

# Cheshire East Review of Local Community Governance 2021

## Proposal to merge Chorley, Handforth and Wilmslow

### 1. Summary

- (i) Under the Local Government and Public Involvement in Health Act 2007, Cheshire East Council (CEC) are currently obliged to carry out a Review of Local Community Governance.
- (ii) The report issued by the CEC Community Governance Review Sub Committee recommends the merger of the parishes of Handforth, Wilmslow and Chorley. This would result in a town (Wilmslow) council comprising 20 councillors of which only 4 would represent Handforth.
- (iii) None of the general principles (electoral size and housing development data; local elections nomination data; parish council workload; preconsultation survey responses) used to determine the fate of parish councils are fit for purpose and therefore cast doubt on the basis of the proposal to merge the three parishes.
- (iv) It has been argued that that Wilmslow and Handforth already represent a single community. However, evidence for this is lacking. In contrast, for the purposes of planning, CEC consider Wilmslow and Handforth as separate communities.
- (v) It has been argued that Handforth (a local service centre) depends on Wilmslow (a key service centre) for important services. However, no evidence has been advanced to support this claim.
- (vi) The recruitment of several new members of Handforth Town (formerly Parish) Council and the council's proud record of achievement and service both argue against its merger with Wilmslow and Chorley
- (ix) The proposed merger of Wilmslow, Handforth and Chorley would weaken Handforth's control over planning and associated financial (S106 and CIL monies) matters.
- (x) All three of the parish/town councils involved are opposed to the merger.
- (xi) CEC's proposal to merge the parishes of Handforth, Wilmslow and Chorley does not accord with guidance ("*Grouping or degrouping needs to be compatible with the retention of community interests. It would be inappropriate for it to be used to build artificially large units under single parish councils.*") issued by the Local Government Boundary Commission.
- (xii) Handforth Town Council (HTC) will be making representations to the consultation that HTC should remain independent. Handforth residents who agree with this view should make their own representations to the consultation at <https://surveys.cheshireeast.gov.uk/s/CGReview2/>

### 2. Introduction

Paras (a) – (c) below are extracts from the Guidance on Community Governance Reviews issued by the Local Government Boundary Commission for England.

- (a) Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves the power to take decisions about matters such as the creation of parishes and their electoral arrangements to local government and local communities in England.
- (b) Since 13 February 2008, district councils, unitary county councils and London borough councils ('principal councils') have had responsibility for undertaking community governance reviews and have been able to decide whether to give effect to recommendations made in those reviews. In making that decision, they will need to take account of the views of local people.
- (c) Principal councils should exercise their discretion, but it would be good practice for a principal council to consider conducting a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate.

Cheshire East Council (CEC) was established in 2009 and is currently undertaking its first Community Governance Review in accordance with para (c) above. At a meeting held on 6<sup>th</sup> April 2021, CEC resolved that a report produced by its Local Governance Review Committee should be subjected to a twelve week period of public consultation. That report contains the proposal that the parishes of Chorley, Handforth and Wilmslow should be merged. A critique of the background to this proposal and an account of reaction to the proposal follows:

### **3. The four general principles used by the CEC Community Governance Review Sub Committee to determine the fate of parish councils are not fit for purpose**

Page 17 para 5 of the Cheshire East Council Community Governance Review Draft Recommendations Appendix B states that *“Responses to the proposals contained in these Draft Recommendations in a consultation period that runs for a 12 week period will be carefully considered. However, as has already been emphasised, submissions containing alternative proposals should make use of the general principles that are outlined above as their starting point and they should support their alternative proposals with credible evidence.”*

The general principles here referred to include (i) electorate size and housing development data (ii) local elections nominations data (iii) parish council workload and (iv) pre-consultation survey responses.

#### **Electorate size and housing development data.**

According to the Cheshire East Council Community Governance Review Draft Recommendations Appendix B (page 185) the size of the electorate in Handforth is currently 5484 and predicted to increase to 5814 by 2025. We suspect that both these figures are under-estimates.

Page 16 of the Cheshire East Council Community Governance Review Draft Recommendations Appendix B (Section 3: Evidence) states that:

*“To calculate projected electorate figures for 2025 the Council has relied upon: (a) the scale and exact locations of future housing developments and (b) the Council’s housing development plans as set out in its Local Plan Strategy”*

Page 16 (final para) of the Cheshire East Council Community Governance Review Draft Recommendations Appendix B (Section 3: Evidence) states that *“Although the term for which this review is required to be mindful of changes in the numbers of government electors is 2018 – 25, the Council has also taken account of Local Plan strategy development beyond 2025 and up to 2030 particularly for those parishes where large developments are anticipated during 2026-30.”*

This statement seems markedly to conflict with page 182 of Cheshire East Council Community Governance Review Draft Recommendations Appendix B where it is stated that *“It should be noted that this review has not taken account of the Handforth Garden Village development, as that will be developed outside the period for which the Borough Council is required by legislation to give consideration to changes in electoral numbers that is, after 2025”*. An e-mail received (19/3/2021) from Brian Reed (Head of Democratic Services and Governance Cheshire East Council) states that *“there would be around 250 electors living on the Garden Village site by the end of March 2025”*. While we appreciate that the Cheshire East Council Community Governance Review Draft Recommendations has been corrected to allow for these 250 new electors, we are left unsure whether the Community Governance Review Sub-Committee has taken into account the following on-going or near future housing developments in Handforth:

<b>Site</b>	<b>No. of new homes to be built</b>
The Sanctuary	108
The Sun Field development	175
Knowle House	26*
Cypress House	39*
St Chad's vicarage	5*

(\* planning permission not yet granted)

The above data reinforces our belief that the figure for predicted electorate size in 2025 is likely to represent a significant under-estimate. Furthermore, among the 142 parishes of Cheshire East, the size of Handforth's electorate is exceeded by that of only 8 other parishes. Indeed, ten Cheshire East Parishes have an electorate of less than one thousand and yet the review proposes that these ten parishes remain unchanged! It therefore seems doubly inappropriate to use CEC-predicted electorate size data as an argument for merging Handforth with both Wilmslow and Chorley.

While accepting that the current review of local governance is intended only to cover the period up to 2025, it seems very short-sighted of the Local Governance Review Committee to propose that Handforth merge with Wilmslow when, between 2025 and 2030, the Garden Village at Handforth will add over 1500 new homes.

### **Conclusion**

Considerations of comparative electorate size and housing development data do not justify a merger of Handforth with Wilmslow and Chorley.

### **Local elections nominations data**

Page 17 para 2 of the Cheshire East Council Community Governance Review Draft Recommendations Appendix B (Section 3: Evidence) states that local elections

nominations data “*may be taken as a general and comparative indication of the level of democratic interest in the parish council*”. We would argue that the results of the **ward** council elections also provide a powerful index of democratic interest in the governance of the Handforth locality.

#### **Handforth Parish Council Elections**

<b>Year</b>	<b>Ward</b>	<b>No. of seats</b>	<b>No. of nominees</b>
2011	East	2	4
2011	West	3	5
2011	South	2	2
2015	East	2	3
2015	West	3	3
2015	South	2	3
2019	East	2	2
2019	West	3	7
2019	South	2	4
2021	West	1	2
	South (co-option)	1	2

For the past 10 years Handforth Parish Council has been able to field a full complement of 7 councillors. On the several occasions when a casual vacancy has arisen, that vacancy has been filled, without difficulty, by the process of co-option.

#### **Elections to Cheshire East Council of Handforth Ward Councillors**

<b>Year</b>	<b>No. of seats</b>	<b>No. of nominees</b>
May 2011	2	5
May 2015	2	6
May 2019	2	5

The data presented above do **not** indicate Handforth residents’ lack of interest in local government. Instead they show that, over a period of ten years, Handforth has maintained a very healthy interest in the composition of its parish council and in its representation within Cheshire East Council.

#### **Conclusion**

There is no justification for using Local Elections Nominations Data to recommend the abolition of Handforth parish Council

#### **Parish council workload.**

Page 17 para 3 of the Cheshire East Council Community Governance Review Draft Recommendations Appendix B (Section 3: Evidence) states that “*Council Tax band D Charges and the parish council precepts provide a general and comparative indication of the level of expenditure – and thus the level of work- that the parish council undertakes in its parish.*”

The budget calculated by a parish council in any one financial year determines both the precept that must be levied and hence the CEC-determined level of Council Tax for a band D property. Some comparative data is presented below.

Parish	Electors	Precept <sup>o</sup> or budget*	Band D tax	Proposal
Bradwall	154	£1,600 <sup>o</sup>	£18.64	No change
Alderley Edge	3708	£185,400 <sup>o</sup>	£68.50	Internal change
Chorley	386	£5,000	£17.44	Merge
Handforth	5162	£246,500*	£36.44	Merge
Wilmslow	19898	£338,175*	£27.31	Merge
Styal	584	£8,200	£22.39	Boundary review/ no change

Several points can be made about the above data:

(a) Using either precept or council tax data, Bradwall has a relatively light workload. Comparison of precepts suggests that Handforth has a workload some 150x that of Bradwall and yet while Bradwall is to remain unchanged Handforth is proposed to be merged with Wilmslow. The logic behind the differing proposed fates is impossible to follow! The same comment would apply to comparison of Handforth with any other of the 12 small (electorate of 1866 or less) Cheshire East parish councils for which no change is mooted.

(b) Judged by its band D council tax levy, Styal parish council has relatively light workload and (apart from a minor proposed change to the parish boundary) yet no change is proposed in its parish council. Comparison of council band D rates suggests that Handforth has a workload 1.7x that of Styal. However, comparison of precepts suggests that Handforth has a workload some 30x that of Styal. Clearly, assessing the relative work loads of Handforth and Styal depends upon the parameter (precept or council tax) chosen for the purposes of comparison. Moreover, while Styal parish council is to remain independent, that of Handforth is proposed to be merged with Wilmslow town council. Again, the logic behind the different proposed fates is impossible to follow!

(c) In terms of band D council tax, Handforth parish council seems to carry a **higher** workload than Wilmslow town council. However, in terms of budget Handforth carries a **lower** workload than Wilmslow! Again it seems that calculation of the relative work loads of two councils depends upon the parameter (precept/budget or band D council tax) chosen for the purposes of comparison. In any event merging Handforth with Wilmslow would put an intolerable burden on the Wilmslow town clerk. Compared with a parish such as Bradwall, the work load of Handforth parish council is considerable and should not therefore be used to suggest that the Handforth council's workload does not justify the council's continued existence.

In view of the obvious discrepancies between parishes with relatively low and relatively high numbers of electors and the differing results obtained when comparing council tax as opposed to precept, we conclude that consideration of precept and council tax band D data is **not** a useful tool for determining the fate of individual councils in the review process. Indeed it seems to seriously distort perception of what is worthy of retention and what actually needs to change.

### **Conclusion**

The relative workload of Handforth Parish Council does not justify its merger with Wilmslow and Chorley.

### **Pre-consultation survey responses**

At the meeting of the Cheshire East Council Constitution Committee held on 6<sup>th</sup> April 2021 several councillors (particularly Councillor Marren) commented on the very poor response to the pre-consultation survey and questioned whether the results were at all meaningful. According to the minutes of that meeting *“Councillor P Redstone wanted to know what model of engagement with parish councils had been used for the pre-consultation survey on the community governance review, given that only 56 of 142 parish councils had responded.”* Discussions within the meeting of the Cheshire East Council Constitution Committee held on 6<sup>th</sup> April 2021 therefore cast doubt on the justification for using the results of the pre-consultation survey as an analytical tool for deciding whether mergers of parishes should occur.

The failure of Handforth Parish Council to contribute to the pre-consultation survey is highly regrettable and is attributable to a decision made by the chair of the parish council (and two other councillors) who collectively held a controlling influence at that time. However, the Handforth Neighbourhood Plan Steering Group met on 5<sup>th</sup> November 2019 and unanimously agreed (*inter alia*) that the boundary of Handforth parish should be extended to include that part of Styal parish representing the site of “The Fairways” development. Several members of the Steering Group made personal submissions to the pre-consultation survey. It is gratifying to see that the suggested inclusion of The Fairways site within Handforth parish has been adopted by the Local Governance Review Committee.

### **Conclusion**

The concerns expressed during the Cheshire East Council Constitution Committee held on 6<sup>th</sup> April 2021 strongly suggest that responses to the pre-consultation survey should **not** be used as a tool for deciding whether parishes should merge. This is particularly true for Handforth when internal difficulties within the parish council at the time of the survey prevented that council from making a meaningful response. We therefore believe that, when applied to Handforth, none of the four “general principles” discussed above are fit for purpose with regard to deciding whether Handforth should merge with Wilmslow and Chorley.

## **4. Handforth’s case for remaining independent of Wilmslow and Chorley**

### **(a) Do Handforth and Wilmslow represent a single community?**

Page 184 of the Cheshire East Council Community Governance Review Draft Recommendations (Publication Version) states that *“Cheshire East Council considers that there will be merit in merging the existing parish of Handforth with the parish of Wilmslow as, to all intents and purposes, they form a single community”*. We believe that this statement was simply plucked from the air by the Community Governance Review Sub-Committee - for it seems based on a complete lack of evidence. This belief is confirmed by an e-mail received (19/3/2021) from Brian Reed (Head of Democratic Services and Governance Cheshire East Council) that states *“Secondly, on the matter of whether Handforth and Wilmslow constitute a single community, there is no specific evidence on this within the Draft Recommendations report.”*

The allegation that Handforth and Wilmslow represent a single community has been refuted in the minutes of the meeting of Wilmslow Town Council held on 19<sup>th</sup> April 2021 (see above). It has also been refuted by Handforth Parish Councillor John Smith in his presentation to the meeting of the Cheshire East Council Constitution Committee held on 6<sup>th</sup> April 2021.

There is a wealth of evidence to suggest that Handforth and Wilmslow exist and function as two separate communities. For example Handforth is separated geographically from Wilmslow by the River Dean. In September 2009 a petition bearing the signatures of 720 Handforth residents was submitted to Cheshire East Council requesting that Handforth become a parish separate from that of Wilmslow. Handforth Parish Council was established in May 2011 and, for the past ten years, has served Handforth parish well.

That Handforth and Wilmslow represent two separate communities is reflected in planning matters. An e-mail received (19/3/2021) from Brian Reed (Head of Democratic Services and Governance Cheshire East Council) states that "*The Cheshire East Local Plan identifies Handforth and Wilmslow as two separate settlements for planning purposes*". It should be noted that Handforth Parish Council has always carried out its duty to send informed comment on Handforth-based proposals to the planning department of Cheshire East Council. In November 2016 Handforth Parish Council appointed a Neighbourhood Plan Steering Group. This group of local residents produced a Neighbourhood Plan for Handforth in near-record time, for it was adopted by Cheshire East Council on 10<sup>th</sup> August 2018.

### **Conclusion**

The above considerations indicate that, according to the relevant parish councils, the parishes of Handforth and Wilmslow regard themselves as quite separate communities. They have been treated as such for planning purposes.

### **(b) Does Handforth depend on Wilmslow for essential services?**

Brian Reed has pointed out that while Handforth is classified as a **local** service centre, Wilmslow is classified as a **key** service centre with a greater range of services and facilities. Mr Reed also pointed out that it is inevitable that Handforth residents use the additional services and facilities to be found in Wilmslow. It is true that, compared with Wilmslow, Handforth currently lacks a bank, or a swimming pool, or a secondary school. However, Hazel Grove, a close neighbour of Handforth, has a swimming pool and banking facilities are to be found in Heald Green and Cheadle. While many Handforth youngsters of secondary school age attend Wilmslow High School, others receive their secondary education elsewhere. Furthermore the development of the Garden Village at Handforth is to provide a new ("through") secondary school.

### **Conclusion**

It is incorrect to assume that residents of Handforth are dependent on the additional facilities to be found in Wilmslow either now or in the foreseeable future.

### **(c) Does the past record of Handforth Parish Council argue for its dissolution?**

Over the past 10 years there is no doubt that Cheshire East Council has received a large number of complaints about the behaviour of Handforth parish

councillors. Such complaints have been made principally by councillors against their fellow councillors as part of a long-standing battle for overall control of the council. This battle reached its climax during the infamous parish council meeting of 17<sup>th</sup> February 2021. Since that time three new councillors have been elected or co-opted and council meetings have become very orderly and efficient.

Notwithstanding its long-standing internal problems, Handforth Parish council can be proud of its record of work and achievement. By way of example it raised the funds to build a war memorial and helped to win a grant of more than £2m from Access for All to provide both a car park and lifts at Handforth station. Items organised and funded by Handforth Parish Council have included CCTV coverage in, and a defibrillator for, the village centre. Handforth Parish Council have organised year-round floral displays throughout the village and events such as Christmas Markets, Christmas lighting displays, pantomimes and sessions of CPR training. Handforth Parish Council has been able to make useful grants to a number of local groups, clubs and societies.

### **Conclusion**

The former internal squabbles of Handforth Parish Council should not be used as an argument for its dissolution. Handforth is more than capable of managing its local affairs and in a manner quite independent of the activity of its larger neighbour, Wilmslow.

### **(d) Weakening/loss of local control over S106 and CIL payments**

Housing developments (e.g. The Fairways and the Garden Village at Handforth) in Handforth generate relatively large sums of money to facilitate local projects including infrastructure. By way of example the development of the Garden Village at Handforth is associated with S106 payments in excess of £75m. The Garden Village at Handforth will also generate large sums of money in the form of CIL (Community Infrastructure Levy) payments. Currently 25% of all CIL money generated within Handforth parish will be made available to the parish council to fund infrastructure projects of its choice.

Should the proposed merger of Handforth with Wilmslow and Chorley go ahead, Handforth would be represented by only four seats on an expanded Wilmslow Town Council totalling 20 seats. It therefore seems likely that Handforth's control over S106 negotiations or the spending of CIL money would be greatly weakened.

### **Conclusion**

A merger of Handforth with Wilmslow and Chorley would likely be to Handforth's disadvantage in matters of planning and finance.

## **5. Do the individual parish councils of Chorley, Handforth and Wilmslow wish to merge?**

Chorley Parish Council met on 3<sup>rd</sup> March 2021 and voted unanimously to object to any merger with Wilmslow and Handforth. At their meeting of 19<sup>th</sup> April 2021 Wilmslow town Council passed the following resolution: "Wilmslow Town Council opposes any merger of Wilmslow Town Council, Handforth Parish Council, and Chorley Parish Council. The draft proposals published by Cheshire East Council are predicated on the incorrect assumption that Wilmslow, Handforth, and Chorley are a single community. This is not the case. Wilmslow,

Handforth and Chorley are three distinct and separate communities and should be represented by their own, separate Councils." Handforth Parish Council met on 16<sup>th</sup> March 2021. A significant majority of councillors voted to object to any merger with Wilmslow and Chorley.

### **Conclusion**

All three parish councils involved in the proposed merger of Chorley, Handforth and Wilmslow are strongly opposed to their merging together.

## **6. Duty of Cheshire East Council to have regard to guidance issued by the Local Government Boundary Commission.**

Provision 100 of the Local Government and Public Involvement in Health Act 2007 relates to the issue of guidance by the Local Government Boundary Commission. Para 4 of provision 100 states that "*A principal council must have regard to guidance issued under this section.*" The Local Government Boundary Commission Guidance on Community Governance Reviews page 32, para 114 states that "*Grouping or degrouping needs to be compatible with the retention of community interests. It would be inappropriate for it to be used to build artificially large units under single parish councils*".

Cheshire East Council are proposing to merge Handforth (the ninth largest parish in the borough with an electorate size of 5126) with Wilmslow (the 4th largest parish in the borough with an electorate size of 19,898) and Chorley (electorate size 386). Handforth councillors would have only 4 out of a total of 20 seats on the proposed expanded Wilmslow Town Council. The proposal to merge Handforth with Wilmslow and Chorley therefore cannot be reconciled with the need to retain community interests and involves the creation of an artificially large unit under a single parish council.

### **Conclusion**

By proposing the merger Cheshire East Council are failing to have due regard to the guidance issued by the Local Government Boundary Commission.

## **OVERALL CONCLUSION AND RECOMMENDATION**

Handforth Town council recommend that residents who oppose the proposed merger of Handforth with Wilmslow and Chorley and prefer the village to maintain its own council with direct responsibility for the range of services and activities listed above, should respond directly to the consultation organised by Cheshire East council stating their opposition to the proposal. Representations should be made to <https://surveys.cheshireeast.gov.uk/s/CGReview2/> by the closing date of 28<sup>th</sup> November 2021.

Alternatively local residents should complete the paper version of the Local Governance Review questionnaire, sending the completed form to:

Children and Families,  
Cheshire East Council,  
Cledford House.  
Long Lane South  
Middlewich,  
CW10 0DB

The envelope should be marked "Community Governance Review"