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CHESHIRE EAST COUNCIL

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Date: 3 September 2008

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Dear Councillor

CABINET - MONDAY, 8TH SEPTEMBER, 2008

I am now able to enclose, for consideration at next Monday, 8th September, 2008 meeting of the Cabinet, the following reports that were unavailable when the agenda was printed.

Agenda No Item

13. **Programme Board Leadership Role (Pages 1 - 4)**

To consider the revised Officer arrangements for supporting the Cheshire East Council upon the Chief Executive taking up her post.

Report of the Interim Monitoring Officer attached.

14. **Section 24 Applications for Consent (Pages 5 - 6)**

To consider Section 24 Applications for Consent received since the last meeting.

Report of the Interim Monitoring Officer and the Interim Chief Financial Officer attached.

Yours sincerely

Cherry Foreman

Democratic Services Officer

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CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 08 September 2008
Report of: Interim Monitoring Officer
Title: Implementation Leadership Role

1.0 Purpose of Report

- 1.1 To put in place revised officer arrangements for supporting the Cheshire East Council upon the Chief Executive taking up her post.

2.0 Decision Required

- 2.1 To formally disestablish the Implementation Team established in accordance with Regulation 21 of the Cheshire (Structural Changes) Order 2008 with effect from 06 October 2008.
- 2.2 To authorise the continuation of the Implementation Team for the time being from 06 October 2008 under the leadership of the Chief Executive of Cheshire East Council, pending the Chief Executive reviewing the officer arrangements necessary to support Cheshire East Council and to ensure ongoing consultation and co-operation with the County Council and the East Cheshire Councils.
- 2.3 To give the Chief Executive authority during that review to add to, reduce or change the composition of the Implementation Team.

3.0 Financial Implications for Transition Costs

- 3.1 None.

4.0 Financial Implications for 2009/10 and beyond

- 4.1 None.

5.0 Legal Implications

- 5.1 As set out in the report.

6.0 Risk Assessment

- 6.1 To mitigate the risk of challenge to the authority of the officer team to carry out its functions, the composition of the team and its leadership are detailed in this report.

7.0 Background and Options

- 7.1 Regulation 21 of the Cheshire (Structural Changes) Order 2008 required the Joint Committee to form a team of officers (an Implementation Team) for the purpose of assisting the Joint Committee in the discharge of its functions. The Regulation required the leader of the team to be an officer of Macclesfield Borough Council and provided that the Implementation Team would continue in that role and support the Shadow Council after the dissolution of the Joint Committee if the Shadow Council so required.
- 7.2 Following the elections, the first meeting of the Cabinet authorised the continuation of the Implementation Team.
- 7.3 It is now considered appropriate, with the new Chief Executive of Cheshire East about to take up her appointment, for the Shadow Council to formally disestablish the Implementation Team established under Regulation 21 from 06 October 2008. With the appointment of Directors also imminent, in the future it will be the new Management Team of Cheshire East Council who will support the Shadow Council rather than the Implementation Team.
- 7.4 However, in order to ensure that work continues on implementation pending a review by the Chief Executive of the arrangements needed to support Cheshire East Council and to ensure co-operation with the outgoing authorities, Cabinet are asked to authorise the continuation of the Implementation Team for the time being under the leadership of the Chief Executive and to give her the authority to add to, reduce or change the composition of the team.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 Appointment of the new Chief Executive to lead the Implementation Team is a logical step in the development of the shadow authority.

9.0 Reasons for Recommendation

- 9.1 To ensure clarity in respect of the leadership of the Implementation Team.

For further information:-

Portfolio Holder: Councillor Wesley Fitzgerald (Leader)
Officer: Julie Openshaw (Interim Monitoring Officer)
Tel No: 01625 504250
Email: j.openshaw@macclesfield.gov.uk

Background Documents:-

Cheshire (Structural Changes) Order 2008
Local Government And Public Involvement in Health Act 2008

Documents are available for inspection at:
Congleton Borough Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

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CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 8 September 2008
Report of: Interim Monitoring Officer and Interim Chief Finance Officer
Title: Section 24 Applications for Consent

1.0 Purpose of Report

- 1.1 To inform the Cabinet of any S24 Specific Consents issued under delegated powers since the last Cabinet meeting.

2.0 Decision Required

- 2.1 To note the report.

3.0 Financial Implications for Transition Costs

- 3.1 There are no implications for transitional costs in 2008-09.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The financial implications of the decision included in this report will form part of the overall financial position of the existing Cheshire East authorities as at 31st March 2009. This financial position will be inherited by Cheshire East Council from 1st April 2009.

5.0 Legal Implications

- 5.1 See 6.1 below.

6.0 Risk Assessment

- 6.1 There is a risk of certain transactions by existing authorities being void if the necessary consents are not obtained for these from the Shadow authorities; however, the general and specific consent procedure and guidance have been put in place to mitigate this risk and ensure that appropriate consents are sought and given where needed.

7.0 Background and Options

- 7.1 On 21 May 2008 Cabinet agreed a General Consent for existing East Cheshire authorities to enter into land transactions and contracts to values which were set out in the report. It also delegated power to the Interim Monitoring Officer and Interim Chief Finance Officer for Cheshire East Council to give Specific

Consents in relation to applications to proceed with transactions in excess of these amounts, with a discretion reserved to those officers to refer the matters back to members where they see fit. It was specified that because both of the Interim officers are Macclesfield Borough Council employees, where the authority seeking Specific Consent was Macclesfield, the delegated officers would be the Monitoring Officer of Cheshire County Council, and the Chief Financial Officer (S151 Officer) of Congleton Borough Council.

- 7.2 Since the last Cabinet meeting on 12 August, and up to preparation of this report, one delegated Specific Consent has been granted.
- 7.3 The consent authorised Congleton Borough Council to proceed with the partnership scheme with Sandbach United Football Club to provide 15 mixed size football pitches, a full size synthetic pitch, associated changing facilities and club room and the employment of a full time Community Football Development Officer. Land will be purchased off Hind Road, Sandbach at a current expected value of £0.43m to accommodate the scheme, with construction costs estimated to be £0.55m. Sandbach United Football Club has raised funds of £100k and matched funding will be provided by the Football Association. Congleton Borough Council will sell land off Newall Avenue, Sandbach to fund the project at a current expected value of £1.355m.
- 7.4 The delegated decision was made by the Interim Monitoring Officer and Interim Chief Financial Officer of Cheshire East Council, and it was made after consultation with the Portfolio Holders for Health & Wellbeing and Procurement, Assets and Shared Services, and this was effective on 19 August.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 Not applicable.

9.0 Reasons for Recommendation

- 9.1 To inform members of delegated authority exercised since the Cabinet meeting on 12 August 2008.

For further information:

Portfolio Holder: Councillor Peter Mason

Officer: Julie Openshaw / Lisa Quinn

Tel No: 01625 504250 / 01625 504801

Email: j.Openshaw@macclesfield.gov.uk / l.quinn@macclesfield.gov.uk

Background Documents:

Specific Consent – Sandbach United Football Club

Documents are available for inspection at:

Town Hall

Macclesfield

SK10 1DX