

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Cabinet
Held on Tuesday, 12th August, 2008
at Westfields, Middlewich Road, Sandbach

PRESENT

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

Councillors D Brickhill, D Brown, F Keegan, A Knowles, J Macrae, P Mason and B Silvester

Visiting Councillors Present – Councillors Miss C M Andrew, L Gilbert and Mrs L Smetham.

36 APOLOGIES

Apologies for absence were received from Councillor P Findlow.

37 DECLARATIONS OF INTEREST

Minute 40 (Key Decision – Shared Services: Principles, Governance and Functions)

Minute 41 (Key Decision CE06 – School Admission Forum)

Minute 42 (Key Decision – Residential and Nursing Care Contracts)

Minute 43 (Key Decision – Progressing the Extra Care Strategy across Cheshire)

Minute 48 (Key Decision – Workforce Disaggregation/Aggregation)

Councillors D Brickhill and P Mason declared personal interests in these items by virtue of being Members of Cheshire County Council. In accordance with the Constitution they remained in the meeting during consideration of these items.

38 PUBLIC QUESTION TIME/OPEN SESSION

There were no public questions.

39 MINUTES

RESOLVED

The minutes of the meeting held on 17 July 2008 were approved as a correct record.

40 KEY DECISION (SEE TEXT OF REPORT) - SHARED SERVICES: PRINCIPLES, GOVERNANCE AND FUNCTIONS

(Councillors D Brickhill and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to a report of the Joint implementation Team on shared pan-Cheshire services. It was reported that at the meeting of the Joint Liaison Committee on 1 August 2008 the recommendations now made to Cabinet had been approved. In considering the report it was agreed that the wording of the

decisions requested in 4(a) and (d) be amended to show that the arrangements would be reviewed after the first year of operation in line with the other recommendations in that part of the decision.

RESOLVED

For the reasons set out in the report and as now stated: -

That approval be given to the decision requested and that

1. The six key principles underpinning Shared Services (section 3.4) be endorsed with an additional principle that any Inter-Authority Agreements contain clear service standards and performance management mechanisms.
2. That of the three governance models the constitutional model be endorsed as the primary governance mechanism for Cheshire (sections 3.5 - 3.70 and Appendix A).
3. That agreement be given to the functions identified by officers as potential candidates for a short-term, transitional Shared Service (Appendix C) subject to:-
 - a) Item 9 School Admissions. Given the close relationship between the School Admissions process and the management of Appeals, it is proposed that a phased approach also be adopted to disaggregating the appeals service until 31 August 2009.
 - b) Appendix B Research and Intelligence: Defer a decision on the Research and intelligence service pending further investigation.
4. That agreement be given to the functions identified by officers as potential candidates for a pan-Cheshire Shared Service (Appendix D) subject to:
 - a) Item 15: Civil Protection/Emergency Planning: Consideration during 2009-10 of the scope for joint working with Halton, Warrington and other members of the Joint Resilience Forum: Reviewing the joint arrangements after the first year of operation.
 - b) Item 16: Occupational Health: Reviewing the joint arrangements after the first year of operation.
 - c) Item 17: Procurement
 - (i) Strategic procurement - to receive a more detailed report at the next Joint Liaison Committee on the recommended service delivery approach for Strategic Procurement;
 - (ii) Operation Procurement (Procure-to-Pay): to be considered as part of the independent review of the shared back office (see para 2.1 (v) below); and
 - (iii) CBS Supplies: consideration of CBS Supplies operating in the short-term as part of any shared back office arrangements (see para 2.1 (v) below) with a review of CBS Supplies during 2009-10 to consider the future of the service.
 - d) Item 19: Youth Offending Team: Consideration during 2009-10 of the scope for joint working with the Halton and Warrington Joint YOT: Reviewing the joint arrangements after the first year of operation.

- e) Item 20: Libraries Specialist and Support Services :Reviewing the joint arrangements after the first year of operation.
- f) Item 25: County Farms: To recommend retaining this small specialised service as a pan-Cheshire service subject to reviewing the joint arrangements after the first year of operation.

- 5. That agreement be given to the further work required to address the issue of the shared back office (section 3.66).

41 KEY DECISION CE06 - SCHOOL ADMISSION FORUM

(Councillors D Brickhill and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to the report of the Block Lead (People) advising the Shadow Authority on its statutory duty and powers in relation to school admissions, and seeking key decisions in respect of admissions processes, the formulation and determination of an admissions policy, admissions forums and areas.

RESOLVED

For the reasons set out in the report: -

1. That approval be given to the continuation from 1 April 2009 until 31 August 2009 of the pan-Cheshire delivery by the current admissions service of the process relating to admissions and appeals for the September 2009 intake (which commenced in June 2008) and relates to the current determined admissions policy and coordinated scheme. The admissions team to then be disaggregated on a phased basis from 1 September 2009, subject to both new LAs satisfying themselves that they have in place suitable staffing and systems arrangements to ensure delivery of their statutory duties.
2. That approval be given to the commencement by the County Council of the formulation of the September 2010 policy and the statutory consultation process on this, which must be completed by 1 March 09 (with determination by the statutory date of 15 April 2009).
3. That approval be given to immediate action* to set up two separate Admissions Forums to be established by Autumn 2008 in line with the proposed timetable shown at para 7.4. in order that each LA can be advised on issues and policies in relation to its local area and local schools. (*i.e. determines the constitution and membership in line with statutory requirements and approves the commencement of seeking new nominations, including nominations from existing members of the pan-Cheshire Forum).
4. That approval be given to the drawing up by the County Council of proposals in liaison with the existing admissions forum for the 'relevant area' (or areas), which will be subject to a 30-day consultation period prior to determination.

42 KEY DECISION (SEE TEXT OF REPORT) RESIDENTIAL AND NURSING CARE CONTRACTS

(Councillors D Brickhill and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to the report of the Block Lead, People, regarding the management of the contract for residential and nursing care for adults and older children which was due to expire on 11 April 2009.

RESOLVED

For the reasons set out in the report: -

That agreement in principle be given to a 2 year extension to the contract for residential and nursing care for adults and older children, and that a further report be considered by the Cabinet at its meeting in September.

43 KEY DECISION (SEE TEXT OF REPORT) PROGRESSING THE EXTRA CARE STRATEGY ACROSS CHESHIRE

(Councillors D Brickhill and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to the report of the Block Lead (People) on the progress of the extra care housing strategy in Cheshire until 31 March 2009, and thereafter.

RESOLVED

For the reasons set out in the report: -

1. That support be given to the development of an Inter Authority Agreement for one Authority to monitor and manage the Round 3 Private Finance Initiative Contract be agreed.
2. That support be given to the proposal to assign to the new Council the benefit of the five year Care and Support Contract awarded to Housing 21 until 2013, with each Council meeting the costs of care at the sites within its boundaries.
3. That the completion of the Round 5 Private Finance Initiative Outline Business Case, and the securing of an option on a fourth site be endorsed.
4. That agreement in principle be given to progress an Inter Authority Agreement to progress the Round 5 bid via a single authority on the basis that full details would be presented to Members at the time of the Outline Business Case submission.
5. That the work to secure 'Preferred Providers', with a view to the new Authorities utilising such Providers be endorsed.
6. That a Member from each of the new Authorities, with Councillor R Domleo being the representative for Cheshire East Council, accept an

invitation to attend the Public Private Partnership Panel for Extra Care Housing which meets quarterly to give strategic direction to the Extra Care strategy.

44 WASTE TREATMENT PFI CONTRACT: NOMINATIONS TO JOINT BOARD

Consideration was given to nominations to the Joint Board for the Waste Treatment PFI Contract.

RESOLVED

For the reasons set out in the report: -

That Councillors D Brickhill, P Mason and F Keegan be nominated to the Joint Board, and that Councillor D Brown act as reserve in the event of any of them being unavailable.

45 SCHEDULES OF CONSENT

Consideration was given to the joint report of the Interim Monitoring Officer and the Interim Chief Finance Officer on S24 Specific Consents issued under delegated powers since the last meeting. It was reported that one delegated Specific Consent had been granted in respect of the sale of Edleston Road Primary School, Crewe.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

46 PROGRESS REPORT

Consideration was given to a report of the Policy Support Team on progress made against key milestones, and highlighting the next steps for the coming months.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

47 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 it involves the likely disclosure of exempt information as defined in Paragraph 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 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.)

48 KEY DECISION CE09 - WORKFORCE AGGREGATION AND DISAGGREGATION

(Councillors D Brickhill and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to the report of the Lead officer, HR Group, on the processes to be followed to aggregate and disaggregate the workforce of the seven existing authorities to the two new Councils.

RESOLVED

For the reasons set out in the report: -

That the proposed approach be supported and that consideration of any further issues be delegated to the Staffing Committee.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

CHAIRMAN