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**CHESHIRE EAST COUNCIL**

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Date: 17 October 2008

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Dear Councillor

**COUNCIL - MONDAY, 20TH OCTOBER, 2008**

I am now able to enclose, for consideration at next Monday, 20th October, 2008 meeting of the Council, the following reports that were unavailable when the agenda was printed.

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**Democratic Services**

Agenda Item 6 – Records of Decisions of the Cabinet and Minutes of other Committees

**p) Staffing Committee - 12 September 2008 (Pages 1 - 2)**

Minutes attached

**r) Advisory Panel - Performance & Capacity - 17 September 2008 (Pages 3 - 6)**

Minutes attached

**u) Governance and Constitution Committee - 6 October 2008 (Pages 7 - 12)**

Minutes attached

Yours sincerely

*Julie North*  
Democratic Services Officer

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Staffing Committee**  
held on Friday, 12th September, 2008 at the Fred Flint Room, Westfields,  
Middlewich Road, Sandbach

**PRESENT**

Councillor W Fitzgerald (Chairman)  
Councillor R Domleo (Vice-Chairman)

Councillors A Arnold, Mrs R Bailey, Mrs D Flude, J Hammond and F Keegan

**In attendance**

Councillors D Brown and A Knowles

**49 APOLOGIES FOR ABSENCE**

There were no apologies.

**50 DECLARATIONS OF INTEREST**

All members of the Committee declared a personal interest in respect of the item on Appointment of Director - People in that they knew one or other of the candidates concerned.

**51 PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from the public.

**52 EXCLUSION OF THE PRESS AND PUBLIC****RESOLVED**

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 & 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

(Paragraph 3 concerns information relating to the financial or business affairs of any particular person (including the authority holding that information) Paragraph 4 concerns information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.)

**53 APPOINTMENT OF DIRECTOR - PEOPLE**

Members interviewed two shortlisted candidates.

**RESOLVED** - to appoint John Weeks to the post of Strategic Director People.

The meeting commenced at 2.00 pm and concluded at 5.15 pm

Councillor W Fitzgerald  
CHAIRMAN

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the Advisory Panel - Performance and Capacity  
Held on Wednesday, 17th September, 2008 at the Council Chamber,  
Municipal Buildings, Earle Street, Crewe

**PRESENT**

Councillor J Hammond (Chairman)  
Councillor Mrs D Thompson (Vice-Chairman)

Councillors Mrs E Alcock, T Beard, P Edwards, L Gilbert, P Mason,  
J Narraway and D Stockton

**8 APOLOGIES FOR ABSENCE****9 DECLARATIONS OF INTEREST**

None.

**10 PUBLIC SPEAKING TIME/OPEN SESSION**

No questions were received.

**11 MINUTES OF PREVIOUS MEETING**

RESOLVED

That the Minutes of the meeting held on 29 July 2008 be approved as a correct record, subject to the addition of Councillor David Brown to the list of those present.

**12 DRAFT CORPORATE PLAN**

Consideration was given to the rationale behind the development of the Cheshire East Interim Corporate Plan 2009/10. The interim plan had been formulated from the plans of the existing Authorities for use as part of the budget setting process for the 2009/10 service year, to ensure that the Council's key objectives and priorities were appropriately resourced. The intention was that the one year interim plan would then be replaced by a plan produced on a three year rolling basis.

The Panel thanked all the officers involved in putting this plan together, and recognised that it would form an excellent guide to the choices to be made as part of the budget setting process.

RESOLVED

That approval be given to the rationale behind the development of the Corporate Plan, and that it continue to be developed to include the targets for 2009/10.

**13 GOVERNANCE - UPDATE**

Consideration was given to an update on work being carried out on a number of areas including the development of the Constitution, Scrutiny, Corporate Governance, the formation of an Independent Remuneration Panel, Appointments to Outside Bodies and Civic and Ceremonial matters.

RESOLVED

That the report be noted and that a further update be given to the next meeting of the Panel.

**14 CHESHIRE AND WARRINGTON IMPROVEMENT AND EFFICIENCY PARTNERSHIP - UPDATE**

Consideration was given to a report on progress to date in developing the Cheshire and Warrington Improvement and Efficiency Partnership. It was reported that as part of the new performance framework Central and Local Government had committed to building a new joint approach to supporting excellent and efficient performance by local authorities and their partners through the development of a National Improvement and Efficiency Strategy. In the North West this would primarily be through five sub-regional partnerships and the progress of developing these was reported including the financial and governance arrangements.

RESOLVED

That the report be noted.

**15 LOGO APPLICATION TASK GROUP**

The Chairman agreed to allow consideration of this matter as an item of urgent business as, following the launching of the brand on 15 September, immediate and clear guidance was needed on how to proceed.

Andrew Arditti, Cheshire County Council Communications Manager, attended the meeting to report on the recent launch of the new Cheshire East Council logo. Careful thought and planning now needed to be given to the process of re-branding the Councils many assets including such items as, for example, buildings, vehicles, recreation areas, wheelie bins, stationary, uniforms and road signs. Priorities needed to be set for the first year, and then an ongoing rolling programme agreed upon. A budget had been allocated for the work and a tendering exercise was to be undertaken in respect of those items that could not be dealt with by the Authority direct.

It was agreed that a Task Group be established to carry this work forward.

RESOLVED

That the following Members be appointed to the Logo Application Task Group:-

- Elsie Alcock
- Terry Beard
- David Brown (Portfolio Holder/non Panel Member)

- John Hammond
- Diana Thompson

### 16 FEEDBACK FROM TASK GROUPS

The Panel received an update on the work of the ICT Task Group and the Customer Access Task Group. A question was raised regarding the remit of the ICT Group and it was confirmed that its scope should be strategic in nature and concentrate on future and transitional change. It was reported that the Customer Access Group had recommended that work should begin as soon as possible on the website and the Block Lead agreed to ensure that this was progressed. Some concern was expressed that not all the Task Groups had yet met and the Block Lead agreed to ensure that the necessary arrangements were made as soon as possible.

The Portfolio Holder (Performance and Capacity) reported on work being undertaken by the Neighbourhood and Area Working Group, which had been established at an early stage, after a Cheshire East Induction Day. At present this Group did not feed back into any other Committee or Panel and it was suggested that it would be logical for it to be considered as one of the Performance and Capacity Advisory Panels. This was agreed and it was noted that a further detailed report would be made to the next meeting of the Panel.

Consideration was given to the most appropriate way of reporting back to the Panel on the work of the Task Groups. It was agreed that the Lead Officer for each of the Groups would prepare a short report for each future meeting of the Panel and that the Chairman of that Task Group would then report further on it to the rest of the Panel.

Additions were made to the membership of the following Task Groups: -

- Finance – Les Gilbert and Don Stockton
- Corporate Development – Paul Edwards
- Parish and Town Councils – Paul Edwards

#### RESOLVED

1. That the update and arrangements for reporting to future meetings be noted.
2. That the Task Group memberships be added to as now detailed.
3. That the Neighbourhood and Area Working Group be added to the list of Task Groups reporting to the Performance and Capacity Advisory Panel.

### 17 DATE OF NEXT MEETING

#### RESOLVED

That the next meeting be held on 4 November 2008, starting at 4.30 pm.

The meeting commenced at 5.00 pm and concluded at 6.40 pm

CHAIRMAN



**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Governance & Constitution Committee**  
held on Monday, 6th October, 2008 at Committee Suite 2&3, Westfields,  
Middlewich Road, Sandbach, Cheshire CW11 1HZ

**PRESENT**

Councillor A Ranfield (Chairman)  
Councillor D Topping (Vice-Chairman)

Councillors M Asquith, C Beard, Mrs S Bentley, D Cannon, R Cartlidge,  
Mrs S Jones, A Kolker, Mrs G Merry, R Parker, R Walker and P Whiteley

**Officers present**

Julie Openshaw – Interim Monitoring Officer  
Mike Flynn –Governance Lead Officer  
Brian Reed – LGR Governance Group  
Carol Jones – Democratic Services, Crewe and Nantwich Borough Council  
Carole Roberts – Democratic Services, Cheshire East

**Apologies**

Councillor A Moran

**29 DECLARATIONS OF INTEREST**

There were no declarations made.

**30 PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from the public.

**31 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 8 September 2008 were approved as a correct record.

**32 LOCAL AUTHORITY SCHOOL GOVERNOR APPOINTMENT PROCESS**

This item was deferred until the next meeting.

**33 APPOINTMENTS TO CHESHIRE POLICE AUTHORITY**

The Governance Lead Officer introduced a paper setting out arrangements required to enable the appointment of Members to the Cheshire Police Authority, initially with observer status.

An Order was to be laid before Parliament in October to make the transitional arrangements for membership of the Police Authority. Members were asked to identify and appoint the Council's representatives on the Police Authority Joint Appointments Committee in order for the Council's representation on the Cheshire Police Authority to be determined. If done in advance of the Order being made, this would enable the Council's representatives on the Police Authority to receive induction, development and familiarisation with the work of the Police Authority.

It was noted the Order would require Cheshire West and Chester, Cheshire East, Halton and Warrington Councils to form a Shadow Joint Committee to appoint the local authority Members to the Police Authority with effect from 1 April 2009. The members appointed to the Authority itself would be entitled to attend meetings of the Authority in an observer capacity prior to 1 April 2009 and the Authority would be required to seek their views on its budget/precept and policing plan for 2009/10. The Membership and political arrangements for the existing and proposed Shadow Joint Committee were noted.

The Joint Committee would subsequently meet to review and take into account the political proportionalities across the four Councils as set out in the report. The Appointments Joint Committee would also need to determine how all of the 9 places are allocated, and to make the necessary appointments.

**RESOLVED** - To appoint three Members to the Police Authority Shadow Joint Appointments Committee, on a 2 Conservative; 1 Liberal Democrat basis in order that the Council's representation on the Cheshire Police Authority can be determined; and that Group Leaders notify the Governance Lead Officer of their nominations as soon as possible.

**34 PROGRESS REPORT ON DEVELOPMENT OF A WORK PROGRAMME AND RECOMMENDATIONS TO DEAL WITH APPOINTMENTS TO OUTSIDE BODIES**

The Committee considered a report from the Task and Recommendation Group Outside Organisations setting out its progress to date and outlining its proposals for developing criteria and procedures to form the basis of an appointment process to be put into effect from 1 April 2009.

The report set out the Group's work plan, priorities and criteria for appointment. The working draft criteria were attached as an Appendix to the report. The Group had also identified the issues of potential devolution of representation to Town and Parish Councils, appointments during the Transitional year and training needs for all members of the Council prior to accepting appointments.

**RESOLVED** - That

1. the progress to date be noted;
2. responsibility for appointments during the transitional year be delegated under Urgency procedures to the Chairman of the Governance and Constitution Committee in consultation with Group Whips and the Interim Monitoring Officer; and
3. the Cabinet be consulted on the proposed criteria at the appropriate time, and the need for any appointments to be reserved to the Cabinet.

**35 WHISTLEBLOWING PROTOCOL**

The Interim Monitoring Officer presented a paper seeking the approval of the Committee in respect of the Council's Whistle-blowing Protocol to be contained in its Constitution.

The adoption of a Whistle-blowing Protocol was an important element of the emerging Unitary Council's approach to Corporate Governance. It would also enable compliance with indicators of local authority good governance and the Accounts and Audit Regulations 2003 that require an annual governance statement be produced by local authorities and that arrangements are in place for whistle-blowing to which staff and all those contracting with the authority have access".

In response to members' questions the Interim Monitoring Officer advised that the Public Interest Disclosure Act 1998 has been introduced to protect employees who expose serious wrongdoing in the workplace.

**RESOLVED** – to endorse the proposed Protocol and to note that, in view of its implications for staff, that there will be consultations with unions before the contents of the draft are finalised for recommendation to the Shadow Council.

**36 PETITION FOR BOROUGH STATUS**

The Governance Lead Officer introduced a paper updating the Committee on the proposed application for Borough status, as agreed in principle by Council on 30 July 2008.

The paper set out the circumstances in which the Shadow Authority may petition for Borough status, and through the Privy Council Office, seek the grant of a Charter conferring Borough status on the whole area. Such a grant would mean that the Council would elect a Mayor, rather than a Chairman of the Council. The Council would also be able to appoint Honorary Freeman and Honorary Aldermen. It was noted that Honorary Freeman could only be appointed if Borough status was achieved.

To seek the grant of the Charter, a Petition in the appropriate format would have to be presented to the Privy Council Office, together with the proposed wording of the Charter. Drafts of both documents were appended to the paper and considered prior to submission to the full Council.

It was noted that the Local Government Act 1972 provided that “a Petition for a Charter shall not be presented except on a resolution passed by not less than two-thirds of the Members voting thereon at a meeting of the Council specifically convened for the purpose with notice of the object”. Appropriate provision would be made to enable the Council on 20 October to consider the formal presentation of the Petition for Borough status.

The Committee noted the differing responses of Macclesfield Borough Council, Crewe and Nantwich Borough Council, and Cheshire County Council to Cheshire East’s Petition for Borough status, and proposals to seek Charter Trustees to provide for a Mayor for Macclesfield and Crewe Towns. It was noted Congleton Borough Council had not yet considered the issue of Borough status for Cheshire East.

**RESOLVED -**

1. To recommend a Special Meeting of the Council to approve:
  - a) the formal presentation of a Petition seeking the grant of a Charter for Borough status; and
  - b) the form of the Council’s Petition for Borough status and of the proposed Charter for submission to the Privy Council Office.
2. That Council be advised to support applications for Charter Trustees which may be made by any unparished area of Cheshire East.

**37 CHESHIRE EAST WORK PLAN**

The LGR Governance Group presented an updated Work Plan for consideration and was attached as an appendix to the report. The details contained in it represented the timescales within which reports were to be brought to the Committee.

Members then commented on various aspects of the Work Plan, and in particular Area working and political structures; review of the Members Allowances Scheme by a new Independent Remuneration Panel and the powers contained in the Shadow Council’s constitution to enable decisions to be made by officers in urgent circumstances.

**RESOLVED** - That the Committee:

1. note the current detail of the Work Plan; and
2. note that this will be developed and periodically brought back to the Committee for approval.

The meeting commenced at 2.00 pm and concluded at 3.30 pm

Councillor A Ranfield (Chairman)

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