

CHESHIRE EAST COUNCIL

Minutes of a meeting of the
Local Service Delivery Committee (Macclesfield)
held on Thursday, 8th January, 2015 in The Capesthorne Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor B Murphy (Chairman)
Councillor K Edwards (Vice-Chairman)

Councillors C Andrew, L Brown, S Carter, D Druce, M Hardy, A Harewood,
J Jackson, L Jeuda and D Neilson.

Officers in attendance:

Chris Allman – Programme Manager, FR Organisational Capacity
Karen Bowdler – Principal Accountant
Steph Cordon – Head of Communities
Brian Reed – Head of Governance and Democratic Services
Lindsey Parton – Registration Service and Business Manager

8 APOLOGIES

Apologies were received from Councillor L Roberts.

9 MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2014

RESOLVED

That the minutes be approved as a correct record.

10 DECLARATIONS OF INTEREST

There were no declarations of interest.

11 PUBLIC SPEAKING TIME/OPEN SESSION

The Chairman explained that he proposed to allow members of the public to speak at the end of the meeting in connection with the main item of business on the agenda, but offered the opportunity for any members of the public to raise any other matters at this point in the proceedings.

Mr Warren, Brookfield Lane, Chairman of the Allotments Association, referred to the meeting of the LSDC held on 23 January 2013 when a small working party of Members had been established to look at a locally focused method of management of allotments with a view to making recommendations. Mr Warren asked what options had been considered and whether any recommendations had been made to the Cabinet. Cllrs Edwards, Hardy, and Jackson responded (as the appointed members of

the working party) and indicated that a site visit to the Moss Lane Allotment site had taken place, but that the matter had since been suspended, given the subsequent progress of the Macclesfield Community Governance Review. In the event of the establishment of a parish council for Macclesfield, allotments would automatically be vested with the new parish council.

Liz Braithwaite asked if there was any danger of organisations in Macclesfield, other than the proposed new parish council, being offered assets by Cheshire East Council, if they were not immediately transferred. The Head of Communities indicated that any future considerations would be community lead. Members added that unfortunately it was not possible to give any assurances at this stage, as any future decisions could not be pre-empted.

12 TRANSFER OF PROPERTY RIGHTS AND LIABILITIES TO THE PROPOSED PARISH COUNCIL FOR MACCLESFIELD

The Committee was invited to discuss and submit its views to the Community Governance Review Sub Committee on 16 January 2015, on which assets might be transferred from Cheshire East Council to the proposed Macclesfield Parish Council from the date of its inception, having regard to officer and legal advice.

The minutes of the Community Governance Review Sub Committee held on 9 December 2014 were considered to aid discussions. The Community Governance Review (CGR) Sub Committee will make recommendations to the Constitution Committee, in respect of this matter, in due course.

Karen Bowdler, Principal Accountant, circulated a draft budget requirement calculation 2015/16 for discussion, based upon the potential assets and services identified by the CGR Sub Committee, at its last meeting, for transfer to the Parish Council.

The Chairman invited the Committee to discuss each of the following items in turn, which were included in the draft budget calculation as potential operating costs:

- 1) Allotments
- 2) Senior Citizens Hall
- 3) Weston Community Centre
- 4) Markets
- 5) Public Conveniences
- 6) Town Centre Management
- 7) Christmas Lights
- 8) Street Furniture
- 9) Floral Displays
- 10) CCTV
- 11) Visitor Information Centre
- 12) Estimated Operational Management and Support Costs

13)Administrative costs

(**Note:** Cllr Carter left the meeting and Cllr Druce joined the meeting during the discussions on the Senior Citizens Hall).

The Chairman suggested that an officer report to be submitted to a future meeting of the Committee on the viability, financial and legal implications of :

- 1) The Parish Council receiving the rental income from the Wilson Bowden Development;
- 2) The Freehold of the Macclesfield Town Hall being transferred to the Parish Council, with a lease back of office accommodation to Cheshire East Council;
- 3) The transfer of car parking provision and parking income to the Parish Council.

Concerns were aired by some members that the running of the Town Hall would be financial burden upon Macclesfield Tax payers if this facility was transferred to the Parish Council. A further view was expressed that a local mandate from electors should be obtained, as a matter of principle, before such an option was considered.

In response to questions raised by Cllr Jackson, the Registration Service and Business Manager reported that the Community Governance Review Sub Committee would consider and determine transitional arrangements. This would include the arrangements and agenda for the Annual Parish Meeting, which would take place within 14 days of the election of councillors, and would include the proposal for the Parish Council to be designated as a Town Council. The Sub Committee would also discuss and determine arrangements for an interim parish clerk.

The Committee discussed a suggestion that the Parish Council should have occupational rights to the Council Chamber, Mayor's Parlour and office accommodation within the Town Hall.

The Committee discussed whether an additional budget provision should be included for the award of grants. A sum of £15,000 was proposed.

It was noted that the Charter Trustees expected to have a sum of approximately £15,000 operating surplus which would be transferred to the Parish Council. In addition the precept for the new Parish Council would be calculated from 1 April as there would be some underspend in the total budget for the first month, before the councillors took office, which would act as a reserve.

In the draft budget calculation, a sum of £90,450 had been included for estimated Operational Management and Support costs. This was based on 15% of the gross operating expenditure (excluding CCTV). The Principal Accountant reported that this figure would be recalculated based upon the revised list of services.

A proposal was made for a contingency sum (based on 7% of the total budget) to be added to the draft budget requirement.

Members felt that further explanation and breakdown of the Total Administrative costs (£137,580) should be provided before this total was agreed.

The Committee was informed that the final deadline for the notification of precept requirements, for all parish councils in Cheshire East was 30 January 2015, with interim notification being required by the Finance Department by 16 January 2015.

The Chairman invited members of the public to speak.

Mr R Spoors, of the Citizen's Advice Bureau (CAB) observed that the list of powers and duties open to parish councils was extensive. The list of assets considered at the meeting today he felt was limited by comparison. He suggested that the Parish Council should consider its role in providing support to local charitable organisations such as the CAB, which was a locally defined service. He expressed concern about where future funding support would come from.

Mr R Spoors also commented that Macclesfield had a strong history and traditions which should not be disregarded. He felt that discussions should be broadened out to establish what services residents wished to see delivered. He felt there may be specific issues for Macclesfield to be addressed, rather than following a model created for other parish councils.

Mr R Regan, of Macc Today asked about the differences between a parish and town council and referred to the two services for which increased budget provision for 2015/16 had been proposed. Cllr Jackson responded to explain the position in relation to the terminology for the creation of a new Parish Council.

Mr P Nash, of the Macclesfield Civic Society stated that he was pleased the proposal had been made not to include certain services within the first year's operating costs. He felt that this would have been premature, given that further information was required. He added that he felt it was important to include some provision for grants. He felt it was best not to have a steep rise in the Council Tax year on year.

A further comment was raised by Mr P Miles that it would be helpful if candidates standing for election expressed a clear mandate for the services they wished the Parish Council to deliver – this would help the public to understand the scale of Parish Council which would be established.

RESOLVED

- 1) That in terms of the proposed operating budget and calculation of the Macclesfield Parish Council draft budget requirement, the Community Governance Review Sub Committee be requested to agree the following:
 - a. That allotments be included in the 2015/16 budget calculation (given that there would be an automatic vesting of allotments to the new Parish Council); and that all debts be cleared and allotments brought up to the appropriate standards.
 - b. That the Senior Citizens Hall be removed from the 2015/16 budget calculation, and any potential transfer be deferred for future negotiation and discussion between the Parish Council and Cheshire East Council, on the grounds that the Hall is involved in a complex redevelopment proposal.
 - c. That the Weston Community Centre be removed from the 2015/16 budget calculation, and any potential transfer be deferred for future negotiation and discussion between the Parish Council and Cheshire East Council.
 - d. That Markets be removed from the 2015/16 budget calculation, and any potential transfer be deferred for future negotiation and discussion between the Parish Council and Cheshire East Council.
 - e. That Public Conveniences be removed from the 2015/16 budget calculation, and any potential transfer be deferred for future negotiation and discussion between the Parish Council and Cheshire East Council.
 - f. That Town Centre Management be included in the 2015/16 budget calculation
 - g. That Christmas lights be included in the 2015/16 budget calculation, and that the provision be increased to £25,000.
 - h. That Street Furniture be included in the 2015/16 budget calculation
 - i. That Floral Displays be included in the 2015/16 budget calculation, and that the provision be increased to £10,000.
 - j. That CCTV be included in the 2015/16 budget calculation.
 - k. That the Visitor Information Centre be removed from the 2015/16 budget calculation, and any potential transfer be deferred for future negotiation and discussion between the Parish Council and Cheshire East Council.
 - l. That additional provision be made in the 2015/16 budget calculation in the sum of £15,000 for grant applications.
- 2) That further explanation and breakdown of the Total Administrative costs (£137,580) should be provided to the Community Governance Review Sub Committee for consideration.
- 3) That an officer report to be submitted to a future meeting of the Committee on the viability, financial and legal implications of :

- a. The Parish Council receiving the rental income from the Wilson Bowden Development;
 - b. The Freehold of the Macclesfield Town Hall being transferred to the Parish Council, with a lease back of office accommodation to Cheshire East Council;
 - c. The transfer of car parking provision and parking income to the Parish Council.
- 4) That confirmation be sought from Cheshire East Council that the Parish Council would have occupational rights to the Council Chamber, Mayor's Parlour and office accommodation within Macclesfield Town Hall.

The meeting commenced at 6.00 pm and concluded at 8.10 pm

Councillor B Murphy (Chairman)