

# Council Agenda

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**Date:** Thursday, 11th December, 2014  
**Time:** 2.00 pm  
**Venue:** The Ballroom, Sandbach Town Hall, High Street, Sandbach,  
CW11 1AX

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The agenda is divided into two 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. **Prayers**
2. **Council Update on Key Economic Initiatives Impacting on Cheshire East**
3. **Apologies for Absence**  
To receive apologies for absence.
4. **Declarations of Interest**  
To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.
5. **Minutes of Previous meeting** (Pages 1 - 10)  
To approve the minutes of the meeting held on 16 October 2014 as a correct record.
6. **Mayor's Announcements**  
To receive such announcements as may be made by the Mayor.
7. **Public Speaking Time/Open Session**

In accordance with Council Procedure Rule 35 and Appendix 7 to the rules, a total period of 15 minutes is allocated for members of the public to speak at Council meetings.

Individual members of the public may speak for up to 5 minutes, but the Chairman 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 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. It is not a requirement to give notice of the intention to make use of public speaking provision. However, as a matter of courtesy, a period of 24 hours notice is encouraged.

8. **Notices of Motion** (Pages 11 - 14)

To consider any Notices of Motion that have been received in accordance with Procedure Rule 12

9. **Recommendation from Cabinet - Council Tax Base 2015/16** (Pages 15 - 20)

To consider the recommendation from Cabinet.

10. **Recommendation from the Constitution Committee - Macclesfield Community Governance Review** (Pages 21 - 102)

To consider the recommendation from the Constitution Committee.

11. **Recommendation from the Constitution Committee - Revisions to the Contract Procedure Rules** (Pages 103 - 114)

To consider the recommendation from the Constitution Committee.

12. **Recommendation from the Constitution Committee - Officer Scheme of Delegation** (Pages 115 - 120)

To consider the recommendation from the Constitution Committee.

13. **Senior Management Structure** (Pages 121 - 124)

To agree the recommendations as set out in the report.

14. **Leader's Announcements**

To receive such announcements as may be made by the Leader.

15. **Questions**

In accordance with Procedure Rule 11, opportunity is provided for Members of the Council to ask the Mayor, the appropriate Cabinet Member or the Chairman of a Committee any question about a matter which the Council, the Cabinet or the Committee has powers, duties or responsibilities.

At Council meetings, there will be a maximum question time period of 30 minutes. Questions will be selected by the Mayor, using the criteria agreed by Council. Any questions which are accepted, but which cannot be dealt with during the allotted period will be answered in writing. Questions must be brief, clear and focussed.

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**CHESHIRE EAST COUNCIL****Minutes of a meeting of the Council**

held on Thursday, 16th October, 2014 at The Ballroom, Sandbach Town Hall,  
High Street, Sandbach, CW11 1AX

**PRESENT**

Councillor W Fitzgerald (Mayor/Chairman)

Councillor H Gaddum (Deputy Mayor/Vice-Chairman)

Councillors Rachel Bailey, Rhoda Bailey, A Barratt, G Barton, G Baxendale, B Burkhill, P Butterill, R Cartledge, J Clowes, S Corcoran, W S Davies, R Domleo, D Druce, K Edwards, P Edwards, I Faseyi, P Findlow, R Fletcher, D Flude, S Gardiner, L Gilbert, M Grant, P Groves, J Hammond, M Hardy, A Harewood, P Hayes, S Hogben, K Hickson, D Hough, P Hoyland, O Hunter, J Jackson, L Jeuda, M Jones, F Keegan, A Kolker, W Livesley, J Macrae, D Mahon, D Marren, A Martin, P Mason, S McGrory, R Menlove, G Merry, A Moran, B Moran, B Murphy, H Murray, D Neilson, D Newton, P Raynes, L Roberts, J Saunders, B Silvester, M J Simon, L Smetham, D Stockton, C G Thorley, A Thwaite, D Topping, G Wait, G M Walton, M J Weatherill, R West, P Whiteley, S Wilkinson and J Wray

**Apologies**

Councillors C Andrew, D Bebbington, D Brickhill, D Brown, L Brown, S Carter, H Davenport, S Jones, M A Martin, M Parsons and M Sherratt

**34 PRAYERS**

The Revd Dr Paul Smith said prayers at the request of the Mayor.

**35 COMMEMORATION OF THE FIRST BATTLE OF YPRES - OCTOBER 1914**

The Mayor referred to the commemoration of the centenary of the start of the First World War; "the war to end all wars" and informed Members that, over the next four years, the Council would mark the centenary of a number of key First World War landmarks. The first of those, the First Battle of Ypres, would be marked at today's Council meeting.

He called upon Councillor Gordon Baxendale, as Armed Services Champion, to speak. Each Group Leader was then invited to speak in turn. The Leader of the Council then asked for the Last Post to be played and following this a period of silence was observed.

**36 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**37 MINUTES OF THE MEETING HELD ON 17 JULY 2014**

**RESOLVED**

That the minutes be approved as a correct record.

**38 MAYOR'S ANNOUNCEMENTS**

The Mayor:-

1. Announced that, since the last Council meeting, he and the Deputy Mayor had undertaken over one hundred engagements and that details had been circulated around the Chamber.
2. Thanked his Chaplain, Rev Doctor Paul Smith, for so ably conducting his Civic Service on Sunday 28 September. There had been an excellent turnout at St Bartholomew's Church in Wilmslow and he thanked all Members who had been able to attend.
3. Stated that he would like to put on record his pride by the way in which Cheshire East has commemorated the centenary of the start of the First World War and he congratulated those that organised the two marvellous and very well attended events that he had had the pleasure of hosting in August. He considered that it was very fitting that the Council had remembered the centenary of the First Battle of Ypres at today's meeting.
4. Announced that, in a private capacity, since the last meeting of Council, he had visited Normandy with representatives of ABF, the Soldiers Charity, one of his two charities for his Mayoral year. It had been a privilege to learn at first hand of the good work that this wonderful charity did. He had concluded his visit with the laying of a wreath on behalf of ABF.
5. Announced that the second of his two charities was MacMillan Cancer Support and he had had the pleasure of being part of MacMillan World's Biggest Coffee Morning a couple of weeks earlier. Thanks to the generosity of the people of Macclesfield, over £200 had been raised for this very good cause.
6. Announced that he had been informed of the death of Keith Bagnall, a former Congleton Borough Councillor and serving Middlewich Town Councillor. He was sure that Members would join with him in sending condolences to Mr Bagnall's family and friends.
7. Referred to much of the good work in society that went unnoticed and unrecognised and stated that one of the joys of being Mayor was having the opportunity to celebrate this good work. Since he had been appointed in May he had been truly astounded by the commitment and energy that he had seen from those providing

services for people with disabilities and life limiting illnesses. What he had seen had been truly inspirational and he gave two examples:-

- On 24 September he and the Mayoress had had the pleasure of visiting the Donna Louise Children's Hospice; this was outside of the Borough, in Stoke, but provided services to the Borough's residents. He had learnt a lot; not least that the majority of Children who used the services of the Hospice moved on to other forms of treatment or were in remission when they left. The visit was truly life affirming.
- In August, he had been entertained to afternoon tea by the Parkinson's Disease Society. Again, he was extremely impressed by what he saw; dedicated volunteers, a thriving organisation and perhaps most impressively many of examples of self help by those suffering from Parkinson's.

He considered that being Mayor of Cheshire East was a great privilege.

#### 39 PUBLIC SPEAKING TIME/OPEN SESSION

Mr J Smith, an Allotment holder in the Borough, used public speaking time to address Council concerning the Heyes Lane allotments in Alderley Edge. He read out a draft letter, which was to go out to all residents of Alderley Edge from Alderley Edge Parish Council concerning the future of the allotments. He stated that the Parish Council wished to replace the allotments with a road and car park, that Cheshire East Council leased them and there was clause in place which indicated that they must remain as allotments. He stated that, in February, the Parish Council had given the allotment holders three months notice to quit, citing that the allotments were not fit for purpose and that the Parish Council had passed a resolution taking away the statutory status of the land and he questioned whether this was legal. He considered that there were other solutions and options which should to be explored by the Parish Council and stated that the Parish council had voted to carry out a survey of the villagers in respect of the issue, following pressure from residents. He also referred to a petition which had been signed by 49% of the population of Alderley Edge.

The Leader of the Council responded to say that this was very much a matter for the Parish Council and he hoped that Mr Smith would be able to find a satisfactory resolution to this issue.

#### 40 NOTICES OF MOTION

Consideration was given to the following Notices of Motion :-

- 1 Location of Strategic Planning Board meeting.

**Proposed by Councillor David Brickhill and seconded by Councillor Arthur Moran**

In the light of the Chairman's decision to hold a Strategic Planning Board meeting in Macclesfield when all the items of the agenda (bar one in Ollerton) were in the south of the Borough, it is clear that the previous decision of Council is not being observed by him. Therefore his discretion in this matter is withdrawn. The location of the meeting in Crewe or Macclesfield shall be decided only on the basis of whether the majority of the agenda items are in the south or north of the Borough, as this was clearly the intention of council especially to avoid residents having to travel long distances e.g. Wrenbury to Macclesfield.

**RESOLVED**

That the motion be deferred.

**2      Risk Assessment before Changes to Current Respite/Short Term Break Arrangements**

**Proposed by Councillor Laura Jeuda and seconded by Councillor Dorothy Flude**

That this Council adopts a policy of carrying out a thorough risk assessment, using criteria agreed with our Clinical Commissioning Groups, before making any decision or changes to the current respite/short term break arrangements, and that the results of the risk assessment will be announced publicly and shared with all Consultees.

**RESOLVED**

That the motion stand referred to Cabinet.

**3      Health Care**

**Proposed by Councillor Brendan Murphy and Seconded by Councillor Lloyd Roberts**

In the light of plans for the development of sub-regional Specialist Hospitals and the consequent downgrading of other Hospitals in the Greater Manchester conurbation, the Council requests the Health and Wellbeing Board to consider the impact that such developments *could* have on the future of Macclesfield General Hospital and, in particular, to ensure that the wellbeing of North East Cheshire residents will not be adversely affected in the event of Stepping Hill Hospital being downgraded as result the changes being currently considered.

**RESOLVED**

That the motion stand referred to the Health and Wellbeing Board, following which it will be referred to Cabinet.

**4     Work Experience for Young People**

**Proposed by Councillor Brendan Murphy and Seconded by Councillor Paul Edwards.**

This Council regrets its failure to provide work-experience opportunities for young people and calls upon the Cabinet to implement an appropriate scheme at the earliest opportunity.

**RESOLVED**

That the motion stand referred to Cabinet.

**5     Reunification of Cheshire**

**Proposed by Councillor Brendan Murphy and Seconded by Councillor Roy Cartlidge**

In the light of the proposed escalation of power for combined city authorities, this Council welcomes the Leaders proposal for the restoration of a Cheshire-wide authority to ensure the County is not disadvantaged or threatened by city region growth,

**PROVIDED**

- a. The new Authority consists of elected members appointed “proportionally” by the existing Borough Councils.
- b. Appropriate powers – such as Strategic Planning, Economic Development *et al* -are transferred from the Borough Councils to the new Authority
- c. Given the arrival of Alternative Service Delivery Vehicles, there should be maximum devolution of commissioning powers and freedom of choice for Town and Parish Councils.

The Cabinet is requested to develop a long term policy as outlined above.

**RESOLVED**

That the motion stand referred to Cabinet.

**41    RECOMMENDATIONS FROM 2014/15 FIRST QUARTER REVIEW OF PERFORMANCE REPORT TO CABINET**

On 16<sup>th</sup> September 2014, Cabinet had received a report on the 2014/15 First Quarter Review of Performance. The report set out the Council's financial and non financial performance at the first quarter stage, including the projected capital outturn position and commentary on the delivery of the capital programme. The report provided details of the strong and improving financial management of the Council's budget. The report also contained a recommendation that Council approve a fully funded

supplementary capital estimate of over £1m, recognising the receipt of additional grant funding to support the highway investment programme in Cheshire East, detail of which was contained in an appendix to the report.

**RESOLVED**

That, in accordance with the Council's Finance Procedure Rules, the supplementary capital estimate of over £1m, as recommended by Cabinet, and as set out in Appendix 1 of the report be approved.

**42 AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT**

The Audit and Governance Committee Annual Report for 2013/14 was submitted to Council. The report set out the performance of the Committee in relation to its terms of reference and detailed the findings, conclusions and recommendations in respect of the adequacy and effectiveness of its governance, risk management and internal control frameworks, financial reporting arrangements and internal and external functions.

**RESOLVED**

That the report be received.

**43 POLITICAL REPRESENTATION ON THE COUNCIL'S COMMITTEES**

Consideration was given to a report relating to the determination of the political representation on the Council's Committees. The political group representations were set out in an appendix to the Report.

**RESOLVED**

That the political group representation, as set out in Appendix 1 of the report and the methods, calculations and conventions used in determining this, as outlined in the report, be adopted and the allocations of places to Committees be approved.

**44 APPOINTMENTS OF MEMBERS TO COMMITTEES**

Consideration was given to a report relating to the review of the memberships of the Council's decision-making bodies.

The nominations made by the Group Leaders to the bodies were listed in Appendix to the report.

In addition to the nominations contained in the Appendix, Cllr Rod Fletcher was nominated to fill the Liberal Democrat vacancy on the Lay Members Appointments Committee.

**RESOLVED**

That, subject to the above additional nomination, the nominations made by the Group Leaders to the bodies listed in Appendix 1 to the report be approved.

**45 COUNCIL'S MAYOR-MAKING AND ANNUAL MEETING 2015**

Consideration was given to a report seeking Council approval in respect of a proposed change to the date of the Council's 2015 Mayor-Making and Annual Meeting.

**RESOLVED**

That the Council's 2015 Mayor-Making and Annual Meeting be re-scheduled to take place on 27<sup>th</sup> May 2015.

**46 LEADER'S ANNOUNCEMENTS**

The Leader of the Council announced :-

1. That, in the last two months, he had attended various important and high level meetings in London.
2. That he had recently attended an Astra Zeneca Task Force meeting; the taskforce having been set up to assure the future of the Alderley Park site. There were over 3,000 people in the Borough who worked for Astra Zeneca and he thanked the Chairman of the Task Force group for inviting him to attend the meeting.
3. That he had attended a number of meetings with Government, with the aim of acquiring additional funding for Cheshire East.
4. That, with regard to value for money, he considered that Cheshire East was financially strong, but there were challenges ahead for the Council. The formation of a new ASDV for planning services was due to be considered by Cabinet and he would also be confirming ASDVs for transport and energy.
5. That David Higgins, the Chairman of HS2, would be making his recommendations in respect of the route of HS2 on 27 October. This would be an important piece of work for the Council, whatever the outcome.
6. That he had attended a meeting of Middlewich Town Council in the previous week.
7. That, with regard to jobs and housing, the five year housing supply was the highest figure that the Council had ever put forward.

8. That the Council was in a strong position to bring many things forward and he outlined a number of proposed changes to the senior management structure.

#### 47 QUESTIONS

Members asked the following questions :-

Cllr Hardy, in respect of governance arrangements in Macclesfield – The Governance Portfolio Holder, Cllr Findlow, responded.

Cllr Merry, in respect of why there were such large number of road works in the Borough – The Service Commissioning Portfolio Holder, Cllr D Topping responded.

Cllr Jackson, in respect of the date for the next meeting of the Constitution Committee to consider future governance arrangements in Macclesfield – The Chairman of the Constitution Committee, Cllr A Martin responded.

Cllr Faseyi, in respect of what arrangements the Council had in place in respect of Ebola - The Care and Health in the Community Portfolio Holder, Cllr Clowes, responded.

Cllr Domleo, in respect of the Council's decision regarding Mount View Care Home - The Care and Health in the Community Portfolio Holder, Cllr Clowes, responded.

Cllr Whiteley, in respect of the removal of defective street lights - The Service Commissioning Portfolio Holder, Cllr D Topping responded.

Cllr Hoyland in respect of the Council's standards for adopting and fostering – The Safeguarding Children and Adults Portfolio Holder, Cllr Rachel Bailey, responded.

Cllr Mcgrory, in respect of reviewing the Council's policy relating to the storage of disability scooters, following a recent incident where a scooter had exploded - The Care and Health in the Community Portfolio Holder, Cllr Clowes, responded.

Cllr A Moran, in respect of the arrangements for the forthcoming elections – The Leader of the Council, Cllr M Jones, responded.

Cllr Gardiner, in respect of missed bin collections - The Service Commissioning Portfolio Holder, Cllr D Topping responded.

Cllr Rhoda Bailey, in respect of HS2 – The Leader of the Council, Cllr M Jones, responded.

Cllr Hough, in respect of the affect of planning decisions relating to geothermal energy on Alsager - The Leader of the Council, Cllr M Jones, responded.

Cllr Barratt, in respect of how much had been spent on the Local Plan to date how many houses would be built due to lost appeals - The Leader of the Council, Cllr M Jones, responded.

Cllr Corcoran, in respect of changes to the planning website – The Housing and Jobs Portfolio Holder, Cllr Stockton, responded.

Cllr Hough, in respect of refusal by the Commonwealth Graves Commission for permission to erect a plaque for the war dead at Macclesfield cemetery - The Leader of the Council, Cllr M Jones, responded.



Cllr Hunter, in respect of HS2 - The Leader of the Council, Cllr M Jones, responded.

The meeting commenced at 2.00 pm and concluded at 4.20 pm

Councillor W Fitzgerald (Chairman)  
CHAIRMAN

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**COUNCIL – 11 DECEMBER 2014****NOTICES OF MOTION****Submitted to Council in Accordance with Procedure Rule 12****1      Location of Strategic Planning Board meeting.**

**Proposed by Councillor David Brickhill and seconded by Councillor Arthur Moran**

In the light of the Chairman's decision to hold a Strategic Planning Board meeting in Macclesfield when all the items of the agenda (bar one in Ollerton) were in the south of the Borough, it is clear that the previous decision of Council is not being observed by him. Therefore his discretion in this matter is withdrawn. The location of the meeting in Crewe or Macclesfield shall be decided only on the basis of whether the majority of the agenda items are in the south or north of the Borough, as this was clearly the intention of council especially to avoid residents having to travel long distances e.g. Wrenbury to Macclesfield.

**2      Heyes Lane Allotments**

**Proposed by Councillor S Corcoran**

This Council commits that it will not agree to vary the lease with Alderley Edge Parish Council for the Heyes Lane site to allow any use other than allotments, unless the Secretary of State exercises any powers that he might have to require a variation of the lease.

**3      Local Plan**

**Proposed by Councillor D Newton and seconded by Councillor S Corcoran**

This Council notes

- 1) the recent comments of Steven Pratt on the Cheshire East Local Plan; and
- 2) the appeal recovery criteria that enable a decision on any appeal that involves a potential conflict with an emerging (or recently made) neighbourhood plan to be taken by Ministers

And resolves to write to Edward Timpson MP, Fiona Bruce MP, David Rutley MP, George Osborne MP and Stephen O'Brien MP asking them to call

- a) for any appeal that involves a potential conflict with an emerging (or recently made) neighbourhood plan in Cheshire East to be recovered and taken by Ministers; and
- b) for emerging Local Plans to be afforded greater weight at planning appeals.

#### **4      Sandbach Neighbourhood Plan**

##### **Proposed by Councillor S Corcoran**

This Council welcomes the strong community involvement in and the cross party support for the Sandbach Neighbourhood Plan and regrets the comments of the Leader of the Council about the Sandbach Neighbourhood Plan on the Sunday Politics Show on 30 November.

#### **5      Corporate Tax Avoidance**

##### **Proposed by Councillor S Hogben**

Nationally, nearly half of local authority funding comes from central government – financed from general taxation which includes corporation tax. This makes corporate tax avoidance an issue directly relevant to the provision of local government services, as well as to the provision of public services around the world.

This Council calls upon the UK government to listen to the strength of public feeling and act to end the injustice of tax avoidance by large multinational companies, in developing countries and the UK.

While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services.

#### **6      UNISON'S Ethical Care Charter**

##### **Proposed by Councillor D Flude and seconded by Councillor L Jeuda**

That the Council consider signing up to UNISON's Charter, and becoming an Ethical Care Council; and that Cheshire East Borough Council pledge to commission care only from providers who:

- Give workers the freedom to provide appropriate care and be given the time to talk to their clients.
- Allocate clients the same homecare worker(s) wherever possible.
- Do not use zero hour contracts.
- Pay the Living Wage.
- Match the time allocated to visits to the particular needs of the client. In general, 15-minute visits will not be used as they undermine the dignity of the clients.
- Pay homecare workers for their travel time, their travel costs and other necessary expenses such as mobile phone use.

- Schedule visits so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.

**7 Open and Transparent on Lyme Green DIP Report**

**Proposed by Councillor S Corcoran and seconded by Councillor K Edwards**

This Council commits to being open and transparent and welcomes the comments of Judge Fiona Henderson in the information tribunal on the Lyme Green DIP report.

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# CHESHIRE EAST COUNCIL

## Cabinet

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**Date of Meeting:** 9<sup>th</sup> December 2014  
**Report of:** Chief Operating Officer  
**Subject/Title:** Council Tax Base 2015/16  
**Portfolio Holder:** Councillor P Raynes, Finance

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### 1.0 Report Summary

- 1.1 Cheshire East Council is the third largest council in the Northwest of England, responsible for over 500 services, supporting over 370,000 local people. Annual spending is more than £750m, with a balanced net budget for 2014/15 of £253.8m. The complexity of customer demands and the size of the organisation make it very important to manage performance and control expenditure to ensure the best outcomes for residents and businesses.
- 1.2 The sustainability of the Council's financial position is enhanced as, unlike many local authorities, 66% of the Council's net revenue funding is raised locally through Council Tax. The Council continues to protect local residents through freezing Council Tax levels and ensuring that everyone who is eligible to pay does so. This report sets out the tax base calculation for recommendation from Cabinet to Council.
- 1.3 The calculation sets out the estimates of new homes less the expected level of discounts and the level of Council Tax Support. This results in a band D equivalent tax base position for each Town and Parish Council. This is attached to the report at **Appendix A**.
- 1.4 In November 2014 the Council reported its mid-year review of performance demonstrating how the Council is continuing to build on the final outturn position for 2013/14 by reflecting a manageable forecast overspend of £1.1m or 0.4% of net budget. This was the lowest figure ever reported for the Council at the mid-year stage of the financial year and confirmed that the Council's reserves strategy remains effective.
- 1.5 The overall financial health, performance, resilience and value for money at Cheshire East Council is strong despite taking £50m out of its cost base from 2011/12, and freezing Council Tax for the fourth consecutive year. The 2013/14 outturn position was recently signed off by the Council's external auditors, without qualification, and savings are consistently achieved through efficiency, removing duplication of effort, making reductions in management costs, and planned programmes of asset disposals. The approach continues to protect funding provided to front line services.
- 1.6 The tax base reflects growth of 0.9% on the 2014/15 position highlighting the positive changes locally in terms of additional new homes, more properties brought back into use and reduced Council Tax Support payments. Over the last 5 years the taxbase (excluding the impact of CTS) has increased by 4.8%.

## **2.0 Recommendation**

- 2.1 That Cabinet, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, recommends to Council, the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2015/16 as 138,764.49 for the whole area.
- 2.2 That Cabinet agree that the Council Tax Support Scheme is unchanged for 2015/16 other than revising allowances to reflect the uprating in the Housing Benefit rules.
- 2.3 That Cabinet notes the Council Tax Support Scheme will be reviewed during 2015/16.

## **3.0 Reason for Recommendation**

- 3.1 In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 Cheshire East Council is required to agree its tax base before 31 January 2015.

## **4.0 Wards Affected**

- 4.1 All

## **5.0 Local Ward Members**

- 5.1 All

## **6.0 Policy Implications**

- 6.1 None

## **7.0 Implications for Rural Communities**

- 7.1 None

## **8.0 Financial Implications**

- 8.1 The calculation of the tax base provides an estimate that contributes to the calculation of overall funding for Cheshire East Council in each financial year.
- 8.2 The replacement of Council Tax Benefit with Council Tax Support has the effect of reducing the tax base, as reductions under this scheme are provided as a discount to Council Tax liability.

## **9.0 Legal Implications**

- 9.1 In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended and Chapter 4 of the Council's Constitution, the calculation of the Council Tax Base is a matter for full Council following a recommendation by Cabinet.



## **10.0 Risk Management**

- 10.1 Confirmation of the Council Tax Base for 2015/16 ensures that the statutory requirement to set the Tax Base is met.
- 10.2 Estimates contained within the Council Tax Base calculation, such as the loss on collection and caseload for Council Tax Support, will be monitored throughout the year. Any significant variation will be reflected in a surplus or deficit being declared in the Collection Fund which is then shared amongst the major precepting authorities.

## **11.0 Background and Options**

- 11.1 Cheshire East Council is required to approve its tax base before 31<sup>st</sup> January 2015 so that the information can be provided to the Police and Crime Commissioner and Cheshire Fire Authority for their budget processes. Details for each parish area are set out in **Appendix A**.
- 11.2 The tax base for the area is the estimated number of chargeable dwellings expressed as a number of Band D equivalents adjusted for an estimated number of discounts, exemptions and appeals plus an allowance for non-collection. A reduction of 1.25% is included in the tax base calculation to allow for anticipated levels of non-collection.
- 11.3 Recently collection rates of 99% have been achieved over two years, but changes to Council Tax discounts, specifically the introduction of Council Tax Support, are having an impact on this indicator. Nationally councils are seeing small reductions in collection rates, so the anticipated level of non-collection at Cheshire East has been maintained at 1.25%. Processes to collect Council Tax locally continue to be effective and will be reviewed throughout the year should collection performance deteriorate.
- 11.4 The tax base has been calculated in accordance with the Council's policy to offer no reduction for empty properties. However discretionary reductions will continue to be allowed, for landlords, under Section 13A of the Local Government Finance Act 1992 for periods of up to 8 weeks between tenancies. This is no change from 2014/15.
- 11.5 Analysis of recent trends in new homes, and homes being brought back in to use, suggest an increase of 950 homes is likely in 2015/16. The impact from this growth, which is affected by when properties may be available for occupation and the appropriate council tax banding, is factored in to the tax base calculation.
- 11.6 The tax base also reflects assumptions around Council Tax Support payments. The Cheshire East Council Tax Support Scheme (CTS) was introduced in 2013/14 and was uprated for 2014/15 to reflect total expected payments of £19.1m. This was based on anticipated payments of £17.7m plus an allowance for risk at £1.35m (7.5%) as at February 2014. The risks included uncertainty over the economy, the potential for a major employer to leave the area (with no alternative employment available) and lack of experience of operating the new scheme.
- 11.7 At the end of September 2014 the forecast level of payments for the current financial year is expected to be £16.8m. However, it is not yet clear if this is a permanent improvement.

- 11.8 Therefore, for the third year of the CTS scheme it is appropriate to adjust the level of payments built into the tax base calculation. At December 2014 the tax base has been amended to acknowledge the original payment forecast of £17.7m plus a 33% reduction in the risk factor to £0.9m (5%) to give a CTS position of £18.6m.
- 11.9 The ongoing level of risk reflects a number of possible influences on the scheme such as:
- Continuing challenges over the medium term economic position with no growth in business rates currently being factored into our financial plans
  - The risk of a major employer leaving the area.
  - The risk of delay in the significant development projects delaying employment opportunities.
  - The prospect of a greater number of residents becoming of pensionable age and potentially becoming eligible for CTS.
- 11.10 The Council is also looking ahead to the funding gap for 2016/17 which is currently forecast at £15.4m in the [Council's Pre-Budget Report 2015/16](#). This gap will be addressed through various measures including continuing growth in the tax base. Therefore, if actual CTS payments for 2014/15 and the 2015/16 mid-year position continue to reflect reduced demand, the 2016/17 tax base can be further increased to reflect a reduced CTS position (subject to any further risk analysis).

## **12.0 Access to Information**

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

Name:	Peter Bates
Designation:	Chief Operating Officer
Tel No:	01270 686013
Email:	<a href="mailto:peter.bates@cheshireeast.gov.uk">peter.bates@cheshireeast.gov.uk</a>

## APPENDIX A

## COUNCIL TAX - TAXBASE 2015/16

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 98.75%
Acton	120.77	119.26
Adlington	602.85	595.31
Agden	69.12	68.26
Alderley Edge	2,618.43	2,585.70
Alpraham	181.10	178.84
Alsager	4,309.19	4,255.33
Arclid	115.60	114.16
Ashley	154.89	152.95
Aston by Budworth	181.26	178.99
Aston-juxta-Mondrum	90.11	88.99
Audlem	886.82	875.73
Austerson	45.66	45.09
Baddiley	125.46	123.89
Baddington	56.04	55.34
Barthomley	94.07	92.90
Basford	90.19	89.06
Batherton	23.23	22.94
Betchton	255.58	252.39
Bickerton	122.65	121.12
Blakenhall	70.66	69.78
Bollington	2,991.89	2,954.49
Bosley	197.05	194.59
Bradwall	84.85	83.79
Brereton	566.46	559.38
Bridgemere	68.71	67.85
Brindley	69.89	69.02
Broomhall	88.81	87.70
Buerton	214.68	212.00
Bulkeley	121.42	119.90
Bunbury	626.22	618.39
Burland	279.78	276.28
Calveley	131.66	130.02
Checkley-cum-Wrinehill	44.57	44.01
Chelford	616.07	608.37
Cholmondeley	75.22	74.28
Cholmondeston	75.15	74.21
Chorley	255.05	251.87
Chorley (Crewe)	58.13	57.40
Chorlton	509.03	502.67
Church Lawton	855.61	844.91
Church Minshull	201.20	198.69
Congleton	9,615.63	9,495.44
Coole Pilate	26.65	26.32
Cranage	628.88	621.02
Crewe	12,771.91	12,612.26
Crewe Green	97.20	95.98
Disley	1,923.55	1,899.50
Dodcott-cum-Wilkesley	201.70	199.17
Doddington	20.10	19.85
Eaton	221.93	219.16
Edleston	36.95	36.49
Egerton	37.19	36.73
Faddiley	73.98	73.05
Gawsworth	813.37	803.21
Goostrey	1,061.82	1,048.55
Great Warford	459.74	453.99
Handforth	2,216.11	2,188.41
Hankelow	129.07	127.46
Haslington	2,363.12	2,333.58
Hassall	107.79	106.44
Hatherton	178.50	176.27
Haughton	99.69	98.44
Henbury	334.34	330.16
Henhull	26.20	25.87
High Legh	889.50	878.38
Higher Hurdsfield	323.85	319.80
Holmes Chapel	2,464.03	2,433.23
Hough	339.68	335.44
Hulme Walfield & Somerford Booths	159.37	157.38
Hunsterson	80.17	79.17
Hurleston	32.14	31.74

## COUNCIL TAX - TAXBASE 2015/16

CHESHIRE EAST	BAND D EQUIVALENTS	TAX BASE 98.75%
Kettleshulme	166.67	164.59
Knutsford	5,702.30	5,631.02
Lea	23.90	23.60
Leighton	1,648.88	1,628.27
Little Bollington	85.00	83.94
Little Warford	38.97	38.48
Lower Peover	73.08	72.16
Lower Withington	305.97	302.15
Lyme Handley	67.05	66.22
Macclesfield	17,675.02	17,454.08
Macclesfield Forest/Wildboarclough	106.82	105.48
Marbury-cum-Quoisley	119.41	117.92
Marton	108.65	107.29
Mere	434.82	429.39
Middlewich	4,550.17	4,493.29
Millington	101.71	100.44
Minshull Vernon	117.55	116.09
Mobberley	1,435.05	1,417.11
Moston	208.44	205.84
Mottram St Andrew	405.91	400.84
Nantwich	5,108.08	5,044.22
Nether Alderley	367.77	363.18
Newbold Astbury-cum-Moretton	346.64	342.31
Newhall	386.42	381.59
Norbury	101.81	100.54
North Rode	120.02	118.52
Odd Rode	1,957.07	1,932.61
Ollerton with Marthall	312.98	309.07
Over Alderley	213.39	210.72
Peckforton	69.56	68.69
Peover Superior	384.01	379.21
Pickmere	362.04	357.52
Plumley with Toft and Bexton	395.70	390.76
Poole	70.29	69.41
Pott Shrigley	148.44	146.59
Poynton with Worth	5,800.04	5,727.54
Prestbury	2,155.34	2,128.40
Rainow	593.13	585.72
Ridley	64.12	63.32
Rope	810.51	800.38
Rostherne	81.33	80.32
Sandbach	6,752.10	6,667.70
Shavington-cum-Gresty	1,614.74	1,594.56
Siddington	180.84	178.58
Smallwood	319.80	315.80
Snelson	81.01	80.00
Somerford	240.54	237.54
Sound	103.89	102.59
Spurstow	189.15	186.79
Stapeley	1,422.90	1,405.11
Stoke	108.91	107.55
Styal	370.76	366.13
Sutton	1,138.87	1,124.64
Swettenham	165.99	163.91
Tabley	202.84	200.30
Tatton	10.08	9.95
Twemlow	109.05	107.69
Walgerton	67.03	66.19
Wardle	52.51	51.85
Warmingham	117.14	115.68
Weston	921.55	910.03
Wettenhall	121.29	119.77
Willaston	1,275.71	1,259.76
Wilmslow	11,122.06	10,983.03
Wincle	94.92	93.73
Wirswall	42.08	41.56
Wistaston	2,994.46	2,957.03
Woolstanwood	244.51	241.46
Worleston	108.78	107.42
Wrenbury	444.22	438.66
Wybunbury	599.86	592.36
	<b>140,521.00</b>	<b>138,764.49</b>

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**COUNCIL MEETING – 11<sup>TH</sup> DECEMBER 2014****Extract from the Minutes of the Constitution Committee Meeting on 19<sup>th</sup> November 2014****47 MACCLESFIELD COMMUNITY GOVERNANCE REVIEW**

The Committee considered a report setting out the next steps of the Macclesfield community governance review. The report outlined the practical considerations, should a draft recommendation be made by the Committee to full Council, to establish a Parish Council for Macclesfield.

The Committee had before it the minutes of the meeting of the Community Governance Review Sub-Committee on 7<sup>th</sup> October 2014. The Sub-Committee had undertaken public consultation in June/July over the options of parishing or an enhanced local service delivery committee. The report to the Sub-Committee on the outcome of the consultation, including copies of the written representations received during the consultation period, was appended to the report to the Committee. In considering the outcome of the consultation, the Sub-Committee had agreed to consult the Macclesfield Local Service Delivery Committee informally with a view to that Committee's views being reported direct to the Constitution Committee.

The Macclesfield Local Service Delivery Committee had met on 12<sup>th</sup> November 2014 and its minutes were circulated at the Constitution Committee's meeting. The Local Service Delivery Committee, having considered the outcome of the consultation exercise and the representations received, had asked the Constitution Committee to recommend to Council that a single parish council be created for the whole of the unparished area of Macclesfield with elections to the parish council taking place on 7<sup>th</sup> May 2015. The Committee had made further recommendations regarding warding arrangements and the number of parish councillors.

Copies of further written representations from the Macclesfield Civic Society and the Macclesfield Labour Party, which had been received after the close of the formal consultation period, were circulated at the Constitution Committee's meeting.

The officers outlined the next steps to be taken in the event that a recommendation was made to Council, including the requirements for the setting up of a parish council, the detailed arrangements as regards the Reorganisation Order, and the timetable for elections. Further details were set out in the report.

**RESOLVED**

That

1. having taken into account the representations received, and the views of the Macclesfield Local Service Delivery Committee, the Constitution

Committee recommends to Council that a single parish council be created for the whole of the unparished area of Macclesfield in accordance with the following:

- i) that a new parish be constituted for the unparished area of Macclesfield;
- ii) that the name of the new parish shall be the Parish of Macclesfield;
- iii) that the parish shall have a parish council named Macclesfield Parish Council;
- iv) that the parish council shall not have an alternative style (defined as Neighbourhood, Community or Village), but the Parish Council be advised to consider its designation as a Town Council;
- v) that the parish shall be divided into 7 wards, the boundaries of such wards to be co-terminous with the current Borough ward boundaries ( but excluding Polling District 4BFR which is already parished); and shall have the same number of Councillors as for the Borough wards as follows:

Broken Cross and Upton - 2 Councillors

Macclesfield Central - 2 Councillors

Macclesfield East - 1 Councillor

Macclesfield Hurdsfield - 1 Councillor

Macclesfield South - 2 Councillors  
(excluding polling district 4BFR)

Macclesfield Tytherington - 2 Councillors

Macclesfield West and Ivy - 2 Councillors

- vi) that elections of all parish councillors for the Parish of Macclesfield be held on 7 May 2015; and
- vii) that the term of office of every parish councillor elected on 7 May 2015 for the Parish of Macclesfield shall be four years, and thereafter coincide with the ordinary day of election of parish councillors every four years.

2. Council be asked to grant delegated powers to the Constitution Committee to finally determine the outcome of the Community Governance Review,

including all necessary powers to make the Reorganisation Order, and to decide all matters referred to in paragraph 10.5 of the officers' report; and

3. the Community Governance Review Sub-Committee continue to assist the Constitution Committee in respect of the working of the Community Governance Review as and when needed and particularly with reference to paragraph 10.8 of the report.

Note: Councillor B Murphy, who was both the Chairman of the Macclesfield Local Service Delivery Committee and a member of the Constitution Committee, had been unable to attend the Constitution Committee's meeting. Councillor K Edwards, as Vice-Chairman of the Local Service Delivery Committee, presented the Committee's minutes in Councillor Murphy's absence.

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# CHESHIRE EAST COUNCIL

## Constitution Committee

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**Date of Meeting:** 19<sup>th</sup> November 2014  
**Report of:** Head of Governance and Democratic Services  
**Subject/Title:** Macclesfield Community Governance Review

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### 1.0 Report Summary

- 1.1 Attached to this report is the report submitted to the Community Governance Review Sub-Committee on 7 October 2014, and the minutes of that meeting.
- 1.2 In accordance with the decision of the Sub-Committee, a meeting of the Macclesfield Local Service Delivery Committee has been scheduled to take place on 12 November, and the informal views of that Committee will be sought and reported at the meeting.
- 1.3 This report
  - 1.3.1 asks the Committee to determine the next steps of the review; and
  - 1.3.2 sets out the practical considerations, should a draft recommendation be made by the Committee to full Council, to establish a Parish Council for Macclesfield.

### 2.0 Recommendations

- 2.1 Taking into account the feedback from the consultation, to determine the next steps of the Review.
- 2.2 Should the Committee's recommendation be to proceed with the establishment of a parish council for Macclesfield, then the Committee's recommendation to Council should include:
  - a) What new parish or parishes (if any) should be constituted;
  - b) The name of the new parish;
  - c) Whether the parish should have a parish council;
  - d) Whether or not the parish council should have an alternative style (e.g. community, neighbourhood, village – which enables the parish council to be called by this name – but which would preclude the parish deciding to call itself a town council in the future);
  - e) What electoral arrangements should apply – (e.g. number of councillors and warding arrangements);

**f)** That Council grant delegated powers (to the Constitution Committee) to finally determine the outcome of the Community Governance Review, including all necessary powers to make the Reorganisation Order, and to decide all of those matters referred to in paragraph 10.5 of this report; and

**g)** That the Community Governance Review Sub-Committee continue to assist the Constitution Committee in respect of the working of the Community Governance Review as and when needed and particularly with reference to paragraph 10.8 of this report.

### **3.0 Reasons for Recommendations**

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

### **4.0 Wards Affected**

4.1 Wards covering the unparished area of Macclesfield

### **5.0 Local Ward Members**

5.1 As above.

### **6.0 Policy Implications**

6.1 None identified.

### **7.0 Financial Implications**

7.1 As per the attached report to the Community Governance Review Sub-Committee on 7 October 2014.

### **8.0 Legal Implications**

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

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

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

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

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

- The consultation must be at a time when proposals are still at a formative stage.
- Consultation documents must give sufficient reasons for any proposal to enable intelligent consideration and response.
- Adequate time must be given for consideration and response.
- The product of consultation must be conscientiously taken into account in finalising any proposals

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

## **9.0 Risk Management**

9.1 As per the attached report to the Community Governance Review Sub-Committee on 7 October 2014.

## **10.0 Background and Options**

### **10.1 Legal Duties**

The Local Government and Public Involvement in Health Act 2007 places duties upon the Council with regard to the next stages of the Community Governance Review as follows:

- a) The Council must make recommendations;
- b) The recommendations must be published;
- c) The Council must take sufficient steps to ensure that persons interested are informed of those recommendations;
- d) The final decision must be published.

### **10.2 The Next Steps**

Following the consultation exercise, the Committee must now decide how the Community Governance Review should proceed. In order to do this, the product of the consultation exercise must be fully considered (see attached report to the Community Governance Review Sub-Committee on 7 October 2014). Whilst various options are open to the Committee, in terms of its recommendations, this report provides details of the steps which would be required to be taken should the Council decide to create a parish council for Macclesfield.

**10.3 If the Council decides to create a Parish Council for Macclesfield, the “recommendations” must include:**

- e) What new parish or parishes (if any) should be constituted;
- f) The name of the new parish;
- g) Whether the parish should have a parish council;
- h) Whether or not the parish council should have an alternative style (e.g. community, neighbourhood, village – this would enable the parish council to be called by this name – but would preclude the parish deciding to call itself a town council in the future).
- i) What electoral arrangements should apply – (e.g. number of councillors and warding arrangements).

**10.4 The Final Decision**

Having published / informed interested persons of the Council’s draft recommendations, the Council must then decide to what extent to give effect to the recommendations. The final decision is then made and published, and the Secretary of State and Electoral Commission informed.

**10.5 The Reorganisation Order**

A Reorganisation Order is required to bring the arrangements into effect. This is a sealed legal document. A Reorganisation Order comes into effect on 1 April in any year that it is made and includes:

- a) The date of effect – i.e. 1 April 2015;
- b) The date of the first elections and elections thereafter;
- c) The term of office of the Councillors;
- d) A map of the area;
- e) The name of the parish (which cannot be called a “Town” at this stage);
- f) The wards of the parish – and the Councillors to be elected for each ward;
- g) Provision for the annual meeting to be convened;
- h) The calculation of budget requirement for the first year;
- i) The transfer of property, rights and liabilities

**10.6 Options for the number of Parish Councillors**

In reaching a decision on the number of Councillors, the Council needs to ensure electoral equality. The best way to achieve this is to use the existing Borough Wards and ward boundaries. The following suggests the way in which this could be done:

Broken Cross and Upton	- 2 Borough Members	(6932 electors)
Macclesfield Central	- 2 Borough Members	(6529 electors)
Macclesfield East	- 1 Borough Member	(3582 electors)
Macclesfield Hurdsfield	- 1 Borough Member	(3487 electors)
Macclesfield South	- 2 Borough Members	(5891 electors)
Macclesfield Tytherington	- 2 Borough Members	(7149 electors)
Macclesfield West and Ivy	- 2 Borough Members	(6355 electors)

By using the Borough wards as the building blocks for a parish council, one option would be for the parish council to comprise the above wards with a total of 12 Members. An alternative option would be to multiply the number of members for each of the wards by two giving a total of 24 members.

### **10.7 Arrangements for Elections**

A date for the election of parish councillors would need to be included in the Reorganisation Order. If a decision is made for elections to be held on 7 May 2015, then the term of office for all councillors would be 4 years; and elections for all seats will then be held on the ordinary date for parish elections every four years thereafter;

Should a date later than 7 May 2015 be determined, then the term of office of the parish councillors would be curtailed to co-incide with the ordinary day of election in four year's time.

If elections were held on 7 May 2015, the cost of the elections would be absorbed by Cheshire East Council. If elections were held at later date, then the budget provision for the first year of operation (which must be specified in the Reorganisation Order) would need to be calculated to reflect this cost.

### **10.8 Practical Considerations for the decision making process**

- The Council is required to agree the draft recommendations and then the final decision (which is a function of the full council, unless delegated powers are given) ;
- Decisions are needed by the Committee to determine the detail to be included in the draft recommendation (as outlined in paragraph 10.2 above)
- To bring the Reorganisation Order into effect on 1 April 2015 – the final decision needs to be made by the end of February to co-incide with the budget setting process. There is a scheduled Council meeting on 26 February 2015. Alternatively the full council could determine to grant

delegated powers for the final decision to be made by the Constitution Committee.

- Further work will be urgently required by the Community Governance Review Sub-Committee, to recommend assets to be transferred, and to determine the budget requirement for the first year of operation (both of which must be detailed in the Reorganisation Order).

### 10.9 Draft Timetable

A suggested timescale (to accommodate a Reorganisation Order being made on 1 April 2015) and which would enable elections to be held on 7 May 2015 is set out below:

Meeting	Date	Decision Required / Action
Constitution Committee	19 November 2014	<p>To make a recommendation to Council, which includes:</p> <p>a) What new parish should be constituted;</p> <p>b) The name of the new parish;</p> <p>c) Whether the parish should have a parish council;</p> <p>d) Whether or not the parish council should have an alternative style (e.g. community, neighbourhood, village – which enables the parish council to be called by this name – but precludes the parish deciding to call itself a town council in the future).</p> <p>e) What electoral arrangements should apply – (e.g. number of councillors and warding arrangements).</p>

Meeting	Date	Decision Required / Action
Council	11 December 2014	Council makes recommendation (as legally defined) and delegates power to the Constitution Committee in respect of the final decision
	December / January 2015	Legal requirement fulfilled to publish the recommendation and to notify those with an interest in the review
	December / January 2015	Work proceeds (via the Community Governance Review Sub-Committee) – to recommend assets to be transferred, and to determine the budget requirement for the first year of operation (both of which must be detailed in the Reorganisation Order).
	Early February 2015	Draft Reorganisation Order prepared
Council / Constitution Committee	26 February 2015	Final Decision Made (Or delegated authority given by Council to the Constitution Committee for the final decision to be made)  Detail of Reorganisation Order agreed
	End February 2015	Decision Published and Secretary of State & Electoral Commission informed  Order sealed by Head of Legal Services and Borough Solicitor
	1 April 2015	Order takes effect
	7 May 2015	Elections held

### 11.0 Access to Information

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

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Designation: Registration Service and Business Manager

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## **CHESHIRE EAST COUNCIL**

### **Community Governance Review Sub Committee**

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

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#### **1.0 Report Summary**

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

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

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

## **2.0 Recommendation**

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

### **3.0 Reasons for Recommendations**

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

### **4.0 Wards Affected**

- 4.1 Wards covering the unparished area of Macclesfield.

### **5.0 Local Ward Members**

- 5.1 As Above.

### **6.0 Policy Implications**

- 6.1 None identified.

### **7.0 Financial Implications**

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

### **7.0 Legal Implications**

- 7.1 The Local Government and Public Involvement in Health Act 2007 ('the Act') devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities.
- 7.2 The Act provides for a principal council (in this case, Cheshire East Council) to carry out a community governance review at any time, as well as providing for certain circumstances in which a review must be carried out. The Act further allows principal councils to determine the terms of reference of a community governance review.
- 7.3 The Act requires consultation with local government electors in the area under review and others whom appear to the principal council to have an interest in the review.
- 7.4 Statutory Guidance is available on community governance reviews and must be followed by principal councils.
- 7.5 Consultation has been undertaken in respect of this proposal. The general principles that must be followed when consulting are well established:
- The consultation must be at a time when proposals are still at a formative stage.
  - Consultation documents must give sufficient reasons for any proposal to enable intelligent consideration and response.

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

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

## **8.0 Risk Management**

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

## **9.0 Background and Options**

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

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

*and*

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

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

- The impact of community governance arrangements on community cohesion
- The size, population and boundaries of a local community Parishes should reflect distinctive and recognisable communities of interest with their own sense of identity
- The degree to which the proposals offer a sense of place and identity for all residents
- The ability to deliver quality services economically and efficiently providing users with a democratic voice
- The degree to which proposals would be viable in terms of a unit of local government providing at least some local services that are convenient, easy to reach and accessible to local people.

## **10.0 Access to Information**

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

Name: Mrs Lindsey Parton

Designation: Registration Service and Business Manager

Tel No: 01270 686477

Email: [lindsey.parton@cheshireeast.gov.uk](mailto:lindsey.parton@cheshireeast.gov.uk)

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Ward Name	Total Number of electors	Total Number Voting	Total % voting
Broken Cross and Upton	6,932	1156	16.68%
Central	6,529	853	13.06%
East	3,582	594	16.58%
Hurdsfield	3,487	478	13.71%
South	5,891	848	14.39%
Tytherington	7,149	1473	20.60%
West and Ivy	6,355	1046	16.46%
Total	39,925	6448	16.15%

Number Voted for LSD	% Voted for LSD
320	4.62%
185	2.83%
93	2.60%
94	2.70%
194	3.29%
329	4.60%
234	3.68%
1449	3.63%

Number Voted for Parishing	% Voted for Parishing
821	11.84%
658	10.08%
492	13.74%
376	10.78%
634	10.76%
1122	15.69%
804	12.65%
4907	12.29%

Number Voting for Town Council	% Voting for Town Council
578	8.34%
490	7.50%
380	10.61%
208	5.97%
503	8.54%
664	9.29%
606	9.54%
3429	8.59%

Number Voting for Parish by Ward	% Voting for Parish by Ward
243	3.51%
168	2.57%
112	3.13%
168	4.82%
131	2.22%
458	6.41%
198	3.12%
1478	3.70%

Number of Invalids (including Spoils)	% Invalids (including Spoils)
15	0.22%
10	0.15%
9	0.25%
8	0.23%
20	0.34%
22	0.31%
8	0.13%
92	0.23%

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# MACCLESFIELD COMMUNITY GOVERNANCE REVIEW      Appendix B

## STAGE 2 CONSULTATION RESPONSES

	Name	Comments on Options	No Change/ Maintain Status Quo	Single Town Council	Parish by Ward	Enhanced Local Service Delivery Committee
1	Andrew Wilson			✓		
2	John Knight			✓		
3	Peter Mannion	No view expressed				
4	Chris Differing		✓			
5	Tim Andrew		✓			
6	Richard Gamwell		✓			
7	Robert Hanson	Should seek to save costs				
8	David Hamer	No view expressed				
9	Liz Braithwaite	No view expressed				
10	Liz Braithwaite	No view expressed				
11	Liz Braithwaite	Complaint				
12	Liz Braithwaite	No View expressed				
13	Margaret Stone	General comments				
14	David Woolliscroft	Would support Town Council option as second preference but not an ELSDC			✓	
15	Jonathan Wilkinson		✓			
16	Peter Nash			✓		
17	Harry Hodkinson		✓			
18	John Goodsall		✓			

	Name	Comments on Options	No Change/ Maintain Status Quo	Single Town Council	Parish by Ward	Enhanced Local Service Delivery Committee
19	Chris Foster		✓			
20	Ray Perry			✓		
21	Laura Jones	Supports a Town Council including "greater Macclesfield" e.g. Sutton / Langleigh etc		✓		
22	Graham Childs			✓		
23	Macclesfield Civic Society			✓		
24	Rita Ledger		✓			
25	David Wood	General comments				
26	Louise Congdon	Opposes the creation of parish councils				
27	Richard Watson			✓		
28	Carol Bowers	Outcome should achieve efficient services				
29	B Dennerly		✓			
30	S Walmsley		✓			
31	D Collorick		✓			
32	Calvin Beck	Macclesfield would benefit from Parishing			Parishing supported (Note: No hard copy attached)	✓
33	Denis Ridyard					
34	Letter to D Rutley MP from John Perkins		✓			
35	Letter to D Rutley MP from Malcolm Wright		✓			

**Summary of 35 Responses received:**

No Change/ Maintain Status Quo	-	13
Single Town Council	-	8
Parish by Ward	-	1
Parishing Supported	-	1
Creation of Parishes opposed	-	1
Enhanced LSDC	-	1
No view expressed on Options	-	10



**PARTON, Lindsey**

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**From:** Andrew Wilson  
**Sent:** 20 May 2014 21:30  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield Governance

I look forward to your proposals and urge you to recommend "Parishing" with a single town council to cover the unparished area. Not only will this make us consistent with the rest of the county, it is undoubtedly what the vast majority of people want. "Surely it's obvious" they say.

yours  
Andrew Wilson, Macclesfield

**PARTON, Lindsey**

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**From:** John Knight  
**Sent:** 23 June 2014 10:45  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Re: Macclesfield Community Governance Review

*Sorry - I omitted my address earlier;*

A Town Council for Macclesfield or a parish council for each ward?

Macclesfield is a recognised community - an ancient Cheshire borough, in fact. Residents by and large identify with the town itself, rather than with a local district - in fact, many areas of the town are not known by any name other than "Macclesfield".

While the town has a clear identity, with a recognised boundary, the same can not be said of its component wards. While Hurdsfield ward may largely correspond to a clearly-identified community, Tytherington ward includes large areas on the other side of the River Bollin, Broken Cross & Upton and West & Ivy each encompass at least two very disparate communities, while the rest (Central, South and East) are merely geographical divisions of the town itself.

Furthermore, wards change whenever a boundary review is needed to make allowances for shifting populations. So ward-based parishes would need to be reformed with every boundary review, which could mean some drastic changes if all the new housebuilding envisioned in the Local Plan goes ahead.

The town of Macclesfield needs a voice, which it has not had since 1974 (councillors from the town comprised only a minority on Macclesfield Borough Council, which also included Bollington, Poynton, Prestbury, Wilmslow & Knutsford, as well as many smaller communities). Matters such as town centre development and preserving the green belt concern the town as a whole.

The argument that smaller parish councils would mean a smaller precept (additional Council Tax) does not hold water; across Cheshire East, there is no correlation between population & precept. Crewe (with 36,000 electors) charges £28.86 and Wilmslow (19,088) charges £21.45, while Nantwich (11,453) charges a whopping £89.74, and Alderley Edge charges each of its 3693 electors £46.27.

Alternatively, Cheshire East Council is offering Macclesfield a "Enhanced Service Delivery Committee". When every other community in the borough has an elected local council to make decisions locally, and to represent them on important matters such as planning applications and highways, why should Macclesfield settle for less? Is our town not worthy of democracy? Could it be that Cheshire East Conservatives are worried that - like Crewe - Macclesfield may not give their party a majority?

John Knight  
 Convenor, Cheshire East Green Party  
 20 Fountain Street, Macclesfield SK10 1JN

**PARTON, Lindsey**

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**From:** peter mannion  
**Sent:** 07 July 2014 13:40  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** parish councils

I have just received a voting slip re the above. I once rang the town hall saying I would like to stand for mayor, oh only current councillors can stand i was told. Well would not the parish council just be the same people as are already councillors. why not say you can only sit on ONE council. and the Macclesfield Mayor can be one of the people of Macc not a councillor who might be from crewe.

Pete Mannion.

**PARTON, Lindsey**

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**From:** chris differing  
**Sent:** 07 July 2014 13:50  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** MACCLESFIELD COMMUNITY GOVERNANCE REVIEW

196 Oxford Road  
Macclesfield  
01625 43340

7th July 2014

Dear Sir/Madam,  
RE : MACCLESFIELD COMMUNITY GOVERNANCE REVIEW

Whilst a fragmented (more parish councils) might, on the face of it, give more detailed representation to the various 'pockets' of Macclesfield, I would not be in favour of such a proposal.

1. Having lived in France for 12 years, it was apparent that the many 'communes' were constantly fighting for representation, and funding, resulting in, largely, in-fighting and subsequent inaction...
2. In light of 1. (above) the financial implications may not justify the generosity of the offer.
3. Macclesfield is hardly Greater London, so fragmenting feedback to Cheshire East Council would, in my opinion, only serve 'NIMBY' interests...and, not least, too many individual opinions/preferences at odds with mainstream views.

Please continue to maintain an overall, generalised, pragmatic view on Council matters, and reject any proposals for change for change's sake.

By the same token, you are to be congratulated on the current general appearance and integrated operations within Macclesfield as a whole; which also seems to negate the need for a single Parish Council to be introduced.

In light of all the above - please maintain the status quo.

Yours faithfully,

Chris Differing.



**PARTON, Lindsey**

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**From:** Tim Andrew  
**Sent:** 07 July 2014 17:45  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield Community Governance Review

Dear Sirs,

I have today received and returned my voting form for the Macclesfield Community Governance Review. I did so with a complete lack of enthusiasm, as none of the three options reflected my wishes. This is sadly typical of the state of democracy in Britain at a local and national level: we are offered a limited range of options, none of which seem at all likely to address satisfactorily our main concerns. This has, in turn, led to the sense of detachment from the political process that is reflected in very low polling figures in local and national elections.

The three options offered in your Review will each cost more than current arrangements, but none will provide significantly increased local democracy in the most important areas. For me, as for many in Macclesfield, the major areas of concern are planning, traffic congestion and dangerously neglected roads, and the decline of the town centre. It is difficult to believe that any of the options in the Review would have significant impact in these areas: instead, we would be left at the mercy of Cheshire East, which has so far signally failed to impress.

Yours faithfully,

Timothy Andrew

278, Peter Street,  
Macclesfield, SK11 8EX

**PARTON, Lindsey**

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**From:** Richard Gamwell  
**Sent:** 07 July 2014 21:09  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield Community Governance Review - Voting paper for electors

Hi there!

Where's the "NO" or "NO CHANGE" vote option(s)??

As it is there is no choice, we get unwanted extra governance, in one form or other, at extra cost.

As I see it, if we do not vote it will not be counted, if we mark the paper No - it will not be counted - not very democratic.

Seems like only a few years ago we had a Borough of Macclesfield which was disbanded to form part of Cheshire East - based on this being the answer to all our local authority governance requirements and big was cost effective!

Why does an "existing" Macclesfield Local Service Delivery Committee need more money for the so called "enhanced" list of functions it "could" deliver - if it's not doing these now, what is it doing?

Or is this a cover for an increase in council tax by the back door to side step national government rules on council tax increases?

Looks like your out to wangle about a 5% council tax increase for no benefit to the locals.

You need to be reducing council tax not increasing it!

In your VOTE NOW! leaflet you ask three key questions:

It's NO, NO, NO, in my opinion, but no opportunity to say so!!!

What a waste - it all goes in the bin - contents of which presently get collected fortnightly - but for how much longer?

Regards.

**PARTON, Lindsey**

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**From:** R Hanson  
**Sent:** 08 July 2014 17:29  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield Community Review

Sirs,

I have read with some interest the pamphlet on the above topic and would ask you to be a little clearer on the question of cost:

Under the two options put forward you advise of possible costs to residents of £5.52, £89.74, £25 or £19 plus £1.42 per year dependent of where the service was being performed and which of the two options was chosen.

What you do not clarify is the multiple of these sums. Is the charge per PTC, per household or per individual in the community?

As a retired qualified accountant with wide practical experience in the private sector both here and overseas I recommend that rather than entertaining schemes which will impose a greater financial burden on the ratepayer you should seek to save costs.

I await your reply.

Robert Hanson 01625 615691

Sent from my iPad

**PARTON, Lindsey**

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**From:** PARTON, Lindsey  
**Sent:** 09 July 2014 10:38  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** FW: Vote Now! ...What?

**From:** David Hamer  
**Sent:** 08 July 2014 13:40  
**To:** PARTON, Lindsey  
**Subject:** Vote Now! ...What?

I spoke with one of your helpdesk operators this morning.

I was working at a client's house in Macclesfield yesterday, she showed me the mailing that she had had through and asked me if I knew anything about it? I scan read it and said no. She read it, said she couldn't make head nor tail of it, and put it to one side.

This morning I got the same mailing. I sat down, read it and came to a similar conclusion.

Can you advise me what previous presentation of information there has been on the subject of governance review, directly as an elector or otherwise in the press.

I am bemused that I should receive a complex leaflet with in some cases detailed information and jargon and in some areas vague 'arguments' without being aware of the governance issue previously.

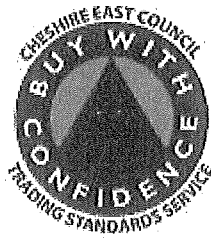
Kind regards,

David Hamer  
Managing Director  
LNE Electrical and Plumbing Ltd

NAPIT Certified  
Heat pump design and installation

<http://www.lneservices.co.uk>

tel 01625 261122 | mob 0788 1786278



**PARTON, Lindsey**

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**From:** PARTON, Lindsey  
**Sent:** 09 July 2014 10:38  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** FW: CHALC meetings

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**From:** )  
**Sent:** 08 July 2014 19:24  
**To:** PARTON, Lindsey  
**Subject:** CHALC meetings

Hi Lindsey,

Councillor Jackson advised me, when I contacted her about the Macclesfield Governance review, that there are open meetings on Wednesday 16th run by CHALC. I can't find any reference to these meetings on the Cheshire East website as of 19:00 on July 8th 2014, could you please advise as to where it is located? Also, given the short timescale before 'Stage 2 consultation' ends, could you give some prominence to these meetings, preferably on the 'Home' page but at the very least on the 'Consultation' page where the info about the faux vote is displayed.

Could you also treat this as feedback for the purposes of the review.

Regards, Liz Braithwaite 3 Drummers Keep SK11 8HH

**PARTON, Lindsey**

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**From:** [redacted]  
**Sent:** 09 July 2014 15:55  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Cc:** JACKSON, Janet (Councillor)  
**Subject:** Lack of information on open meetings for Local Governance

I wish to register three issues with the CHALC meetings that are to be held as part of Stage 2 consultation process for the Macclesfield Local Governance review.

1. There is no reference to the open meetings to be run by CHALC on July 16th on the Cheshire East website. This is not acceptable.
2. Of even more concern is that the desk staff at the council office do not have this information (I went in this morning)
3. The timing of the meetings is after the 'ballot' papers have been sent out, when all information/questions should be available before this in order that people can make an informed choice. I accept that the meetings are mentioned in today's Macc Express, again this is well after people have received 'ballot' papers, as I have said in previous feedback the paper has a relatively low circulation.

I will provide further feedback after the MiM meeting on Friday.

Regards, Liz Braithwaite (3 Drummers Keep SK11 8HH)

RECEIVED

18 JUL 2014

**Customer Feedback Form**

Name: LIZ BRAITHWAITE

Address: 3 DRUMMERS KEEP  
BARRACKS SQUARE  
MACCLESFIELD SK11 8HH

Telephone Number:

Email Address:

Subject: LOCAL GOVERNANCE REVIEW

Is this a: ☐ Compliment ☐ Suggestion ☒ Complaint (Tick box)

Please give details of your compliment, suggestion or complaint:

CEL HAS NOT PUBLISHED DETAILS OF THE OPEN MEETINGS TO BE HELD ON JULY 16TH 2014 AS PART OF THE STAGE 2 CONSULTATION ON THE WEBSITE, NOR HAS IT PROVIDED MACCLESFIELD TOWN HALL STAFF (FRONT DESK) WITH THIS INFORMATION. THIS IS CONTRARY TO THE AIM OF ENCOURAGING FEEDBACK.

(CONTINUED ON SEPARATE SHEET)

How would you prefer to be contacted in relation to this matter:

☐ Telephone ☐ Email ☒ In writing (Tick box)Have you contacted the Council before on this matter: ☒ Yes ☒ No (Tick box)Signature: *L Braithwaite*

Date: 16/7/2014

## CUSTOMER COMPLAINT (CONTINUED)

Although the details have been published in the Macclesfield Express this is not an efficient or accurate way of communicating with those directly affected by the review. I.E. The Macclesfield Express has a weekly circulation of @10,000 (official figures from the abc Regional Publications circulation certificate)

The stated target area for sales extends beyond the areas directly affected by the review e.g. Bollington, Poynton, Prestbury etc. etc.

Using CEC's figures on electors per ward I estimate that the number of electors in the Macclesfield Express target area is

@ 71,400 (@ 31,000 of whom are outside the review area).

Therefore the chances of an elector buying a Macclesfield Express are  $< 1$  in 7, with no way of knowing whether they live in ~~an~~ the area affected by the review.

I have raised this also by reviewing the <sup>community governance</sup> web page and had an email dated 10th July 2014 stating that the Web Team (Nikebi) would contact Lindsey (Panton) to ask for the information so that they could add it to the website. As of today this hasn't happened. I ~~also~~ also telephoned CHALC on Friday 11th July to ask why the meetings were not publicised on the CEC website, they were also going to contact CEC. There is nothing on CHALC's own website on this issue either.

The only time I have heard the meetings publicised was at the Mill business breakfast, again a small, untargeted audience.

In summary I feel that this is an unacceptable way to run a consultation, at best it is shoddy and at worst a deliberate attempt to withhold information.

I will be providing feedback on the review separately, this issue is about the open meetings.

Signed - E. A. Braithwaite 16th July 2014



**PARTON, Lindsey**

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**From:**  
**Sent:** 22 July 2014 23:12  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Feedback on Macclesfield Community Governance Review  
**Attachments:** Feedback for Stage 2 Macclesfield Community Governance Review.docx

Please find attached feedback on the latest stage of the review. I also wish my complaint dated 16/7/2014, deposited at Macclesfield Town Hall, to be included as feedback.

Regards, Liz Braithwaite (3 Drummers Keep SK11 8HH)



Views on Stage 2 of the Macclesfield Community Governance Review.

From Liz Braithwaite 3 Drummers Keep Macclesfield SK11 8HH.

Please note that I have provided some email feedback already. I have also registered a complaint in writing, dated 16/7/2014 on a Customer Feedback Form, on the lack of publicity surrounding the CHALC open meetings and the failure of the review team to put the details on CEC's website despite requests from myself and CHALC. I wish this complaint to be included as feedback to the consultation.

Some of the views require an answer please.

So, where to start? I guess with the voting paper that to all intents and purposes looked like a vote on the final outcome. The accompanying literature did not mention anywhere that it was part of Stage 2 of the consultation. The summary of 'main differences between a Single Parish/Town council and 7 smaller parish councils' is biased in the extreme, particularly the last section on precepts that states that those of us living in the Town centre may effectively subsidise other areas. In my view this is an attempt to influence the outcome without concrete information to back up the statements made. In fact the whole leaflet is littered with 'it is likely', 'may', 'would most likely', 'could', 'potential to be able'. How can anyone make an informed decision on this basis?

Re. Option 2, the leaflet description of the role of the LSDC does not match that on CEC's website i.e.

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).

Saying that you can enhance a committee that has only met once this year and has no further meetings scheduled is disingenuous. Also, as it cannot have assets transferred to it where will they be transferred to? (ref. the option on advising on preparatory measures for the devolution and transfer of assets). Minutes from the 26 Nov 2013 meeting show that unless the terms of reference for an ELSDC are guaranteed then being a council consultee on planning is impossible:

**"30 PUBLIC SPEAKING TIME/OPEN SESSION**

The Head of Governance and Democratic Services reported to the meeting that he had been informed of the intention of a member of the public to address the Committee upon concerns relating to the Local Plan.

In anticipation of this, he advised the Committee, and members of the public present at the meeting, that the terms of reference of the Committee did not permit it to formally deal with Local Plan matters.

He further advised that, whilst members of the public may have attended the meeting in anticipation of being able to speak about Local Plan issues, and whilst the Committee might be interested to hear what they might have to say, such

representations would not be formally recorded, nor would they be regarded as being submitted or made as part of the Local Plan process.”

Without any terms of reference for an ELSDC it is impossible to make an informed decision.

The voting papers arrived before any publicity and well before the aforementioned CHALC open meetings. The timing of the open meetings was at the request of CEC, according to the CHALC presenter. The lack of publicity (even the Town Hall staff knew nothing about them) is not conducive to an effective consultation and could be viewed as an attempt to discourage participation. Compare this to the presentation that CEC officers gave to the Make it Macclesfield business breakfast, where the attendees were given a less than complete version of Stage 1 of the consultation, and were positively encouraged to give feedback. Given that CEC has a relationship with MiM I question whether this is ethical?

The voting paper itself was confusing, you ignored previous feedback on how to simplify it into a single question vote.

I

**PARTON, Lindsey**

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**From:** Margaret Stone  
**Sent:** 13 July 2014 11:21  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Review 2014

Hello

I have lived in Macclesfield for two years only so am still a newcomer but I am interested in what happens here.

In my view there are two main issues, 1 cars and parking and 2 street cleaning, bins etc.

I really approve of the double yellow lines on Prestbury Road near the Crematorium as there was always a blockage there and the traffic now flows freely but the whole issue of parking needs to be addressed especially with so much on road parking. The terrace house is a good unit but has the draw back of parking. In Abram, Wigan, they have "lost" a couple of houses in a row and created off road parking for residents and limited visitor access and it works really well. I realise that this may not be possible but does show some lateral thinking.

Parking for the town's employees needs to be considered and kept away from residential streets eg. the streets around the MADS theatre where there is adequate space at weekends for residents so the week time chaos must be working people parking there.

The Macclesfield system of waste management is really good and the recycling levels are high and something to be proud of, but the sight of rows of bins on the pavement is not. It is difficult to get pushchairs or wheelchairs past these bins, it can mean going out onto the road. Along with the bins is the issue of street cleaning, leaf clearing and hedge cutting, all important for pedestrian safety and the look of the place.

If these issues could be addressed it would make Macclesfield an even more attractive place to live.

Thank you

Margaret Stone (Mrs)  
14 Barracks Square  
SK11 8HF

**PARTON, Lindsey**

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**From:** David Woolliscroft ]  
**Sent:** 13 July 2014 14:29  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Parishing Macclesfield

I have reviewed your options for a second tier of local government. Whilst voting for small parish council (Broken Cross/Upton) I would be content with a single Macclesfield wide Council. What is entirely inappropriate is a sub-set of CEC - unelected, unaccountable and unacceptable.

Since the behemoth of CEC was formed, tiny villages have had second tier representation – Henbury, Marton, North Rode etc and yet the large population of Macclesfield has had to rely on remote, elected representative who are largely far too busy on important CEC things to pay real attention to local issues in Macc.

It really isn't rocket science and I have always been surprised that there has been little visible effort to introduce a Macc Town Council – no doubt somebody has been busy but the overall effect has not been very visible.

Of course there is a cost – but there are central requirements (such as insurance) which really should be carried centrally – there is surely no need for parish councils to carry expensive insurance cover; admin costs could be kept to a minimum by using a volunteer clerk – too much of the cost of a parish council is the clerk salary;

Over to you

David Woolliscroft  
116 Prestbury Road  
Macclesfield  
SK10 3BN

01625 420142

**PARTON, Lindsey**

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**From:** JONATHAN WILKINSON  
**Sent:** 14 July 2014 15:58  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield Community Governance Review

Dear Sir,

I have recently received a voting paper in connection with the above but as the only options provided involve spending more taxpayers' money I am unable to vote. To allow for a democratic choice the Council should have given me the chance to vote for the status quo.

When the merger of Macclesfield with other authorities to form Cheshire East was "sold" to residents it was to be more cost effective without loss of democracy. Why should ratepayers now have to contribute upwards of £25 per year to be properly represented when I have a Councillor who should already be doing that?

Then there is the proposal that Macclesfield should pay for services that principally benefit Macclesfield Town residents. Again, the formation of Cheshire East was supposed to be about pooling of resources and at the time any suggestions that any part of the Council area would receive a different level of service were strongly refuted. What has changed?

All in all this appears to me to be a way for the Council to increase Council Tax by stealth whilst claiming that the "headline" payment has not changed.

Please accept this as my vote for "none of the above".

Yours faithfully,  
Jonathan Wilkinson

**PARTON, Lindsey**

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**From:** Peter Nash  
**Sent:** 21 July 2014 18:25  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Community Governance Review - Macclesfield

Sir

Having read your leaflet "Do you want more say in Macclesfield?" and having given the matter much thought I have come to the conclusion that Macclesfield should have a Town Council.

The enhanced local service delivery committee (ELSDC) might have more powers than the existing local service delivery committee (LSDC) but these are unspecified and I am told that although a cross-party group of LSDC members did propose some terms of reference and more powers for such a body a while ago, the proposal they tabled was rejected by Cheshire East Council's Governance Committee. This option is therefore shrouded in doubt. Aside from this uncertainty, CEBC would remain legally responsible for any acts or omissions committed by an enhanced LSDC and good governance would dictate that it retained close oversight and a potential veto, resulting in more costly and more bureaucratic administration. There would also inevitably be times when the ELSDC might propose a particular course of action which would not find favour with CEBC given the latter's wider brief for the whole Borough and its need to programme its activities for the greater good of the whole Borough. I further understand that the LSDC has not met for over six months, suggesting that it is currently an ineffective body.

The proposal for 7 parishes in Macclesfield makes no sense at all given the homogeneous nature of the town and the fact that many of the facilities/services which might be provided locally are only situated in one of the 7 wards - and particularly Macclesfield Central which includes the town centre. Aside from the additional expense of having to employ 7 parish clerks, it would be necessary for the Parish Councils to continually meet together to discuss what should happen to, and who should fund, any given initiative or service. This is a recipe for delay, inefficiency and potential conflict. The number of councillors needed would also be excessive under this option. Nor is it clear whether there would be one Mayor or seven (or indeed 1 Mayor for Macclesfield Central and 6 Chairmen for the other parishes).

So far as I can judge, there would be a cost to the residents, whichever option is taken - since Macclesfield gains currently at the expense of the rest of Cheshire East which is parished. The 7 parish option is likely to be most expensive given its duplicated administration and the ELSDC option would appear to be the next most expensive, given it will be dependent on (and have to pay for) the Cheshire East procurement regime. Further, for the reasons stated above, the ELSDC would have to be carefully monitored by CEBC and this duplication will inevitably both create cost and implementation delay. A properly and efficiently run Town Council on the other hand should be able to act in the most cost effective manner - and should it not do so, then its electors can replace it through the ballot box if they so chose.

A Town Council therefore appears to be the best, most democratic and most efficient option. It would be a body with which all Macclesfield residents could identify and it could act on behalf of the whole town in those matters for which it had responsibility. It would also be able to express clear views on behalf of the whole town to Cheshire East Borough Council and other agencies which might have responsibilities for matters or services which might directly affect the town. In short, one Town Council would enable the



town to act with one voice and channel its energies into those matters which the town's residents regard to be a priority.

I hope my views can be added to those which are being expressed in this consultation.

--

Regards

Peter Nash

T/F: 01625 612564

M: 0758 369 2889

**PARTON, Lindsey**

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**From:** Harry Hodkinson  
**Sent:** 23 July 2014 00:17  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Re: Vote options for Governance review

The Only 2 options available will cost the rate payers extra money at a time when this can be ill afforded.

There should have been an option offering no change. We already pay for one council in Crewe, there is no justification for raising a levy on the ratepayers for an additional layer of local government. Sums suggested are not backed up by any facts, they are examples that bear no relevance as to what will eventually happen. This is not offering options

The options offered are unfair to Macclesfield rate payers, your options are pay for this one or pay for that one, how can this be right?

Harry Hodkinson

On Tuesday, 22 July 2014, 12:45, COMMUNITY GOVERNANCE REVIEW  
<[CommunityGovernance@cheshireeast.gov.uk](mailto:CommunityGovernance@cheshireeast.gov.uk)> wrote:

Dear Mr Hodkinson

I will be able to accept an email from you expressing your views.

It would be helpful if you could explain why you do not agree with the options on the ballot paper, and to explain what alternative you would prefer.

Kind Regards  
Lindsey

**Lindsey Parton**  
**Registration Service and Business Manager**

**Cheshire East Council**  
Governance and Democratic Services / Ground Floor (Westfields)  
C/O Municipal Buildings  
Earle Street  
CREWE  
CW1 2BJ

Email: [lindsey.parton@cheshireeast.gov.uk](mailto:lindsey.parton@cheshireeast.gov.uk)  
Tel : 01270 686477

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**From:** Harry Hodkinson  
**Sent:** 21 July 2014 14:49  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Vote options for Governance review

**PARTON, Lindsey**

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**From:** GRAHAM, Gemma  
**Sent:** 23 July 2014 08:51  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Customer Query

Hi,



I received a call from someone on the elections line on Monday at 17:00 asking about the community governance voting form. He was reluctant to send an e-mail, so I said I would send one for him. I have been unable to send this e-mail till now as I was annual leave yesterday. The customer wanted to know that if he wants to 'keep the status quo' and not spend any more money, not make any change to the current system, which box on the voting form does he have to tick?

Can you please reply to him on his e-mail address: [johnngoodsall@gmail.com](mailto:johnngoodsall@gmail.com)

Many Thanks,

**Gemma Graham**  
Customer Service Advisor

Customer Services | Cheshire East Council  
Macclesfield Town Hall | Cheshire | SK10 1EA

 [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)  
 [Essential Telephone Numbers](#)



CERTIFIED MEMBER 2013

I don't agree with either option 1 or option 2, how do I indicate this on the voting form? Your help will be appreciated

Harry Hodkinson

\*\*\*\*\*  
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**PARTON, Lindsey**

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**From:** Chris Foster  
**Sent:** 24 July 2014 17:17  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Re: Macclesfield local governance - response to consultation

Dear Ms. Parton,

Thank you for the additional information, and for your prompt reply. As far as this consultation exercise is concerned, I would make the following comments to the Council:

- 1 - It seems to be poor practice to represent a consultation exercise as an election, as the "voting paper" circulated in Macclesfield does.
- 2 - It also seems to be poor practice to identify 3 options as preferred over all others on the basis of a preliminary consultation which elicited responses from some 60 - 70 respondents, as was apparently done in this case. Not only is it impossible to believe that such a group could constitute a representative sample of Macclesfield residents, it could conceivably not extend beyond the Council's own employees.
- 3- On the substantive issue of what structure should be put in place, I would prefer for there to be no change at all. In general, local government in the UK is pretty much a misnomer for local administration, because local authorities do little other than administer central government policy within a remit that allows very little scope for interpretation and none for local policy-making. In that circumstance, there is no case for multiple tiers of authorities to be created, especially given that these inevitably introduce additional costs into the system; Cheshire East's presentation of 3 options each involving extra charges for Macclesfield citizens underlines the inevitability of such additional costs arising. In other words, having created a unitary authority in Cheshire East, there is no benefit to be gained in the current system of UK governance from creating any lower tier of formal entities, whether named an "extended committee" or a town council, that would justify the cost associated with their administration, so I am opposed to any such development.

Kind regards,  
C.J.Foster,  
387 Park Lane,  
Macclesfield,  
Cheshire

On 17/07/2014 17:18, COMMUNITY GOVERNANCE REVIEW wrote:

Dear Mr Foster

Thank you for your email.

The consultation is open to anyone to submit their views. This does not need to be restricted to the three options. I think in point 1 of your email, this would in effect be a case for maintaining the status quo/ no change. The information provided tries to portray the possibility that even if the status quo is maintained, that in the future a Special Expense Levy could be raised – this would be charged to, and be for, services provided solely for the benefit of Macclesfield residents. However, no decision to this effect has been taken at this stage.

If you would like to submit a view which is different to the options set out on the voting paper, you can do this by email (or by letter if you prefer) – and I will ensure that your views are put forward to the Council for consideration. It would add weight to your representations if you could explain the reasons for your views.

I have attached a leaflet which you might find of interest, which explains in the appendices what statutory powers are available to parish councils, and gives some examples of the functions undertaken by some parish councils locally. Although all of these powers are available (under various Statutes) – it does vary greater from parish council to parish council as to what services they choose to deliver in practice. This is why the costs passed onto residents, as a Parish Council Tax, also vary considerably.

I hope this information is of help, but please get in touch if you require more details.

Kind Regards  
Lindsey

Lindsey Parton  
Registration Service and Business Manager

### **Cheshire East Council**

Governance and Democratic Services / Ground Floor (Westfields)  
C/O Municipal Buildings  
Earle Street  
CREWE  
CW1 2BJ

Email: [lindsey.parton@cheshireeast.gov.uk](mailto:lindsey.parton@cheshireeast.gov.uk)  
Tel : 01270 686477

---

**From:** Chris Foster  
**Sent:** 16 July 2014 21:51  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield local governance

Dear Sir/Madam,

I received the leaflet publicising the consultation about Macclesfield governance.  
Please can you clarify some points for me:

1 - If the current arrangement - which may involve a dedicated committee for the town but does not involve a charge beyond the Charter Trustees charge - is legal, why is it not being offered as an option?

2 - If this is no more than a consultation, is Cheshire East within its rights to restrict respondents to 3 options only? As I understand it these 3 are in any case derived from the opinions of some 100 citizens, hardly a substantial sample. How do we submit different views?

3 - The leaflet is careful to state what powers a Town/Parish Council would not have. Exactly what powers, apart from owning assets, would it have were it to come into being? In other words, what could it DO in practice, apart from lobbying Cheshire East?

Thank you in advance for your guidance,

C.J.Foster,  
387 Park Lane,

### Do you want more say in Macclesfield?

I have read the latest publication using the above title. I believe that devolving services from the Cheshire East Council to the most appropriate Macclesfield local government is the right thing to do. I know that what is currently in place for Macclesfield is a group of Charter Trustees and a Local Service Delivery Committee. I do not believe this is right for Macclesfield. Macclesfield is a town and therefore should – indeed, must have a town council. All other towns in the Cheshire East area have town councils. All villages have parish councils. Disgracefully Macclesfield has no elected local government. Macclesfield has councillors elected specifically to serve on the Cheshire East Borough Council. We also have an imposed Local Service Delivery Committee made up of Cheshire East – Macclesfield councillors. This committee was unknown to us until about a year ago thus we, the electors, thought we were just governed by Cheshire East Council for all things!

**The Enhanced Macclesfield Local Service Delivery Committee:** The basic committee exists but enhancement has not been described. I believe this committee was created in 2009. I attended one of its meetings earlier this year as an observer from the public. Nothing was achieved, one councillor left early in disgust and two councillors said they did not know why they were present. Several years down the line this situation, to put it mildly, is DISTURBING! The Local Service Delivery Committee has no legal powers and is thus toothless!

**Macclesfield Charter Trustees:** This is a ceremonial group, with no powers, thus hardly of use to the town. If a town council, representing the whole of the Macclesfield area, was put in place then the Chairman of this council would have the title of Mayor thus allowing for continuity.

**Splitting the town into 7 small parishes:** This would be a nightmare! Why do it? More councillors overall will be required and common interests for the whole town would mean **more** meetings involving representatives from each **parish/ward** council.

**Town council:** This is the only sensible and fair solution. At nearly 40,000 electors make it the largest town in the Cheshire East area. All other towns, although smaller, have town councils, which seem to have been running smoothly for years. Take Macclesfield's neighbouring town of Congleton, with nearly 22,000 electors. They recently issued the Congleton Town Council report for the year 2013. It's very impressive and shows quite clearly what a town council can do. Mayoral duties are performed successfully through this council. I believe it to be a blueprint for the Macclesfield community.

Parish councils for villages do work but have been in existence for generations. One of Macclesfield's neighbouring villages, Gawsorth, has had a civil parish council since **1866!**

Why should Macclesfield Town suffer from inferior solutions? In the past there was a borough council embracing the town and outlying villages. O.K., those days have gone but there is no reason why Macclesfield should not run its own affairs. If there is a precept, I do NOT think this will put electors off the idea of a town council. Examples of precepts given in the latest documents are rather similar BUT these town councils exist and seem to run smoothly.

**And so to sum up:** Macclesfield Town should have a town council. Nothing else will work in the best interests of its residents. Having a town council will make it similar to other Cheshire East town councils. It is a mystery to Macclesfield Town residents why discussions as to its governance future has only been done in the last 12 months. Other towns and indeed village parish councils have been operating efficiently and successfully for years. Election of a town council will be both DEMOCRATIC & very efficient, if Congleton is anything to go by!

Ray J Perry

31 Thirlmere, Macclesfield, SK11 7XY

24<sup>th</sup> July 2014

**PARTON, Lindsey**

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**From:** laura donington  
**Sent:** 25 July 2014 13:13  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** re governance of Macclesfield

I wish to vote for a single town council to cover Macclesfield, including 'greater Macclesfield'.

Laura Jones  
6 Clarke Lane  
Langley  
Macclesfield  
SK11 0NE



**PARTON, Lindsey**

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**From:** laura donington  
**Sent:** 25 July 2014 15:57  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Re: voting for governance of Macclesfield

Thank you very much for your reply. I guess my feeling is that the whole area of greater Macclesfield needs a stronger voice in its own future. There is a lot of political apathy, and from the responses I have got when I have asked people, it is at least partly because people don't feel they have a voice that will be heard. 'What's the point. They will do what they want, whatever.'

I have sent an email stating my preference.

Many thanks

Laura Jones

On 25 Jul 2014, at 15:23, COMMUNITY GOVERNANCE REVIEW wrote:

> Dear Ms Jones  
>  
> Thank you for your email and for taking the time to respond with your views.  
>  
> The review being undertaken covers the currently unparished area of Macclesfield and there is a statutory requirement for local government electors in the area under review to be consulted. This is reason why a voting paper, seeking the views from electors in the unparished area, has been sent out.  
>  
> Having said that, the consultation itself is open to anyone with an interest in the review to make representations and these will be considered along side any voting papers returned.  
>  
> I will present your views to the Council and these will be taken into account in formulating a draft outcome for the review.  
>  
> Kind Regards  
> Lindsey  
>  
>  
> Lindsey Parton  
> Registration Service and Business Manager  
>  
> Cheshire East Council  
> Governance and Democratic Services / Ground Floor (Westfields) C/O  
> Municipal Buildings Earle Street CREWE  
> CW1 2BJ  
>  
> Email: [lindsey.parton@cheshireeast.gov.uk](mailto:lindsey.parton@cheshireeast.gov.uk)  
> Tel : 01270 686477  
>  
>  
>  
>  
> -----Original Message-----  
> From: laura donington  
> Sent: 25 July 2014 13:14  
> To: COMMUNITY GOVERNANCE REVIEW

> Subject: voting for governance of Macclesfield

>

> Dear Cheshire East Council and Elections Office

>

> I want to complain about what seems to be a serious error in the way you have handled your consultation about Macclesfield Community Governance. In fact I can't quite believe what I have been told, which is that since I live in Langley, I am already in a Parish, and therefore my views are not being sought.

>

> If this is true then you are pre-empting the outcome of the consultation by assuming the result will be based on existing Parishes and ward boundaries. If there were to be a preference for a whole town governance structure (a Town Council) presumably its remit would cover the wider Macclesfield town area including villages such as Langley and Sutton and their parish councils. We should therefore be included in any consultation. Certainly there are many of us who live in these parts of greater Macclesfield who have a view about the need for greater powers and say for Macclesfield as an entity, especially given the way that planning decisions can be made with little or no reference to the community of Macclesfield\*\*.

>

> I would appreciate an explanation as to why we haven't been included in the consultation if this is actually true.

>

> Yours sincerely

>

> Laura Jones

>

> 6 Clarke Lane

> Langley

> Macclesfield

> SK11 0NE

>

> \*\*(How many Macclesfield councillors are on the Planning Panel that  
> decided to go ahead with the decision to destroy the heart of  
> Macclesfield by giving permission for a hideous shopping mall which  
> will take the heart out of the town and probably be a white  
> elephant??)

>

>

> \*\*\*\*\*

> \*\*

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> \*\*\*\*\*

**PARTON, Lindsey**

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**From:** GRAHAM CHILDS  
**Sent:** 25 July 2014 17:43  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Community Governance review of Macclesfield

Dear Sir/Madam

I support the formation of a single Town Council for Macclesfield.

It is one of the occasions when Macclesfield should not be different from the rest; It should be like other towns in Cheshire East and have a Town Council.

The town Council would give us a better voice and ought to be more sensitive in running local services.

Thank you for consulting local residents ,

Graham Childs  
36 Lime Grove  
Macclesfield  
SK10 1LX



*Macclesfield Civic Society*  
*Working for a town to be proud of*

Keith Smith – 57 Orme Crescent – Tytherington – Macclesfield – SK10 2HU – 01625 424101

Ms Lindsey Parton, Registration Service and Business Manager

Governance and Democratic Services, Cheshire East Council.

Dear Ms Parton

**GOVERNANCE REVIEW FOR MACCLESFIELD**

Further to the recent consultation exercise and issue of ballot papers to Macclesfield residents I am writing with some further representations on behalf of the Civic Society.

Our position is clear in that we favour a single town council but acknowledge that others have a different point of view. Almost concurrently with the consultation exercise we sponsored and distributed a leaflet to the electors of Macclesfield outlining the advantages of a single town council. I enclose a copy of the leaflet for the information of the Constitution Committee though I am sure you have already obtained a copy.

One issue that has been downplayed is that of democratic equity. If all other parts of Cheshire East have a town or parish council why is it that Macclesfield may be denied the same on the grounds of (it is alleged by opponents) being an extra layer of bureaucracy – surely it is only giving to Macclesfield what applies elsewhere? With regard to the allegation that a town council would lead to additional expense and suffer from a lack of powers to influence events, surely only time will tell. It would be for the elected town council to decide how active it wished to be and what level of precept to levy in support of its aspirations. What cannot be denied is that it would have democratic legitimacy and access to extensive powers and opportunities. The allegation of unnecessary expense is not an absolute choice between a precept and no additional charges as the double taxation issue would mean, in the end, a special expenses levy for Macclesfield residents – the argument should therefore be seen as one about levels of charge and not absolute positions of charge or no charge.

Our concern over multiple perishing is that splitting the town into 7 parishes would mean that the whole would be considerably less than the sum of its parts. Residents of outlying parishes would in essence “free-ride” on the centre of the town in terms of using services and facilities yet would contribute little in terms of resources. For example a town centre parish might want to provide extensive Christmas decorations or events which would be enjoyed by all residents of the town yet primarily financed by a small number. Such an outcome would lack cohesion and inclusivity.

Set against this concern we do accept that whatever parish option is selected it would help address a democratic deficit and enable wider participation by the election of locally based councillors acting in the best interest of their respective parish (as is the case elsewhere in Cheshire East).

Although it cannot be insisted upon we consider that prospective parish/town councillors should not be selected from existing Cheshire East Members but rather from the general population. Elected Members of a parish/town and Cheshire East could be faced with dilemmas regarding issues and policies – where would their primary loyalty lie? The result could be unwelcome conflicts of interest.

*Macclesfield Civic Society*

*Working for a town to be proud of*

Keith Smith – 57 Orme Crescent – Tytherington – Macclesfield – SK10 2HU – 01625 424101

Turning to the alternative option of an enhanced Local Service Delivery Committee for Macclesfield [LSDC] we have listened to the discussion and examined the written material presented to the public. We remain unconvinced that this option offers any advantage over the current (unsatisfactory) situation in terms of democratic deficit quite apart from the legal and administrative uncertainties that could result from its adoption. The legal opinions given seem to indicate that this option would not allow provision of services or management of assets by the LSDC as it would remain a sub-committee of Cheshire East Council – in effect councillors could end up negotiating or arguing with themselves (wearing in effect two hats) by attempting to promote local interests against their primary loyalty to Cheshire East Council as a corporate body. Similarly the financial and resourcing issues remain sketchy – all we heard was a remark made, as an aside, that the special levy on Macclesfield residents would be bound to be less than any town council precept because all the fixed overheads would be borne by Cheshire East – really ? If this is such an advantage why does it not seem to apply elsewhere ? If the LSDC is such a good solution why has it not been brought forward earlier so it could be judged by its results ?

With best wishes I remain

Yours sincerely

*Keith Smith*

Chairman, Macclesfield Civic Society

23 July 2014

# What's this all about?

For the last 750 years, Macclesfield has had some form of local government based in the town, making local decisions for local people. That all changed in 2009 when Cheshire East was created.

We are proud of  
our town and  
we want it to be  
**better for everyone**

We believe we need one independent body which can make a difference in the town and speak up for Macclesfield's 52,000 residents.



# Your vote counts

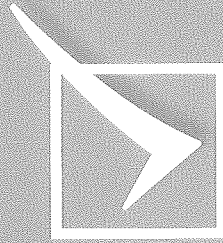
The decision as to whether or not Macclesfield should have a Town Council is now down to you and the town's other electors.

We hope you agree with the merits of having such a body, as highlighted in this leaflet, and that it is the best way to represent Macclesfield's local interests.

You should receive a ballot paper through the post.

Please find the time to cast your vote – even if you don't agree with us.

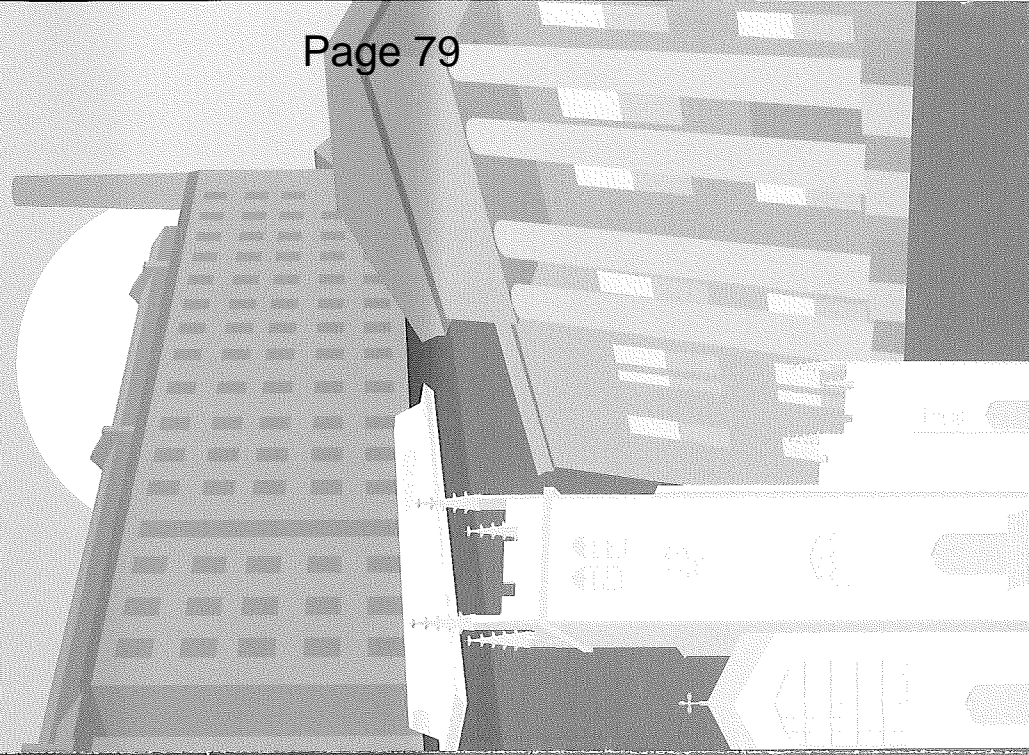
Vote  
**YES**



One Town Council  
for  
**MACCLESFIELD**

Designed, produced and printed in Macclesfield.  
[www.lovegraphics.com](http://www.lovegraphics.com) [www.sphere-uk.co.uk](http://www.sphere-uk.co.uk)

WHY WE NEED A  
**TOWN COUNCIL**  
IN MACCLESFIELD





# What would a Town Council do?

Town Councils can provide local services which are not otherwise provided by Cheshire East Council. They may include things like markets, local events, allotments, public toilets, tourist information, street cleaning and planters.

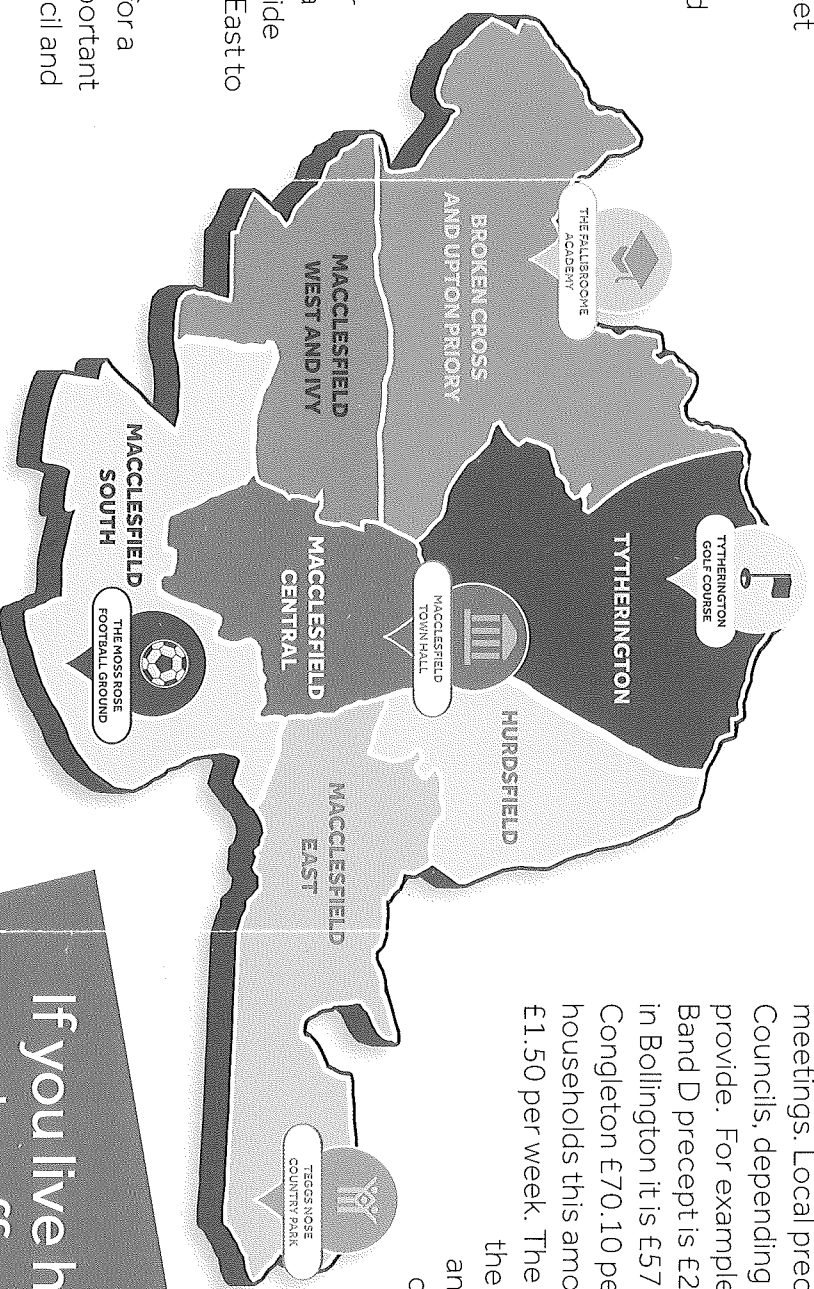
Many Town Councils elect a Mayor and some, like Bollington and Congleton, actively market their towns to attract tourists and boost local trade. Most also provide grants to local community groups to enable them to fulfil their objectives.

The successful Town Councils are those which work closely in Partnership with others including their business communities. The services a Macclesfield Town Council might provide would be a matter for it and Cheshire East to agree in due course.

Equally important, is the opportunity for a Town Council to voice its views on important local issues – and Cheshire East Council and others would have to listen to it.

**Example** Wilmslow Town Council has been able to persuade Cheshire East to make some important changes to its forthcoming Local Plan that will affect Wilmslow residents.

With a major town centre redevelopment to be implemented and important planning issues surrounding new housing, we believe that a Town Council for Macclesfield cannot come soon enough.



# And what will it cost?

Most Town Councils have between 12 and 16 councillors, elected by their residents. All the local Town Councillors in East Cheshire are unpaid and they don't receive any expenses for attending Council meetings. Local precepts vary between Councils, depending on the services they provide. For example, in Wilmslow the Band D precept is £21.45 per annum, in Bollington it is £57 per annum and in Congleton £70.10 per annum. For most households this amounts to less than £1.50 per week. The precepts are added to the annual Council Tax bill and paid with the other charges Cheshire East makes each year.

If you live here this vote affects you



**PARTON, Lindsey**

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**From:** e-mail r.ledgar2006  
**Sent:** 27 July 2014 11:08  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Macclesfield community governance review

Hi

I am far from well informed on this subject, but would like to ask how this review is different from the last one when Macclesfield Borough Council was painfully disbanded (for those staff who went through the process and feared for their jobs and livelihood) and became Cheshire East, is this not going to cost money to make yet further changes to how our services are provided? I thought it had been decided how this was best done.

Could the finance that this review will involve not go into supplying the community services without you all having to have new titles?

I hope this doesn't sound negative, but it sounds like it will involve a lot of work to change things and there are existing organisations in the community which work very well yet have no funding to enable them to continue, I would rather they were supported instead of a council review being funded.

Thank you

Rita Ledgar, resident in Macclesfield

**PARTON, Lindsey**

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**From:** [REDACTED]  
**Sent:** 27 July 2014 14:22  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** MACCLESFIELXD COMMUNITY GOVERNANCE REVIEW

Dear Sir/Madam,

My self and my partner have voted and sent our papers off hoping that the Second Class pre-paid envelopes reach the destination on time. We feel a little pesimistic about this so we hope there is some leeway in administrating the final count.

I wanted to tell you that several of our friends and neighbours (including several of us who have worked for local governments) have struggled to understand the wording of the explanatory leaflet that accompanied the voting paper.

I took the trouble to go into Macclesfield Library and get some copies of the fuller explanation and we did find this much more helpful. It does worry me that many people relying on the leaflet will remain rather confused about the options.

Yours sincerely,

David Wood  
29 Brynton Road,  
Macclesfield, SK10 3AF

Tel: 01625 429156

**PARTON, Lindsey**

---

**From:** Louise Congdon  
**Sent:** 27 July 2014 14:40  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Governance review

To who it may concern,

I oppose the creation of Parish Councils for Macclesfield.

Best Regards,

Louise Congdon  
8 Ripon Close  
Macclesfield  
SK10 2WQ

Sent from my iPad

CHESHIRE EAST BOROUGH COUNCIL  
MACCLESFIELD TOWN GOVERNANCE CONSULTATION

In addition to voting on the Governance options, which I have already done, I also wish to record my views about the options on the table at the present time.

I have now been to both presentations and committee meetings during the Cheshire East Council review of the arrangements for the governance of Macclesfield. I have also read the documentation you have produced with interest and visited the displays at the Visitor Information Centre. It is interesting to note the relative lack of coverage in the media re articles and letters. What however was striking were the views of those present in the audience. Quite a number of members of the public that I talked to at meetings were well informed about the issues. The impression I was left with was that many felt that the various views presented were enthusiastic, the word passionate was even used, but people seemed to be expecting a lead but not finding one. In fact they found the information supplied and the voting paper far from clear.

Of the three options the ward-based parish council choice has least to offer from my viewpoint. It should be remembered that the Boundary Commission in warding the Town would have tried to avoid boundaries which split communities. This does not mean of course that each ward comprises a single community. In fact several of the CEBC wards comprise areas of quite different character – one example being West and Ivy which includes the Weston estate and the quite different old Macclesfield Borough Council Ivy ward. These two areas have absolutely nothing in common with each other. Tytherington ward is another example including as it does the area around Westminster road and Coare Street, which feels like part of the Town centre rather than Tytherington.

Seven parish councils each with their own clerk represent both duplication and waste. Importantly Central ward could well finish up with higher precept because of the greater number of facilities it would have to support. Since the whole Town would use these facilities this would be quite inequitable.

The enhanced local service delivery committee has been described in most detail in the voting papers for no apparent reason, unless perhaps because it may be thought of as an unknown quantity. Certainly some strong claims have been made for this solution. I have however a number of concerns with the proposal. The committee would exist primarily to concern itself with the usual area-based statutory functions of Cheshire East Council as well as the additional role outlined in the voting paper. One can imagine difficulties for members trying to pursue issues outside this remit. Would the supporting officers feel their time was not being properly used and rule the issue out of order? It is difficult to see how for example an ELSDC could apply or assist others to apply for a lottery grant within the presently proposed remit. The lack of any direct control of local services and the additional workload falling on already busy councillors are frequently-voiced criticisms for which there does not seem to be a response, and the present LSDC hardly ever meets. More significantly there is no ability within the ELSDC remit that accompanied the voting paper giving the Committee the power to prepare a neighbourhood plan. This is a major shortcoming in my view.

Having considered all of the above together with the list of powers vested in Town councils I conclude that what Macclesfield needs at the present time is a single council for the whole Town. This would give Macclesfield its own distinctive voice able not only to articulate concerns but also to respond constructively to planning applications, seek lottery funding for improvements, monitor and comment on the Town Centre development as further design proposals appear, and organise the production of a neighbourhood plan.

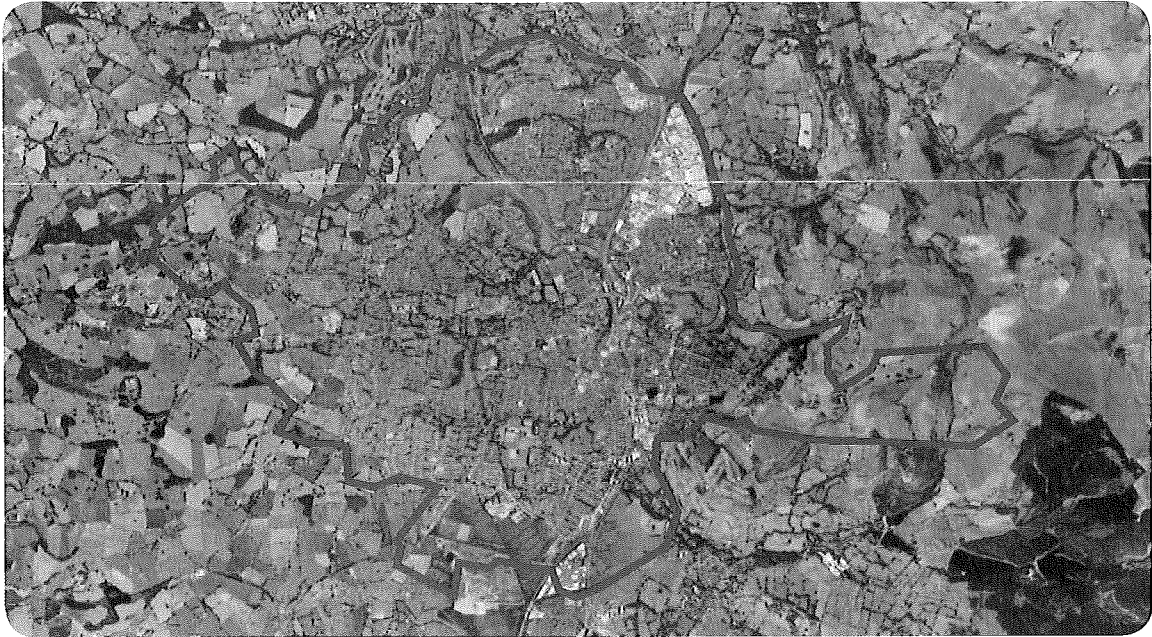
Thank you for the opportunity to express an opinion on these issues. I hope that what will come out of this process will be a stronger democratic voice for Macclesfield Town.

Richard Watson  
24 Stapleton Road  
Macclesfield SK10 3NP

27<sup>th</sup> July 2014

# VOTE NOW!

Please use your vote to have your say!



A **Macclesfield Community Governance Review** is currently being conducted to consider options for improved community engagement.

**We would like to know your views on what arrangements would work best for Macclesfield.**

The best way of deciding what's best for Macclesfield is to consider three key questions:

- Will it improve community engagement?
- Will it deliver better local democracy?
- Can it deliver local services in a more effective and convenient way?

**As well as returning the enclosed voting paper, you can also respond in writing to:**

Registration Service and Business Manager, Cheshire East Council, Governance and Democratic Services/ Ground Floor (Westfields), C/O Municipal Buildings, Earle Street, Crewe, CW1 2BJ

Or by email to [communitygovernance@cheshireeast.gov.uk](mailto:communitygovernance@cheshireeast.gov.uk)

To request more information please visit our website

[www.cheshireeast.gov.uk/maccgovreview](http://www.cheshireeast.gov.uk/maccgovreview)

or contact us by:

Email: [communitygovernance@cheshireeast.gov.uk](mailto:communitygovernance@cheshireeast.gov.uk)

Telephone: **0300 123 5016**

Leaflets can also be collected from Macclesfield Town Hall and Macclesfield Library.

The outcome should achieve efficient services in a cost effective manner for the area. Evidence of this not happening is in the reorganisation of the Register Service (only @ Crewe) & the Tax Office moving.

Please see back of leaflet.

**What are the options for Macclesfield?****Option 1 - Parishing**

You may see the words Parish / Town Council(s) (PTCs) used separately but they mean the same thing). PTCs are the most local form of government and can represent areas ranging from around 100 to 40,000+ people. They are based on an area which has real community identity and residents are represented by elected local parish councillors. If they choose to do so PTCs can deliver services to improve the area (e.g. public toilets, allotments, Christmas lighting, floral arrangements, bus shelters, burial grounds, litter bins, tourism, traffic calming and public transport schemes). The Localism Act 2011 gives greater powers to Parish / Town Councils including the preparation of a neighbourhood development plan which becomes part of the local development plan for the area.

A single Parish / Town Council could be established to cover the whole of the unparished area of Macclesfield; or a number of Parish Councils, of smaller geographical area, could be formed. It is suggested that 7 of these could be created, based upon the existing Borough Ward Boundaries (i.e. for the areas of Broken Cross and Upton; Macclesfield Central; Macclesfield East; Macclesfield Hurdsfield; Macclesfield South; Macclesfield Tytherington and Macclesfield West and Ivy).

If Parish / Town Council(s) were formed, Cheshire East Council would remain responsible for major services such as social care, highways, education admissions, children's services, environmental protection, planning decisions etc. and Cheshire East Councillors would continue to represent their wards. The formation of a Parish / Town Council(s) would not replicate the former arrangements in place (prior to 2009) of a Macclesfield Borough Council. If Parish / Town Council(s) were created which covered the whole of the unparished area of Macclesfield, then the existing Charter Trustees (which carry out civic and ceremonial functions and the mayoralty) would be dissolved.

**In summary the main differences between a Single Parish / Town Council and 7 smaller parish Councils are:**

<b>Single Parish / Town Council</b>	<b>7 x smaller Parish Councils</b>
39,750 electors	Ranging from 3,470 electors to 7,107 electors
Area would be warded – and you would vote for Parish Councillors to be elected for your ward, to sit on the Parish / Town Council	You would vote for Parish Councillors to be elected for all the seats available for your Parish Council
A decision would need to be made as to how many Parish / Town Councillors should be elected. It is likely that the number of Councillors would either be 12 or upto 24.	Each Parish Council is required to have a minimum of 5 Parish Councillors. If for example each of the 7 Parish Councils had 8 Parish Council seats, there would then be 56 Parish Councillors in total for the whole of Macclesfield.

Single Parish / Town Council	7 x smaller Parish Councils
May benefit from economies of scale e.g. ability to run services for a larger area; possibly a stronger voice to make representations etc.	Can develop an in depth knowledge of the needs of the area. May be easier to secure a shared vision for continual improvement for a small specific area.
A larger precept would most likely be raised; which could lead to a higher amount of tax per band D property – but the Parish / Town Council would have the potential to be able to deliver a wider range of services for a larger area. The cost of delivering services and facilities would be spread evenly across all electors in the Macclesfield area.	A smaller precept would most likely be raised, and the amount of tax per band D property could be smaller – but the capacity for smaller Parish Councils to run services would be reduced. Those living in the town centre Parish Council area may pay for (and effectively subsidise) services and facilities used by residents from the surrounding Macclesfield Parish Councils.

**Cost:** Costs would be met by setting a council tax. Costs vary depending on the size of PTCs and services they deliver. The costs to residents for PTCs in Cheshire East range from £5.52 for Aston by Budworth Parish; to £89.74 for Nantwich Town Council. The tax for newly created Crewe Town Council for example, which is of comparable size to Macclesfield is £28.96.

#### **Option 2 - An Enhanced Macclesfield Local Service Delivery Committee**

This option is to continue with current arrangements, which includes working with all the existing organisations and the Macclesfield Charter Trustees (which carry out ceremonial functions, such as visits by the Mayor), and to enhance the role of the Macclesfield Local Service Delivery Committee.

The existing Macclesfield Service Delivery Committee was set up by the Council as Macclesfield currently has no Parish / Town Council(s). It is run by 12 Cheshire East Councillors who were elected to serve Macclesfield's town wards. The Committee doesn't currently represent the interests of the local community on things such as planning applications and highways matters. It has been set up in its current form to consider and advise the Council on the quality, quantity and cost of service provision in Macclesfield.



This option proposes that the role of the existing Macclesfield Local Service Delivery Committee be enhanced. Examples of the functions it could deliver are:

- To investigate and monitor Services and to make recommendations to Cabinet on the level of service provision
- To provide advice and recommend to Cabinet on issues and needs of Macclesfield
- To be a Council consultee on matters and decisions relating to the area of Macclesfield such as planning and traffic management
- To liaise and cooperate with local organisations to pursue the wellbeing of the unparished area
- To nominate representatives from its membership to serve on local bodies
- To advise and liaise with Cheshire East Council on preparatory measures for the devolution and transfer of assets
- To consider the cost implications of the development and transfer of services to the unparished area.
- To encourage provision of leisure facilities
- To make recommendations with regard to local grant aid applications
- To formulate schemes to utilise developer contributions under section 106 of the Town and country Planning Act
- To approve street names serving new developments
- To investigate and make recommendations to cabinet in relation to local car parks, markets, community centres, parks, allotments, visitor centres and toilets
- To receive presentations on key strategic initiatives; and to invite representatives from relevant organisations to provide updates on current performance / initiatives and to answer questions by the committee or members of the public.

**Cost:** In the future, the cost of some services provided principally for the benefit of Macclesfield Town residents may be met from an additional tax, as part of the Council Tax set for Macclesfield residents, (called a Special Expense) rather than through the Cheshire East Council Tax. The cost of running the Enhanced Macclesfield Service Delivery Committee would be included in this tax. Based on providing a particular range of services, council tax for a town council could be in the order of £25 per year. Alternatively, if the same services were managed by a Macclesfield Local Service Delivery Committee and a special expense was calculated, this would be in the order of £19 per year (in addition to the Charter Trustee charge of £1.42 per band D Property). The actual council tax for a Parish/ Town council, or Special Expense Levy for a Macclesfield Local Service Delivery Committee, would be dependent on the costs of the service levels provided.

**(NOTE: An Enhanced Service Delivery Committee would be a committee of Cheshire East Council, rather than being a separate legal entity as is the case for Parish / Town Councils. This means that no assets can be transferred to this Committee)**

1) Reorganisation of the Register Service for the area means that Cheshire East is no longer active (only Cheshire West ie Crewe). How is it cost effective to have an employee travel to Crewe to register a ceremony @ Hollin Hall for example? What about the clients using the service?

Carole M Baines.

8 Ryebank Way, Macclesfield. SK10 2LJ.

17.2.2014

Telephone : 01625 426851

62 Amberley Road 31.

Macclesfield

Cheshire SK11 8LX

Dear Sir,

Your Macclesfield Community Governance Review pamphlets, we in Amberley Road consider to be an attempt to create more handsomely rewarded positions within Council, and increased rate costs with an excuse to introduce outside Town Planners. We do not want our attractive town-centre replaced with these hideous 21<sup>st</sup> century concrete structures. Noting U.K. Engage in Stockport as recipients of our completed forms, a stealthy intro, how much have their wasteful services cost the Council? This town is jammed with traffic. A traffic light is urgently required for junction of Dry Lane Park Lane, Congleton Rd traffic cannot proceed and prevents onward traffic proceeding to Park Lane. Whoever is responsible, Waken Waken!

Sincerely, J.E. Seales

B. DENNERLY 64 AMBERLEY RD - Bob Dennerly  
 S. WALMSLEY 47 AMBERLEY RD - S. Walmsley  
 D. COLHORICK 41 AMBERLEY RD - D. Colhorick

**PARTON, Lindsey**

---

**From:** Denis Ridyard  
**Sent:** 24 July 2014 11:07  
**To:** COMMUNITY GOVERNANCE REVIEW  
**Subject:** Vote now

My vote is 1a

DAVID RUTLEY MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Mike Suarez  
Chief Executive  
Cheshire East Council  
Westfields  
Middlewich Road  
Sandbach  
Cheshire CW11 1HZ

21 JUL 2014

15<sup>th</sup> July 2014*X. Anthe.***Re: Mr John Perkins of 9 Fern Lea Drive, Macclesfield, Cheshire, SK11 8PQ**

Please find enclosed an email I have received from the above constituent regarding the Macclesfield Community Governance Review.

I should be most grateful for your comments on the issues raised.

Thank you for your help with this matter. I look forward to hearing from you.

With best wishes,

*David Rutley**DR*

David Rutley MP

Enc

**From:** John A Perkins  
**Sent:** 09 July 2014 18:20  
**To:** [communitygovernance@cheshireeast.gov.uk](mailto:communitygovernance@cheshireeast.gov.uk)  
**Cc:** RUTLEY, David  
**Subject:** RE: MACCLESFIELD COMMUNITY GOVERNANCE REVIEW  
**Importance:** High  
**Sensitivity:** Private

From

**John Perkins**  
**9 Fern Lea Drive**  
**Macclesfield**  
**Cheshire**  
**SK11 8PQ**

**01625 612081**

To

**Registration Service & Business Manager**  
**Cheshire East Council - Governance & Democratic Services**  
**Ground Floor (Westfields)**  
**C/O Municipal Buildings**  
**Earle Street**  
**Crewe**  
**CW1 2BJ**

**CC David Rutley - Member of Parliament for Macclesfield**  
**([davidrutley.mp@parliament.uk](mailto:davidrutley.mp@parliament.uk))**

**RE MACCLESFIELD COMMUNITY GOVERNANCE REVIEW**

**Is this a must have?**

Having just received the Voting Papers for "The Local Governance Review" and every member of my family also getting individual copies I wonder if someone can put the Blurb into every day language that can be understood?

I get the jist that Macclesfield appears to be the only community in the Cheshire East area that does not have its own unique unit that sits to talk about and maybe run local facilities.

From what I can see from the Paper work provided there are a number of options to change this and each one comes with an **increased** cost to the **Council Tax Payer!!**

Sample costs quoted seem to indicate an increased cash flow to someone of between £99,000 and £115.000 a year (or even more) and this seems extortionate!

There does not appear to be a NO COST option or a Do Nothing Option

Which I believe should also be offered.

Currently we supposedly have representatives (Councillors) sitting on the Cheshire East Council who should be doing what I feel is the main work described in the paperwork but I do feel that these Councillors are not truly representing the people in their Wards.

Their communication with the Population of the Ward is minimal to say the least and as such I do wonder what they know about the Feelings, Thoughts, and Requirements of their Wards?

Maybe they only relate to the people that they know that vote for them and that is not necessarily an inclusive view of what the Ward is needing and experiencing.

So from the Paper work I cannot see how any of the proposals will in reality change anything in that what is really needed is for the PEOPLE to be able to voice their Feelings and requirements and have representatives that can take those points forward with some strength and ensure that these requirements and feelings are fairly presented to the Powers That Be.

To enable this maybe we do need a group of people from across the local communities that are not politically motivated who can sit regularly within open forums taking the Views, Worries, Needs, etc of the local community. This can then be translated into action plans and hopefully implemented in a way that sees the Plans being presented to Full Council for consideration.

If this cannot be provided then I do not see any point in having yet another layer of administration that is going to cost us more just for the sake of matching other Towns etc.

Maybe I am seeing this all wrong but nowhere in the Voting Documentation does it mention better communication with the population and how that will be achieved.

Perhaps some one could explain it better as none of my family understand what has been sent out!

Yours sincerely

John Perkins

5175

DAVID RUTLEY MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Mike Suarez  
Chief Executive  
Cheshire East Council  
Westfields  
Middlewich Road  
Sandbach  
Cheshire CW11 1HZ

21 JUL 2014

21 JUL 2014

15<sup>th</sup> July 2014*L. Rutley***Re: Mr Malcolm Wright of 44 Hamble Way, Macclesfield, Cheshire, SK10 3RN**

Please find enclosed an email I have received from the above constituent regarding the Macclesfield Governance Review.

I should be most grateful for your comments on the issues raised.

Thank you for your help with this matter. I look forward to hearing from you.

With best wishes,

*David Rutley**LA*

David Rutley MP

Enc

**From:** malcolm wright  
**Sent:** 09 July 2014 14:06  
**To:** RUTLEY, David  
**Subject:** macclesfield community governance review

Dear David,

Recently I have received a voting pack regarding the Macclesfield Governance Review.

It sets out 2 options for Local Governance each with a cost associated with it.

option 1 – parishes cost £28

option 2 – Enhanced Local Service Delivery £25

It seems to me that there should be a Option 3 Leave the system alone and save yourself £25-£28 per year.

From the voting form i have to choose between option 1 and 2 and end up paying either way.

Please can you look in to this for me as when I phoned the help line they couldn't tell me who to write to to clarify the situation.

Kind Regards,

Malcolm Wright  
44 hamble way  
Macclesfield  
SK10 3RN



## MACCLESFIELD COMMUNITY GOVERNANCE REVIEW

### STAGE 1 CONSULTATION RESPONSES

92 responses were received to the stage 1 consultation, of which 68 expressed a view on the options as detailed below.

Name	Comments on Options	No Change/ Maintain Status Quo	Single Town Council	Multiple Parishes	Other
Individual representations received by email / letter		x1	x8	x1	x2 no views expressed on the options
Summary of Responses from the on line / hand copy feedback forms		x2	x36	x8	1x community forum 3x Community Development Trust 2x community associations 2x other
2x late representations reported to CGR Sub Committee on 16 Oct 2013		x1		x1	
<b>TOTALS</b>		<b>x4</b>	<b>x44</b>	<b>x10</b>	<b>x10</b>

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## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Community Governance Review Sub-Committee**  
held on Tuesday, 7th October, 2014 in The Tatton Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

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

Councillors J Jackson, B Murphy and P Whiteley.

### **Councillors in attendance:**

Councillors K Edwards, L Jeuda, D Neilson and L Smetham.

### **Officers in attendance:**

Lindsey Parton – Registration Services and Business Manager  
Rose Hignett – Senior Electoral Services Officer  
Brian Reed – Head of Governance and Democratic Services  
Cherry Foreman – Democratic Services Officer

## **1 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN**

### **RESOLVED**

That Councillor D Marren be confirmed as Chairman, and Councillor P Groves as Vice-chairman, of the Community Review Sub-Committee for the 2014/15 municipal year.

## **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor G Baxendale.

## **3 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **4 PUBLIC SPEAKING TIME/OPEN SESSION**

**Keith Smith**, representing Macclesfield Civic Society, said they had been disappointed in the turnout but it could be seen from the votes cast that an LSDC was not a popular choice. The majority was in favour of a parishing in some form with a single Town Council being the preferred option; this is what should be recommended to the Constitution Committee. He questioned why Macclesfield was the only area that did not have a lower tier authority of its own.

**Liz Braithwaite** supported the views expressed by Keith Smith. She referred to information on the Cheshire East website that said Town and Parish Councils were a critical part of local government infrastructure, with a significant range of

powers and duties and a key role in representing communities. 113 communities already had their own Town and Parish Councils and there was no reason why Macclesfield should be any different.

In response to a question as to why there had not been any public meetings during the consultation period she was advised that in the light of the low turnout at meetings during the stage one consultation, with approx. 114 members of the public attending, it had been felt more appropriate to use the direct mail method which ensured every household was reached.

**Roy Spoors**, of the CAB, spoke in respect of Macclesfield's position as a market town, with an influence beyond the central parishes, and he considered a wider area should have been consulted. He said that in their correspondence a number of people had made the point that they were confused about the options available and there was a question therefore regarding the way in which the information had been conveyed and whether the process had fully engaged the public.

With specific reference to the CAB he said that during the past 3 years they had lost 50% of their funding and Cheshire East Council was now its main source. However, strong partnerships had been developed with existing Town Councils, providing very positive feedback and assistance with funding, and the lack of a Town Council in Macclesfield was a problem. He did not see why it should be different to elsewhere and stressed that if there was not to be Town Council then the Sub-Committee should consider running a fresh consultation with the wider community.

In response to questions concerning publicity for the stage two consultation the Registration and Business Services Manager summarised the measures employed, which had included information on the website, public notice in the local press, leaflets distributed via the Town Centre Manager and placed in the customer centres and local libraries, notices, and assistance from the communications team.

## **5 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 26 February 2014 be approved as a correct record.

## **6 MACCLESFIELD COMMUNITY GOVERNANCE REVIEW**

The Sub-Committee was asked to consider the outcome and feedback received from the Macclesfield Community Governance Review consultation in order to make a recommendation to the Constitution Committee regarding the next steps of the review.

The Review had commenced in June 2013 and the report included an outline of the process followed, and the results of the stage 1 consultation, on the basis of which the second stage had been carried out on the options of either Parishing or an Enhanced Macclesfield Local Service Delivery Committee (ELSDC).

The second stage of the consultation had been carried out between 2 June and 28 July this year and a summary of the voting and the representations received was attached to the report; in total 16.15% of voting papers had been returned with an additional 35 written representations.

In discussing the outcome of the consultation it was requested that the existing Macclesfield Local Service Delivery Committee should be asked for its views. Concern was expressed, however, that this was outside their terms of reference and that the decision rested with the Constitution Committee. In the light of Officer advice it was agreed that, although this did fall outside the remit of the Macclesfield Local Service Delivery Committee, it would be very useful to seek such a view informally and for members of the Macclesfield Local Service Delivery Committee to then be invited to attend the meeting of the Constitution Committee to advise it of their views.

**RESOLVED**

1. That the Macclesfield Local Service Delivery Committee (LSDC) be informally consulted on the outcome of the consultation of the Macclesfield Community Governance Review, and that the informal views of the LSDC be reported to the next meeting of the Constitution Committee in order to inform the decision making process.
2. That the members of the LSDC be invited to attend the next meeting of the Constitution Committee to express their view.

The meeting commenced at 10.00 am and concluded at 11.20 am

Councillor D Marren (Chairman)

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**COUNCIL MEETING – 11<sup>TH</sup> DECEMBER 2014****Extract from the Minutes of the Constitution Committee Meeting on 19<sup>th</sup> November 2014****49 REVISIONS TO THE CONTRACT PROCEDURE RULES**

The Committee considered proposed revisions to the Contract Procedure Rules.

This report requested Members' consideration of a newly-drafted section of the Constitution which set out the Council's Contract Procedure Rules (CPRs) which governed how the Council procured goods, works and services from third parties. The CPRs sat alongside the Council's Financial Procedure Rules (FPRs), which would be subject to further review as part of the development of financial reporting during the early part of 2015. However, there would be some minor consequential changes to the FPRs as referred to in paragraph 10.6 of the report before a fuller revision later in 2015.

The amendments were required to comply with changes to European Union (EU) and domestic procurement legislation and to introduce lean simplified processes following the Council's decision to become a Strategic Commissioning Council, and the creation of Alternative Service Delivery Vehicles for the provision of Council services. The revisions would allow the Council to adopt a more mature attitude to managing commercial risk and simplify the procurement process, particularly below the EU value thresholds, allowing better engagement with small and medium enterprises and local businesses, whilst still maintaining a robust governance framework to ensure that Council monies were spent in a legally compliant, ethical, responsible, and fully auditable manner.

The proposed amendments to the Contract Procedure Rules were set out in paragraph 10.5 of the report.

**RESOLVED**

That Council be recommended to

1. approve the revisions to the Contract Procedure Rules set out in paragraph 10.5 of the report for adoption from 1<sup>st</sup> January 2015 subject to the following amendments:

Item 3 – Amend below EU threshold and processes – the threshold be reduced to £50k rather than £10k

Item 10 – E-procurement – Mandate the use of the e-procurement system for all procurement with a value prescribed by EU legislation

Item 11 – Corporate Contracts – this proposal be deleted

2. authorise that the Constitution be updated accordingly by the inclusion of the revised Contract Procedure Rules;
3. authorise that any consequential drafting amendments to the remaining parts of the Council's Constitution, including the Finance Procedure Rules, be undertaken by the Head of Legal Services and Monitoring Officer to ensure consistency with the revised Contract Procedure Rules; and
4. approve an incremental reduction in value thresholds to enable the phased introduction of procurement involvement down to £50k from the current £75k to allow a smooth transition from existing arrangements.

**NOTE**

The schedule of proposed changes to the Contract Procedure Rules as set out in paragraph 10.5 of the report has been updated to incorporate the amendments agreed by the Constitution Committee and the revised schedule is attached as an Appendix.



No	Proposed Area of Change (Amended following Constitution Committee)
1	<b>Amend Key Decision threshold from current £500k to £1M</b>
2	<b>Amend verification (tender opening) process</b> <i>From currently above £75K value all tenders are verified by Legal. Amend to: £1M+ Head of Legal (or Delegate), £EU-£1M Procurement Category Manager below £EU – Procurement Officer/Legal Officer</i>
3	<b>Amend below EU threshold and processes</b> <i>From &gt;£75k – formal tender process Amend to: £50k to EU threshold – Risk Based Sourcing (RBS)</i>
4	<b>Increase threshold for sealing contracts</b> <i>From £50k to £1M (*except where good commercial reasons exist)</i>
5	<b>Increase threshold for where ‘back of the order’ T&amp;C’s can be used</b>
6	<b>Introduce the use of standard contracts for straightforward services etc.</b>
7	<b>Waivers</b> To review the list of circumstances where exceptions/waivers can be requested and to change the form/process for gaining waiver approval
8	<b>Contract Extensions</b> Proposal is to bolster the wording and to put in restrictions e.g. extensions may only be taken up after consultation with Procurement Manager
9	<b>Introduce Best and Final Offer (BAFO)</b> BAFO below £EU thresholds (note potential exists to exploit this in certain OJEU procedures as well)
10	<b>E-procurement</b> Mandate the use of e-procurement system for all procurements with a value prescribed by EU regulation
11	<b>Corporate Contracts (item removed)</b>
12	<b>General Issues</b> Guidance material to be located separately from the Contract Procedure Rules.

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# CHESHIRE EAST COUNCIL

## Constitution Committee

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<b>Date of Meeting:</b>	19 <sup>th</sup> November 2014
<b>Report of:</b>	Dominic Oakeshott Corporate Manager Professional and Commercial Services
<b>Subject/Title:</b>	Revisions to the Contract Procedure Rules

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### 1.0 Report Summary

- 1.1. This report requests Member's consideration of a newly drafted section of the Constitution which sets out the Council's Contract Procedure Rules (CPR's) which govern how the Council procures goods, works and services from third parties. The CPR's sit alongside the Council's Financial Procedure Rules (FPR's), a review of which will be subject to further consideration and changes as part of the development of financial reporting during the early part of 2015. However there will be some minor consequential changes to the FPR's, authority for which is sought at paragraphs 2.1 and 10.6 below, before a fuller revision later in 2015.
- 1.2. The amendments are required to comply with changes to European Union (EU) and domestic procurement legislation and to introduce lean simplified processes following the Council's decision to become a Strategic Commissioning Council, and the creation of Alternative Service Delivery Vehicles for the provision of Council services. The revisions will allow the Council to adopt a more mature attitude to managing commercial risk and simplify the procurement process, particularly below the EU value thresholds, allowing better engagement with small and medium enterprises (SME's) and local businesses, whilst still maintaining a robust governance framework to ensure Council monies are spent in a legally compliant, ethical, responsible, and fully auditable manner.

### 2.0 Recommendation

- 2.1 To recommend that the Constitution Committee:
  1. Recommend that Council approve the revisions to the CPR's for adoption from 1<sup>st</sup> January 2015 to allow a phased introduction of change in line with point 4 below;
  2. Recommend the Council authorise that the Constitution be updated accordingly by the inclusion of the revised CPR's;
  3. Recommend the Council authorise that any consequential drafting amendments to the remaining parts of the Council's Constitution, including

the FPR's, be undertaken by the Head of Legal Services and Monitoring Officer to ensure consistency with the revised CPR's;

4. Recommend the Council approve an incremental reduction in value thresholds to enable phased introduction of procurement involvement down to £10K from the current £75K to allow a smooth transition from existing arrangements.

### **3.0 Reasons for Recommendations**

- 3.1 To take account of current and proposed changes to EU and domestic legislation and ensure the Council's procurement processes are legally compliant and follow recognised best practice.
- 3.2 In order to simplify and improve procurement practice both for the Council and suppliers seeking to secure Council business, with the aim of making it easier for our potential suppliers to engage with the Council, particularly for SME's and local suppliers.
- 3.3 To ensure that the Council's procurement practice fully supports its position as a Strategic Commissioning Council, legal and commercial risks are mitigated and properly managed and the Council achieves maximum value through a fully commercial approach to procurement.

### **4.0 Wards Affected**

- 4.1 All

### **5.0 Local Ward Members**

- 5.1 All

### **6.0 Policy Implications**

- 6.1 The CPR's set out the framework within which all Council officers have to operate to procure goods, works and services on the Council's behalf. The rules are explicit in setting out pre procurement authorisation routes in line with Council authorisation policy, the Financial Procedure Rules, and associated local Schemes of Delegation.

### **7.0 Financial Implications**

- 7.1 The revision of the CPRs will allow the Council to help continue to drive improved value for money from its procurement activity, which is an important part of the assessment of the Council's performance by our Auditors, Grant Thornton.
- 7.2 The revision of processes, along with the assessment of risk within the process, will allow the procurement function to focus the effort on those activities that will have the biggest impact for the Council.

## **8.0 Legal Implications**

- 8.1 Section 37 of the Local Government Act 2000 and guidance issued thereunder requires the Council to keep its Constitution up to date and regularly review it. Under the act the Secretary of State could direct what information a local authority should include within its constitution. Under section 37 the secretary of state directed that local authorities financial rules or regulations or such equivalent provisions as the local authority may have in place and rules, regulations and procedures in respect of contracts and procurement whether specified in the local authority's standing orders or not, should be included in the constitution.
- 8.2 The preparation of the new Contract Procedure Rules was undertaken under the authority of the Corporate Leadership Board with full Legal and Audit consultation. The revised CPR's are agreed by the Head of Legal Services and Monitoring Officer. The CPR's provide a robust governance framework for procurement which reduces legal, financial and compliance risk.
- 8.3 In accordance with the Council's current Constitution any changes to the Constitution are required to be agreed by full Council following recommendation from the Constitution Committee.

## **9.0 Risk Management**

- 9.1 Legal and financial implications are recorded above.
- 9.2 Reviewing the CPR's to reflect legislative change and established best practice provides the necessary clarity to Council Officers concerned with procuring goods, works, and services to ensure that processes followed are legally and financially compliant.
- 9.3 The revised CPR's introduce and support a Risk Based Sourcing (RBS) model for all procurement above £10K up to the appropriate EU value thresholds, ensuring that procurement risk is properly assessed prior to procuring goods, works and services, and that the process followed and resultant contractual arrangements are proportionate to the level of assessed risk.

## **10.0 Background and Options**

- 10.1 This report is brought to the Committee as the CPR's need revision due to impending legislative changes and changes to established best practice and revised government guidance on future procurement practice.
- 10.2 The starting point has been the current Council Constitution as most recently revised when it was considered by this Committee at its 9 October 2013 meeting.
- 10.3 In addition the Council is seeking to achieve the following:

- To improve compliance, simplify process and improve governance, reducing risk to the Council
- To support a more commercial approach ensuring best value, with a balanced attitude to risk
- To introduce simplified lean processes, particularly below £EU thresholds, which support the delivery of savings and cost avoidance, whilst making it easier for local/SME's/all companies to bid for Council business
- Facilitate Corporate Procurement (CPU) involvement in all procurement activity above an agreed threshold, which is currently £10K– allowing a whole Council view and better supporting commissioners and services across the organisation
- Increase the Council's current Key Decision threshold from the current £500k to £1M to reduce the number of lower level procurements caught by the key decision process (subject to the safeguards outlined below)

10.4 As part of the process of simplifying the CPR's material which constituted guidance particularly on the various EU tender procedures has been removed from the CPR's and will be available to officers via the Council's intranet. This has the advantage of removing superfluous material from the 'rules' and providing a degree of 'future proofing' to the Constitution as guidance can be regularly updated to reflect procedural changes and case law without a consequential need to amend the Constitution.

10.5 The table below sets out the key changes to the CPR's:

#### Key Areas for Change

No	Proposed Area of Change	Commentary/Benefit of Change
1	<b>Amend Key Decision threshold from current £500k to £1M</b>	Current threshold is low in comparison to many other Councils and key decision status currently adds significantly to procedural timeframes for procurement greater than £500K value. Streamlined processes for sub £1M tenders can be introduced whilst maintaining adequate safeguards via other existing channels eg. TEG/EMB/CLB. It is also intended to introduce additional budget verification procedures as part of the pre-procurement risk assessment procedure for all procurement activity, maintaining safeguards whilst reducing the number of projects captured by the key decision process.
2	<b>Amend verification (tender opening) process</b> Currently above £75K value all tenders are verified by Legal. Amend	Stream-lines access to tender returns saving considerable time in the process. Current rules are a throwback from the days of sealed paper tenders. Current threshold is very low. All bid/tender activity above £10K will be via e-procurement (mandated in both new domestic and EU legislation) and the Council is fully protected by a comprehensive electronic audit

	to: £1M+ Head of Legal (or Delegate), £EU-£1M Procurement Category Manager below £EU – Procurement Officer	trail which is tamper-proof.
<b>3</b>	<b>Amend below EU threshold and processes</b> From >£75k – formal tender process to <b>£10k to EU threshold – Risk Based Sourcing (RBS)</b>	All procurement above £10k will be carried out by the procurement team in future. (Caveat: Incrementally – via Procurement Improvement Programme). Supports compliance, drives savings and commercial agility, procurement process is simplified, flexible and proportionate to risk, removes PQQ below £EU (mandated in new domestic legislation) and makes it simpler for business to bid for Council work – particularly SME's – provides additional support to the 'local' agenda.
<b>4</b>	<b>Increase threshold for sealing contracts:</b> from <b>£50k to £1M</b> (*except where good commercial reasons exist)	CE threshold for sealing is low in comparison to other Councils and process adds significant delay and bureaucracy in getting contracts in place – flexibility to seal below £1M is still retained where legal/procurement feel justified eg. Construction contracts. This will harness leaner processes where appropriate
<b>5</b>	<b>Increase threshold for where 'back of the order' T&amp;C's can be used</b>	Currently everything over £10K requires a bespoke contract even 'run of the mill' procurements of goods which are delivered with standard warranties. Back of order standard T&C's should be utilised (subject to risk assessment) to reduce complexity/ bureaucracy of straightforward purchases. <b>PO is a contract</b> -essential to realise the advantages of RBS for lower level procurement.
<b>6</b>	<b>Introduce the use of standard contracts for straightforward services etc.</b>	CE currently drafts bespoke contracts for everything. Other LA's and consortia make use of standard contracts for services, ICT etc. with appendices for completion by procurement with legal agreement. Leaner process reduces procurement timeframes and complexity supporting RBS principles. Legal and Procurement will determine and agree the list and content of the standard contracts.
<b>7</b>	<b>Waivers:</b> To review the list of circumstances where exceptions/waivers can be requested and to change the form/process for gaining waiver approval.	Reduce the number of waivers submitted/approved and increase compliance/reduce risk. Simplify the process giving the Procurement Manager (who is best placed to consider procurement related solutions) and the Procurement Board a greater role in the process. Reduce the number of decision makers in the process to increase accountability.
<b>8</b>	<b>Contract Extensions:</b> Proposal is to bolster the wording and to put in restrictions e.g. extensions may only be taken up after consultation with Procurement Manager.	Appropriate value engineering provision to be included in renewal wording in all contracts to allow proper contract management and a reasoned informed risk/performance based approach to contract extension, this change will enhance compliance, visibility and control around re-tendering and support improved value for money and commercial contract management.
<b>9</b>	<b>Introduce Best and Final Offer (BAFO)</b> below £EU thresholds (note potential	Option to use BAFO in appropriate procurements allows increased level of savings – best commercial terms when placing Council business.

	exists to exploit this in certain OJEU procedures as well)	
10	<b>E-procurement:</b> Mandate the use of e-procurement system for all procurement over £10K.	Now mandated in EU and domestic legislation from early 2015. Provides robust audit trail and ensures contracts are properly recorded on the contracts register – drives compliance and reduces risk, simplifies audit activity. Also reaches the widest range of suppliers and reduces risk to the Council by ensuring transparency and visibility.
11	<b>Corporate Contracts</b>	Insert paragraph on using corporate contracts where they are in place. Guide departments to use of existing corporate contracts to increase compliance, savings in using current suppliers, not adding new suppliers to the system and paying higher prices for similar items. Reduce unnecessary procurement activity.
12	<b>General Issues</b>	CPR's currently include detailed process descriptions for all EU tender processes. CPR's are the Council 'rule book' and compliance framework for procurement and processes can be subject to change over time potentially requiring 'in year' constitutional change. The proposal is to remove these items and place them in the 'procurement knowledge map' with links to the map in CPR's. – this will allow all officers access to the latest procedural information and guidance which can be constantly updated without the need to make changes to the constitution

- 10.6 Members should be reassured that whilst the amended CPR's are simplified they provide a robust compliance framework. The amendments provide fully for appropriate financial safeguards before the commencement of any procurement activity. The amended CPR's introduce a budget verification process before commencing activity, ensuring that the required pre-procurement authorisations are obtained in line with the appropriate scheme of delegation at the lower level, or via the Technical Enablement Group/Executive Monitoring Board (both of which have Member representation) for projects involving significant change or of a value exceeding £250k thereby capturing all procurement below the proposed key decision threshold of £1M. Other than the threshold, the Key Decision process is unchanged; ensuring that procurement at all levels is subject to an effective control process.
- 10.7 The changes that are agreed by this Committee will then go to full Council for its approval, in accordance with the Constitution; this may require further minor work to be completed elsewhere in the Constitution to ensure consistency.
- 10.8 Members will note that as is usual when there is a Constitutional change, delegated authority is sought for the Head of Legal Services and Monitoring Officer to make any minor drafting amendments elsewhere in the Constitution



that arise as a result of the revised CPR's coming into operation. This will include the consequential changes to the FPRs.

## **11.0 Access to Information**

- 11.1 The Council's current Constitution is available for viewing on the Council's website: [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)

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

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**COUNCIL MEETING – 11<sup>TH</sup> DECEMBER 2014****Extract from the Minutes of the Constitution Committee Meeting on 19<sup>th</sup> November 2014****51 OFFICER SCHEME OF DELEGATION**

The Chairman was of the opinion that this matter constituted urgent business and could be dealt with at the Committee's meeting in accordance with Committee Procedure Rule 37 and Section 100B(4)(b) of the Local Government Act 1972. The reason for urgency was that the current scheme of officer delegation required review to enable Managers to take decisions regarding Service redesign.

The Council had previously approved amendments to the officer scheme of delegation to take account of local structural changes and to allow greater transparency in the operation of the Council. The changes had been intended to bring greater clarity between the respective roles of Elected Member in Policy and Strategy development, and officers in the effective day-to-day operation and management of the Council.

Following operation of the revised arrangements it had become clear that the current scheme of delegation was restricting local operational decision-making in relation to staffing and employment matters. Operationally, the Head of Paid Service, and Chief Officers in consultation with the relevant Portfolio Holders, needed greater flexibility to make changes to organisational structures, job grading and number of roles to enable the effective delivery of Council priorities. The amendments previously approved had resulted in reduced flexibility to meet changing organisational circumstances in an effective and timely manner. As a consequence, to ensure alignment between the Constitution, scheme of delegation and policy framework, a change to the wording of the scheme was proposed as referred to in paragraph 3.6 of the report.

**RESOLVED**

That Council be recommended to approve the amendment to the officer scheme of delegation as detailed at paragraph 3.6 of the report as follows:

*“Chief Officers are authorised, subject to prior notification of the Head of HR and Organisational Development and prior consultation with all appropriate parties affected by the decision, including any Trade Union, to implement changes to staffing structures except where the restructure:*

- § Involves the loss of one or more posts not currently vacant*
- § Involves the regrading of posts or the grading of new posts*
- § Involves the changes to existing National or Local Agreements and policies*
- § Cannot be achieved within delegated powers in respect of budgets*

*This delegation will be exercised in accordance with paragraph 1.8 of the scheme of delegation to officers approved by Council on the 14<sup>th</sup> May 2014 which reads as:*

*“Before taking delegated decisions, all officers are under a duty to satisfy themselves that they have the duly delegated power to do so and that they have undertaken appropriate consultation, including consultation with Portfolio Holders. Appropriate advice must be taken where the matter involves professional or technical considerations that are not within the officer’s sphere of competence”.*

*Decisions in respect of matters identified as exceptions above are delegated to the Chief Operating Officer in consultation with the Head of Human Resources and Organisational Development for determination.”*

# CHESHIRE EAST COUNCIL

## Constitution Committee

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<b>Date of Meeting:</b>	19 <sup>th</sup> November 2014
<b>Report of:</b>	Peter Bates, Chief Operating Officer
<b>Subject/Title:</b>	Officer Scheme of Delegation

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*“The Chairman is of the opinion that this matter constitutes urgent business and can be dealt with at the Committee’s meeting in accordance with Committee Procedure Rule 37 and Section 100B(4)(b) of the Local Government Act 1972. The reason for urgency is as follows:”*

The current scheme of officer delegations requires review to enable Managers to take decisions regarding Service redesign and as a consequence this is considered urgent.

### 1.0 Report Summary

- 1.1 To seek agreement for an amendment to the current officer scheme of delegation in relation to staffing matters.

### 2.0 Recommendation

- 2.1 That the Committee is asked to approve the recommendation detailed at 3.6 and refer it to the next Council Meeting for approval.

### 3.0 Reasons for Recommendations

- 3.1 The Council has previously approved amendments to the officer scheme of delegation to take account of local structural changes; and to allow greater transparency in the operation of the Council. The changes were intended to bring greater clarity between the respective roles of Elected Member in Policy and Strategy development, and officers in the effective day to day operation and management of the Council.
- 3.2 Following operation of the revised arrangements it has become clear that the current scheme of delegation is restricting local operational decision making in relation to staffing and employment matters.
- 3.3 Operationally the Head of Paid Service, and Chief Officers in consultation with the relevant Portfolio Holders need greater flexibility to make changes to organisation structures, job grading, number of roles to enable the effective delivery of Council priorities. The combination of amendments have in practice had unintended consequences which has resulted in reducing

flexibility to meet changing organisational circumstances in an effective and timely manner.

3.4 As a consequence to ensure alignment between the Constitution, scheme of delegation and policy framework the following changes are suggested.

3.5 The Scheme of delegation 'is currently worded as follows':

*Chief Officers are authorised, subject to prior notification of the Head of HR and Organisational Development and prior consultation with all appropriate parties affected by the decision, including any Trade Union, to implement changes to staffing structures except where the restructure:*

- *Involves the loss of one or more posts not currently vacant*
- *Involves the regrading of posts or the grading of new posts*
- *Involves the changes to existing National or Local Agreements and policies*
- *Cannot be achieved within delegated powers in respect of budgets*

3.6 The Scheme of delegation to officers be amended by rewording the existing paragraph:

Chief Officers are authorised, subject to prior notification of the Head of HR and Organisational Development and prior consultation with all appropriate parties affected by the decision, including any Trade Union, to implement changes to staffing structures except where the restructure:

- Involves the loss of one or more posts not currently vacant
- Involves the regrading of posts or the grading of new posts
- Involves the changes to existing National or Local Agreements and policies
- Cannot be achieved within delegated powers in respect of budgets

This delegation will be exercised in accordance with paragraph 1.8 of the scheme of delegation to officers approved by Council on the 14<sup>th</sup> May 2014 which reads as:

*"Before taking delegated decisions, all officers are under a duty to satisfy themselves that they have the duly delegated power to do so and that they have undertaken appropriate consultation, including consultation with Portfolio Holders. Appropriate advice must be taken where the matter involves professional or technical considerations that are not within the officer's sphere of competence".*

Decisions in respect of matters identified as exceptions above are delegated to the Chief Operating Officer in consultation with the Head of Human Resources and Organisational Development for determination.

#### **4.0 Wards Affected**

4.1 None.

**5.0 Local Ward Members**

5.1 None.

**6.0 Policy Implications**

6.1 Agreement to this change will result in an amendment to the scheme of delegation.

**7.0 Financial Implications**

7.1 None.

**8.0 Legal Implications**

8.1 Ensure full alignment with the Councils Constitution.

**9.0 Risk Management**

9.1 The amendment will result in Managers being able to respond more quickly to changes in demand for services therefore reducing the risks to vulnerable service users.

**10.0 Background and Options**

10.1 The Councils Constitution and Officer Scheme of Delegation.

**11.0 Access to Information**

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

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## CHESHIRE EAST COUNCIL

### Council

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<b>Date of Meeting:</b>	11 <sup>th</sup> December 2014
<b>Report of:</b>	Chief Executive
<b>Subject/Title:</b>	Senior Management Structure

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#### 1.0 Report Summary

- 1.1 This report sets out proposals to further develop the Council's senior management structure in preparation for significant developments in economic development and regeneration.

#### 2.0 Recommendation

- 2.1 The Council is invited to agree to the establishment of a new role of Executive Director, Economic Growth and Prosperity on the existing senior manager grade range of £110,000 to £120,000 per annum plus Performance Related Pay of up to £10,000 per annum in accordance with the Council's Pay Policy; and delete the current role of Director of Economic Growth and Prosperity.
- 2.2 That the Chief Executive, in consultation with the Leader of the Council, and Chair of Staffing Committee be authorised to implement the changes detailed above in accordance with the Council's H.R. policies and procedures.

#### 3.0 Reasons for Recommendations

- 3.1 Since the implementation of the recommendations of the report to Council entitled Becoming a "Strategic Council" on the 4<sup>th</sup> February 2013 a number of significant changes have begun to impact upon the nature of the roles of the strategic leadership team within the Council. As a result it is important to consider future requirements to enable the delivery of the Council's vision and priorities.
- 3.2 Council will recall that £5M of management savings was achieved with reductions in senior and middle management. This was reported in the financial out turn review report for 2013/14 presented to Cabinet on the 1<sup>st</sup> July 2014 in which it was reported that further restructures and service redesigns would be necessary to align organisational functions and resources to enable Council priorities.
- 3.3 The recent important announcements with regard to HS2 and the economic growth, and regeneration potential set out in the Council's strategic plans now

means that it would be prudent to strengthen the strategic and operational capability of the Council's structure. In the previous reorganisation in February 2013, a number of functional Heads of Service were established; one of which was Economic Growth and Prosperity. Since this time the significance of this function has expanded to take account of the Council's ambition for regeneration and infrastructure improvements to support sustainable growth. However, the capability and capacity of the function has not expanded to keep pace with our protocol. In the future the new role will need to oversee enhanced delivery around core services such as assets, regeneration and planning. By way of example the role will be overseeing delivery of strategic infrastructure valued in the hundreds of millions, the largest outside of conurbations in the UK, as well as continuing to drive town centre regeneration, heritage and culture, and will need to lever additional resources and devolution of responsibilities from Government to deliver the economic agenda and optimise the financial benefit to Council Tax payers in Cheshire East.

- 3.4 It is important to recognise the need to strengthen the capability and capacity of the Economic Growth and Prosperity function of the Council. Given the strategic significance of the opportunities for growth it is proposed to create a new role of Executive Director, Economic Growth and Prosperity to spear head the leadership of this function on behalf of the Council, and enable the delivery of a number of strategic outcomes. An early priority will be to establish the skills and capabilities required to deliver this ambitious agenda in conjunction with the appropriate Portfolio Holders.
- 3.5 The role has been evaluated and falls within the existing senior manager grade range of £110,000 to £120,000 per annum plus Performance Related Pay of up to £10,000 per annum in accordance with the Council's Pay Policy.
- 3.6 The establishment of this new more strategic role will cause the deletion of the existing role of Director of Economic Growth and Prosperity and put the existing post holder 'at risk' of redundancy. Consultations have already commenced with the incumbent in preparation, should the Council agree to the establishment of the new role. The Council's H.R. policies and procedures will be followed to ensure due process is followed to safeguard the interests of the Council, and the employee concerned.
- 3.7 Under the Council's current H.R. Policies and procedures this new role will be ring fenced to enable the consideration of existing employees. Under the Council's constitution the Staffing Committee will meet to consider recommendations with regard to the appropriate process to appoint to the new role of Executive Director, Economic Growth and Prosperity.

#### **4.0 Wards and Local Ward Members Affected**

- 4.1 None

## **5.0 Policy Implications**

- 5.1 The revisions highlighted within this report fall within the Council's current Pay Policy.

## **6.0 Financial Implications**

- 6.1 The budgetary implications of the proposed revisions fall within the financial plan for the current financial year, and fall within the agreed budget.

## **7.0 Legal Implications**

- 7.1 The Council Meeting has a duty to consider, and to disclose agreed variations to the remuneration of all roles earning above £100,000 per annum the Localism Act 2011.

## **8.0 Risk Management**

- 8.1 None

## **9.0 Access to Information**

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

The report to Council on 4<sup>th</sup> February 2013 entitled Becoming a "Strategic Council" – Review of Management Roles and Responsibilities.

The Council's current Pay Policy Document.

The 2013/14 Final Outturn Review of Performance reported to Cabinet 1<sup>st</sup> July 2014

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