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	15 Member Training	16
17	18 Licensing Committee – 2 pm	19 Environment & Prosperity Scrutiny 2.00 pm	20 Southern Planning 2 pm	21 Constitution Committee – 2 pm	22 Shared Services Joint Committee 2pm	23
24	25 Standard Committee – 2 pm	26 Joint Extra Care Housing Management Board 4 pm	27 Northern Planning Committee – 2 pm	28 Adult Social Care Scrutiny – 10.30 am Audit & Governance Committee – 2 pm	29 Bank Holiday	30
31	Note: School Holidays 29 March to 12 April					

April 2013						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1 Bank Holiday	2 Cabinet – 2 pm	3 Strategic Planning Board – 2 pm	4 Health & Wellbeing Scrutiny – 10.00 am	5	6
7	8	9 Corporate Scrutiny 2 pm	10 Southern Planning 2 pm	11 Staffing Committee 2 pm	12 Member Training	13
14	15	16 Children & Family Scrutiny – 1.30 pm	17 Northern Planning Committee – 2 pm	18 COUNCIL 6 pm	19	20
21	22	23 Environment & Prosperity Scrutiny 2.00 pm	24 Strategic Planning Board – 2 pm	25 Sustainable Communities Scrutiny – 10.30 am Appeals Sub Committee – 2 pm	26 Shared Services Joint Committee 2pm	27
28	29 Cabinet – 2 pm	30	Note: School Holidays 29 March to 12 April			

May 2013						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 Southern Planning 2 pm	2	3	4
5	6 Bank Holiday	7	8 Northern Planning Committee – 2 pm	9	10	11
12	13	14	15 ANNUAL COUNCIL 11 am	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

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CHESHIRE EAST COUNCIL

Polling Districts and Polling Places Review Sub-Committee

Date of Meeting: 9th November 2011
Report of: Democratic Services Manager
Subject/Title: Review of Polling Districts and Polling Places

1.0 Report Summary and Background

- 1.1 At its meeting on 2nd June 2011, the Constitution Committee authorised the publication of the notice of the Polling Districts and Polling Places Review and appointed this Sub-Committee with delegated powers to undertake the Review of Polling Districts and Polling Places as required by the Electoral Administration Act 2006. Public notice of the Review was published on 30th June 2011.
- 1.2 The Electoral Administration Act 2006 introduced a statutory duty for local authorities to carry out a review of their Polling Districts and Polling Places by 31st December 2007; and at least every four years thereafter.
- 1.3 The Sub-Committee has met on 15th September and 4th October 2011 to formulate proposals for Polling Districts and Polling Places for public consultation. These were published on 7th October 2011, for a four week period of consultation ending on 4th November 2011.
- 1.4 Disability Groups, Local Political Parties, Members of Parliament, Parish Councils and Cheshire East Councillors have been consulted on the proposals.
- 1.5 Council at its meeting on 13th October 2011 agreed that the final decision concerning the outcome of the Review be delegated to the Constitution Committee at its meeting on 17th November 2011.
- 1.6 All representations received will be collated and published after 4th November and circulated at the meeting.

2.0 Recommendation

- 2.1 To consider representations received and make a final recommendation to the Constitution Committee on the outcome of the Review.

3.0 Wards Affected

- 3.1 All wards

4.0 Local Ward Members

4.1 As above

5.0 Policy Implications

5.1 None.

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 was 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 Access to Information

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

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

CHESHIRE EAST COUNCIL

Parliamentary Constituency Boundaries Review Sub-Committee

Date of Meeting: 10th November 2011
Report of: Democratic and Registration Services Manager
Subject/Title: Boundary Commission for England: Parliamentary
Constituency Boundaries Review

1.0 Report Summary

- 1.1 The Boundary Commission for England has the task of periodically reviewing all Parliamentary constituencies in England. A review is currently being undertaken and is being conducted in accordance with new rules laid down by Parliament. The Boundary Commission published its initial proposals for the North West on 13th September 2011. The consultation period ends on 5th December 2011.
- 1.2 Council at its meeting on 13th October 2011 agreed to delegate to the Constitution Committee the authority to determine the Council's response to the consultation. It has been agreed that the Council's formal response to the review will be provided in writing.

2.0 Recommendation

- 2.1 That the Sub-Committee agree a proposed response to the Boundary Commission for ratification by the Constitution Committee.

3.0 Wards Affected

- 3.1 All wards

4.0 Local Ward Members

- 4.1 All local ward Members

5.0 Policy Implications

- 5.1 The Council's response to the review will define its policy and may influence the shape of Parliamentary Constituencies for the 2015 Parliamentary elections and beyond.

6.0 Financial Implications

- 6.1 There are no identifiable financial implications.

7.0 Legal Implications

- 7.1 The Parliamentary Voting Systems and Constituencies Act 2011 imposes requirements upon the way in which the review will operate. The legislative basis of Parliamentary Constituency Boundary reviews is found in the Parliamentary Constituencies Act 1986, as amended by the Boundary Commissions Act 1992.

8.0 Risk Management

- 8.1 No risks would appear to arise from the recommendations of this report.

9.0 Background

- 9.1 A significant reduction in the number of Parliamentary Constituencies in England is proposed (from 533 to 522). These Constituencies are required to comply with new parameters so far as the numbers of electors they contain. The review will be heavily informed by public consultation.
- 9.2 The Boundary Commission must formally report to Government by 1st October 2013 and make recommendations on changes which it believes to be appropriate: in respect of the distribution, size, shape, name or designation of constituencies. These recommendations will then be converted into draft legislation, which will be implemented in time for the next Parliamentary Election after the date on which the legislation is passed.
- 9.3 The legislation provides that the electorate figures to be used for the 2013 review are the figures published on or before 1st December 2010. With regard to the local government boundaries which are to be taken into account as part of the review, the legislation defines these as those which were in force as at 6th May 2010.
- 9.4 Legislation requires there to be 600 constituencies for the whole of the UK, of which 68 have been allocated to the North West. The Boundary Commission in developing its proposals has allocated the specified number of constituencies within the relevant region, ensuring that each constituency is wholly contained within it. Wirral has been added to Cheshire to form a Cheshire and Wirral Sub - Region. Electors from Poynton have been included in the Greater Manchester Sub-Region, in a constituency for Poynton and Hazel Grove.
- 9.5 The legislation stipulates that every constituency must have an electorate range of between 72,810 and 80,473 electors.
- 9.6 The Boundary Commission may take into account other considerations:
- Geographical: size, shape and accessibility of constituencies

- Local government boundaries as at 6.05.2010
- Boundaries of existing constituencies
- Local ties that would be broken by constituency changes

9.7 With regard to local authority wards, these are seen as the basic building blocks for designing constituencies. They are regarded as well-defined and well-understood units which are generally indicative of areas which have a broad community of interest. Any divisions of these units between constituencies is seen as being likely to break local ties, disrupt political party organisations and cause difficulties for Electoral Registration and Returning Officers. Therefore, in the absence of compelling and exceptional circumstances, the Boundary Commissions' view is that it would not be appropriate to divide wards where it is possible to construct constituencies that meet the statutory electorate range without doing so. As Cheshire East Council has recently undergone a Boundary Review in 2011, eight out of the 52 new wards are split between two constituencies by the initial proposals for the North West i.e:

- Leighton
- Wilmslow West and Chorley
- Wilmslow East
- Poynton West and Adlington
- Poynton East and Pott Shrigley
- Gawsworth
- Brereton Rural
- Prestbury and Tytherington

9.8 With regard to existing constituencies, the Boundary Commission intends to have regard to these as far as possible. Where constituencies remain largely the same, the Boundary Commission's policy is to retain the existing constituency name. In general, the policy is for constituencies to be named in a way which reflects the main population centres. However, where an alternative name commands greater local support than that proposed, the Boundary Commission will usually be prepared to recommend the alternative.

9.9 Following the consultation, Assistant Commissioners will consider all representations made and prepare a report on each region for the Boundary Commission. A notice will then be published in each region indicating whether or not revisions have been made to the initial proposals. Any revisions to the initial proposals will be subject to further consultation. Following consideration of any representations made at such further consultation, the Boundary Commission will make its final decision and report to Government. This will be followed by legislation.

10.0 The Council's response

- 10.1 At the request of the Constitution Committee, a briefing was arranged for all members on 19th October, following which all members were invited by email to submit their comments to Sub-Committee members for consideration which can be taken into account in formulating the draft response.
- 10.2 Following informal discussions with members of the Sub-Committee, officers will draw together some initial thoughts for consideration, which could, if agreed by Members, form the basis of a draft response to the Boundary Commission. It is proposed that the Council's response is centred around the adverse impact on the 8 new Borough wards, which are split between two constituencies under the initial proposals (as referred to above), with particular emphasis on objecting to the Boundary Commission's proposal for the former Poynton ward (comprising 11,080 electors) to be included in the Greater Manchester Sub-Region, in a Constituency for Hazel Grove and Poynton.
- 10.3 The Council's response will be strengthened if alternative proposals can be suggested, to ensure that the key criteria stipulated by the Boundary Commission (such as electorate range) can be met. Legal advice and discussions with the Boundary Commission have established that the Council is able to put forward a response which outlines the adverse impact that using the 2010 ward boundaries in Cheshire East will cause.

11.0 Access to Information

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

Name: Mrs Lindsey Parton

Designation: Registration Service and Business Manager

Tel No: 01270 686477

Email: lindsey.parton@cheshireeast.gov.uk

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 17th November 2011
Report of: Head of Safer and Stronger Communities
Subject/Title: Delegated Powers Relating to Car Parking Charges

1.0 Report Summary

- 1.1 The report provides the background to the existing delegations relating to the function of varying charges for the use of off-street parking places, and sets out the options open to the Committee when considering the motion referred to it by Council on 13th October 2011.

2.0 Recommendations

- 2.1 The Constitution Committee is requested to consider the motion relating to delegated powers to vary car parking charges referred to it by Council on 13th October 2011, and to resolve whether to recommend to Council either:

(a) that no amendment to the current delegation is made; or

(b) that an amendment to the Constitution is made, as set out within paragraph 10.5 of the report, so that decisions in relation to the variation of charges for the use of off-street parking places are made by the relevant Cabinet Member.

3.0 Reasons for Recommendations

- 3.1 At the meeting of Council on 13th October 2011 consideration was given to the motion “that the delegated powers to officers to alter car parking charges be rescinded and the powers returned to the Cabinet Member.” Council resolved that the motion stand referred to the Constitution Committee.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications (including Carbon reduction and Health)

- 6.1 None

7.0 Financial Implications (Authorised by the Borough Treasurer)

7.1 None

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 Section 35C of the Road Traffic Regulation Act 1984 states that when an order made under section 35(1)(iii) of the 1984 Act makes provision as to the charges to be paid in connection with the use of an off-street parking place, the charges may be varied by notice. Regulation 25 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provide that a 'notice of variation' given under section 35C must be published at least once in a newspaper circulating in the area in which the parking places to which the notice relates are situated at least 21 days before it is due to come into force. In addition, the authority is required by regulation 25(5) to display copies of the notice in the relevant parking places.

8.2 By virtue of the Local Authorities' Functions and Responsibilities (England) Regulations 2000 (as amended) the function of varying charges for the use of off-street parking places is an executive function.

8.3 The Constitutional implications are set out within paragraph 10.0 below.

9.0 Risk Management

9.1 No risks would appear to arise from the proposals contained within the report.

10.0 Background and Options

10.1 The motion considered by Council on 13th October 2011 was "that the delegated powers to officers to alter car parking charges be rescinded and the powers returned to the Cabinet Member."

10.2 The existing delegations within the Constitution in relation to fees and charges are contained within paragraph 9.1 of the 'Powers and Responsibilities of Officers' section of the Constitution, which provides that "CMT Members shall determine the level of fees or charges payable in respect of any chargeable goods or services supplied, work undertaken, or the loan or use of plant, equipment or machinery whether authorised by specific statutory provisions or local authority powers at large." This paragraph is read in conjunction with paragraph 14 of the Cabinet Member Responsibilities of the Constitution which states that each Cabinet Member is responsible for "in conjunction with the relevant officer of the Council, setting new external charges and revisiting current ones."

10.3 In accordance with the existing constitutional provisions, to date decisions to approve variations to the charges made in relation to the use of off-street parking places have been taken by the Strategic Director (Places & Organisational Capacity) in conjunction with the Cabinet Member for Environmental Services.

- 10.4 The Constitution provides that decisions made by individual Cabinet Members must be taken at formally constituted meetings, the arrangements for which are required to be publicised in advance in accordance with the Access to Information Procedure Rules.
- 10.5 The Committee is requested to consider the motion and to recommend to Council either (a) that no amendment to the existing delegations are required; or (b) that amendments should be made to the Constitution to provide that decisions relating to the variation of charges at off-street parking places are made by the relevant Cabinet Member. If the Committee resolves to recommend option (b), then it is suggested that the following amendments to the Constitution would be required:

To amend the Responsibilities of the Environment Services Portfolio Holder (page 74 of the Constitution) so that it reads:

- Highways Operational Management including:
 - Management of Highways Register
 - Highways Design, Maintenance, Parking (including decisions to vary the charges for the use of off-street parking places) and Decriminalisation of Parking Enforcement
 - Street Lighting, Signals and Signing
 - Traffic Management and Road Safety
 - Civil Engineering and Transport Operations, including public transport liaison and co-ordination

Access to Information

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

Name: Peter Hartwell

Designation: Head of Safer & Stronger Communities

Tel No: (01270) 686639

E-mail: peter.hartwell@cheshireeast.gov.uk

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CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 17th November 2011
Report of: Borough Solicitor
Subject/Title: Local Service Delivery Committees Terms of Reference/membership

1.0 Report Summary

- 1.1 Council approved the constitution of two Local Service Delivery Committees for the unparished areas of Crewe and Macclesfield, whose membership should be constituted on a proportionate basis 'to make representations to Cabinet and Council about the delivery of local services in the area and to monitor local services where a town or parish council acting under local devolution arrangements would have been expected to do so (but not otherwise)'.
- 1.2 At the first meeting of each of the Committees consideration was given to the Terms of Reference, which the Committees would operate under. The draft Terms of Reference, are appended to the report. The first paragraph has been amended slightly, to reflect the current position with regard to membership, which is currently on a politically proportionate basis. Each Committee gave consideration to the draft Terms of Reference and suggested the following changes:

Crewe Committee

- 1.3 The original resolution made by Council in respect of the membership of the Committee (i.e. that Ward Members representing the un-parished areas of Crewe be appointed) had been superseded by the resolution made by Council on 15 December 2010, which resolved that the Committee be appointed on a politically proportionate basis. The current membership of 4 Conservative, 1 Labour and 2 Independents reflects this decision. It was also noted that Leighton should also have been included in the list of wards affected, as a small proportion of the ward fell outside the parish boundary. The Committee resolved that, subject to the wording relating to membership of the Committee being amended to reflect the political proportionality of the Council and the inclusion of Leighton in the wards affected, that the Terms of Reference for the Local Service Delivery Committee (Crewe) be recommended to Council for approval.

Macclesfield Committee

- 1.4 With regard to the positions of Chairman and Vice-Chairman there was agreement that the Committee should nominate the Chairman and Vice-

chairman, rather than nominations coming via the political groups and it was, recommended that this be added to the proposed Terms of Reference.

- 1.5 It was agreed that the process for speaking at Committee meetings would be that Members of the Committee would be invited to speak on a matter in the first instance, followed by Participating/Ward Members. In the light of the above, it was agreed that the following additions be made to the proposed Terms of Reference:

- That the nomination and appointment of the Chairman and the Vice-Chairman of the Committee be a function of the Committee.
- That the procedure for Participating Members be that they be invited to speak and to participate, after Committee Members, but prior to any decisions being taken. (Note - The Crewe Committee also agreed to adopt this approach and it is, therefore, suggested that it would be appropriate to include this in the terms of reference for both Committees).

Notice of Motion Relating to Membership of the Local Service Delivery Committee (Macclesfield)

- 1.6 At the meeting of the Council held on 13 October 2011, it was resolved that the following Notice of Motion, submitted by Councillors D Neilson and B Murphy, should stand referred to the Constitution Committee for consideration:
- 1.7 “In view of the consultative role of the Local Service Delivery Committee for Macclesfield, plus the request from the Cabinet in relation to precepting powers for the Committee and in order to enhance its mandate, to reflect opinion across the town, the Council requests the Constitution Committee to re-consider the Committee's composition, with a view to incorporating into its membership all elected Councillors for the unparished area.”
- 1.8 If the above change to membership is agreed, it will not be necessary to include details of the procedure/order of speaking in the Terms of Reference, as recommended by the Local Service Delivery Committee (Macclesfield), as all Councillors for the unparished area would be members of the Committee.

2.0 Recommendation

- 2.1 That

- (1) the Committee recommend to Council that the Terms of Reference be approved and consider whether to also recommend the changes suggested by the Local Service Delivery Committees for Crewe and Macclesfield.
- (2) the Committee decide whether to recommend to Council that the membership of the Local Service Delivery Committee (Macclesfield)

should be amended to comprise all elected Councillors for the unparished area, as proposed in the above Notice of Motion to Council.

3.0 Reasons for Recommendations

- 3.1 The Committees require Terms of Reference in order to operate effectively.
- 3.2 The Constitution Committee is required to consider the Notice of Motion, as submitted and to formulate advice and report back to Council.

4.0 Wards Affected

Crewe

Crewe North
Crewe East
Crewe South
Crewe West
Crewe Central
Crewe St. Barnabas
Leighton

Macclesfield

Macclesfield West and Ivy
Macclesfield Hurdsfield
Broken Cross and Upton
Macclesfield South
Macclesfield Central
Macclesfield Tytherington
Macclesfield East

5.0 Local Ward Members

Crewe

Cllrs Grant, M Martin, Newton, Thorley, Flude, Hogben, Nurse, Sherratt, Faseyi, Cartlidge, Bebbington.

Macclesfield

Cllrs Andrew, Harewood, Boston, L Brown, Hardy, Jeuda, Druce, K Edwards, Jackson, Murphy, Roberts, Neilson.

6.0 Policy Implications (including carbon reduction and health)

- 6.1 The Council's agreed arrangements must be clearly documented in the Constitution.

7.0 Financial Implications

- 7.1 No such implications arise from the proposals contained in this report.

8.0 Legal Implications

- 8.1 Once agreed, the arrangements will be included in the Constitution which can be amended by Council, following a recommendation of the Committee.

9.0 Risk Management

- 9.1 No risks would appear to arise from the proposals contained in this report.

10.0 Background and Options

- 10.1 The Committee will need to consider the options as set out in the decision requested and consider whether to recommended the proposed changes to the draft terms of Reference, as suggested by the Local Service Delivery Committees and the change in membership arrangements for the Macclesfield Committee, as proposed in the Notice of Motion, as set out in paragraph 1.2 of the report.

11.0 Access to Information

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

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LOCAL SERVICE DELIVERY COMMITTEES - TERMS OF REFERENCE

Council has agreed that two Local Service Delivery Committees be constituted for the unparished areas of Crewe and Macclesfield, whose membership shall be constituted on a politically proportionate basis 'to make representations to Cabinet and Council about the delivery of local services in the area and to monitor local services where a town or parish council acting under local devolution arrangements would have been expected to do so (but not otherwise)'.

Membership

The Committees will be appointed at the Annual meeting of the Council.

Other Ward Members for the unparished areas, who are not members of the Committee will receive copies of all agenda papers and will be invited to participate.

Wards Affected**Crewe**

Crewe North
Crewe East
Crewe South
Crewe West
Crewe Central
Crewe St. Barnabas

Macclesfield

Macclesfield West and Ivy
Macclesfield Hurdsfield
Broken Cross and Upton
Macclesfield South
Macclesfield Central
Macclesfield Tytherington
Macclesfield East

Proposed Terms of Reference

1. To consider the delivery of services in the relevant unparished area in relation to those services or asset types being transferred or devolved, as part of the overall local delivery arrangements across Cheshire East, consistent with the parished areas.
2. To consider the cost implications of the delivery of services or cost of assets in the relevant unparished area consistent with the agreed policy in parished areas.

3. To consider the cost and delivery implications in the context of a potential special expenses levy in the unparished area to represent the cost of delivery to provide consistency across Cheshire East
4. To make recommendations to Cabinet on the level of service provision for those services/assets being considered as part of the local delivery arrangements (in parished areas)
5. To make recommendations to Cabinet on any special expenses levy arising from point 4 above.

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 17th November 2011
Report of: Democratic and Registration Services Manager
Subject/Title: Review of the Constitution

1.0 Report Summary

- 1.1 To consider the Committee's approach to the review of the Council's Constitution.

2.0 Recommendation

That the Committee decide whether changes are needed to its approach to reviewing the Constitution and, if so, what changes should take place.

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 3.1.

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 review will provide an opportunity to ensure that all elements of the document are consistent with one another.

9.0 Background

- 9.1 Since vesting day, the Council has approved a number of amendments to the Constitution. As new legislation comes into force, and as the Council finds better ways of doing things, building upon experience and best practice, the Constitution needs to be amended.

- 9.2 The Constitution Committee has agreed to review different parts of the Constitution to ensure it remains fit for purpose and has previously agreed a schedule to help manage the process. A copy is enclosed as an Appendix.

- 9.3 So far this year the Committee has made recommendations to Council in respect of a number of issues including:

1. Scheme of Delegation
2. Urgency Provisions
3. Questions at Council meetings
4. Contract Procedure rules

- 9.4 A number of other matters remain to be reviewed this year including:-

1. Finance Procedure Rules

Update: Revised Finance Procedure Rules have been drafted by the Director of Finance and Business Services.

2. Scrutiny Procedure Rules

Update: The Overview and Scrutiny Chairman are reviewing the Scrutiny Procedure Rules and have asked officers to undertake additional work.

3. Budget and Policy Framework

Update: This has been reviewed and is due to be considered by the Corporate Management Team

4. Staff Employment Procedure Rules

Update: These Rules are being reviewed by Head of HR & Organisational Development

- 9.5 These are complex items and rather than present to the Committee formal reports at a late stage in the process the Committee is asked to consider if these remaining items might benefit from additional lead time before any further constitutional changes are suggested.
- 9.6 The Committee might wish to consider if a Member Task Group could be set up to consider proposals initially so that much of the detailed consideration is done before it gets to the Committee. There is something of a precedent for this approach with the Planning Protocol.
- 9.7 The Task Group could also undertake more detailed assessment of the aspects of the Constitution that definitely needs to be reviewed; what might benefit from review and what seems to be working well should continue unchanged.
- 9.8 If the Committee approves a revised approach to the review of the Constitution the schedule to manage the process will be amended.

10.0 Access to Information

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

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Appendix

Date of Meeting	Material to be reviewed	Comments
Thursday 22 nd Sep 2011	<p>Finance Procedure Rules</p> <p>Scheme of Delegation</p> <p>Urgency Provisions</p> <p>Questions at Council Meetings</p>	<p>The Borough Treasurer has begun a review of the Finance Procedure Rules to ensure they remain fit for purpose.</p> <p>The Scheme of Delegation needs to be updated to reflect changes in the officer structure of the Council and changes in the Contract and Finance Procedure Rules. (This is in addition to changes arising from the senior management restructuring.)</p> <p>The Overview and Scrutiny Chairmen have requested that the Borough Solicitor report to the Corporate Overview and Scrutiny Committee on this matter.</p> <p>At its meeting on 2nd June 2011, the Committee considered a report on questions at Council following concerns about the way in which the current arrangements were being used. The Officers are undertaking a survey of questions procedures used by other local authorities and will submit a report to the September meeting.</p>
Thursday 17 th Nov 2011	<p>Budget and Policy Framework</p> <p>Scrutiny Procedure Rules</p>	<p>The Budget and Policy Framework is a list of plans and strategies that must be approved by full Council. Corporate Management Team and Cabinet will be asked to review the list and make recommendations to this Committee on any changes that may be required.</p> <p>The Overview and Scrutiny Chairmen are reviewing the Scrutiny Procedure Rules.</p>
Thursday 26 th Jan 2012	Staff Employment Procedure Rules	The Head of HR and Organisational Development has been requested to review these rules.
Thursday 22 nd Mar 2012	Size and Layout of the Constitution	The Monitoring Officer will review the size and layout of the Constitution to make it as 'user friendly' as possible.

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