

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 4th November, 2008 in the Capesthorne Room, Town Hall,
Macclesfield SK10 1DX

PRESENT

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

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

In attendance: Councillors A Arnold and R Westwood.

83 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Frank Keegan.

84 DECLARATIONS OF INTEREST

Members gave a general declaration of personal interest in respect of every item on the agenda where an individual Member was a Member of Cheshire County Council and/or of one of the current Borough Councils. In accordance with the Constitution they remained in the meeting during consideration of the relevant items.

85 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from the public.

86 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 7 October 2008 were approved as a correct record.

87 KEY DECISION CE17 & CE18 - DETRIMENT AND RELOCATION SUPPORT

Consideration was given to the issues relating to the introduction of a detriment scheme and to relocation support for staff appointed to the new authority who were not covered by TUPE provisions.

RESOLVED

For the reasons set out in the report: -

1. That the detriment scheme for appointments to the new authority be approved.

2. That the relocation support for appointments to the new authority be approved.

88 KEY DECISION CE24 - VOLUNTARY REDUNDANCY PROCESS PRIOR TO MARCH 2009

Consideration was given to the arrangements for considering redundancies in relation to Local Government Reorganisation prior to Vesting Day. The Leader of the Council reported that the decision requested had been revised since the report had been written; approval was given to the revised recommendation.

RESOLVED

For the reasons set out in the report: -

1. That the existing Councils be requested to adopt the proposed process attached at Appendix 1.
2. That delegated authority be granted to the Chief Executive or her nominee, to respond to the recommendations of the Panels in relation to proposed redundancies, for agreement by the existing employing Council, and to note the implications for transitional costs.

89 KEY DECISION CE31 - CHESHIRE EAST PARTNERSHIP IN SERVICE DELIVERY

Consideration was given to the level of financial support to existing external service delivery partners for 2009/2010.

RESOLVED

For the reasons set out in the report: -

1. That Cheshire East Council agree that the level of financial support to existing service delivery partners be maintained for 2009/2010 at current levels (without an inflationary increase), subject to the demands of the overall budget scenario.
2. That it be agreed that all partnership arrangements be subject to more detailed review in year one to assess cost/outcomes of all individual agreements.
3. That a complete list of all grants and funding agreements be made available as soon as possible.

90 KEY DECISION CE32 - CROSS BOUNDARY LIBRARY USAGE - EAST CHESHIRE / CHESHIRE WEST AND CHESTER

Consideration was given to cross boundary library usage between Cheshire East and Cheshire West and Chester libraries after 1 April 2009.

RESOLVED

For the reasons set out in the report: -

1. That the current situation for library users be noted.
2. That Members endorse a recommendation agreeing cross boundary usage of Cheshire East and Cheshire West and Chester libraries for library users after 1 April 2009 and instruct officers to take steps to implement this proposal.

91 KEY DECISION CE33 - TRANSITIONAL COST UPDATE

Consideration was given to an update on the mid-year review of transitional costs and existing sources of funding, and to changes to the Transitional Cost Programme.

RESOLVED

For the reasons set out in the report: -

1. That approval be given to the amendments to the projected Transitional Costs as a result of previous Member decisions and required adjustments, detailed in Section 7 of the report.
2. That the outcome of the mid-year review be noted.

92 KEY DECISION CE34 - DISAGGREGATION ON THE COUNTY BALANCE SHEET

A report was circulated at the meeting which set out progress to date, decisions now needed and areas of work required in order to comply with Department of Communities and Local Government regulations.

RESOLVED

For the reasons set out in the report: -

1. That the progress on the disaggregation of Cheshire County Council's balance sheet and the ongoing work in this area be noted.
2. That the agreement of the County Balance Sheet disaggregation package be delegated to the Interim Chief Finance Officer, or Borough Treasurer and Head of Assets (Section 151 Officer) if in post by the relevant time, in consultation with the Portfolio Holder for Resources, the Leader and the other Performance and Capacity Portfolio Holders.

93 KEY DECISION CE 39 - TRANSFORMING LEARNING COMMUNITIES - MACCLESFIELD LOCALITY REVIEW

Consideration was given to a report on the outcome of public consultations undertaken by the County Council in relation to primary school provision in

Macclesfield, and on the discussions with schools in the Bollington area about possible school federations.

RESOLVED

For the reasons set out in the report: -

Cabinet endorsed the recommendations of the County Council's School Planning Select Panel to:

1. approve the issue of statutory public notices proposing the closure of St Barnabas CE Primary School and St Edward's Catholic Primary School, Macclesfield, in July 2009;
- 2 subject to 1 above, to issue on behalf of the Dioceses of Chester and Shrewsbury a proposal to establish a new joint Church School on the current St Edward's Catholic Primary School site, with effect from September 2009;
- 3 authorise discussions with the Governing Body of Ash Grove Primary School to enter into an agreement supported by an action plan with explicit measurable targets, to seek to develop and improve the school over a 3 year period, with the recommendation to Cheshire East Council that the position of Ash Grove Primary School be reviewed in October 2011;
- 4
 - a. note the positive developments in relation to a possible hard federation between Bollington St John's CE Primary School and Pott Shrigley CE Primary School, and request that they continue developing detailed proposals for further consideration; and
 - b. note also the commitment of all schools in the area to work together and encourage them to continue their current dialogue.

94 KEY DECISION CE40 - CREATION OF ADULT SAFEGUARDING BOARDS

Consideration was given to a report outlining the process for creating Adult Safeguarding Boards in Cheshire East and Cheshire West and Chester, to operate from 1 April 2009, to ensure that effective strategies, policies and good practice are in place to protect vulnerable adults from abuse, harm and exploitation.

RESOLVED

For the reasons set out in the report: -

That approval be given to change the current County-wide Adult Protection Committee into two, multi-agency Adult Safeguarding Boards for 1 April

2009, in order to deliver the Action Plan outlined in the Feb 2008 Commission for Social Care and Inspection (CSCI) Safeguarding Inspection, and ultimately the improved protection of vulnerable adults.

95 KEY DECISION CE42 - CHILDREN PLAN 2008-11

Consideration was given to a brief for the Cheshire East Council on its duties in relation to the Cheshire East Children Plan 2008-2011, and to formal decisions required in order to ensure that statutory requirements were complied with for 1 April 2009. In considering the local priorities listed in paragraph 7.8 reference was made to an aim contained in the Cheshire Plan to 'raise achievement in School' and it was agreed that an extra bullet point should be added to the local priorities to reflect this.

RESOLVED

For the reasons set out in the report: -

1. That the Cheshire Children Plan 2008-2011 be formally recommended for adoption by Cheshire East Council as its statutory Children Plan to 2011.
2. That Council notes the requirement to set local targets (as part of the LAA process) by 1 April 2009 and the need to review, refresh and localise that plan during the period April 2009 to June 2010.
3. That a further bullet point in respect of 'improving outcome' be added to the list of priorities in paragraph 7.8.

96 FREE SWIMMING TO THOSE AGED 16 AND UNDER AND CAPITAL MODERNISATION PROGRAMME - FUNDING OFFER TO CHESHIRE EAST COUNCIL.

Cabinet was informed that following consultation with Cabinet Members and others an urgent decision had been made by the Chief Executive on 24 October 2008 under Council Procedure Rule 25 to approve acceptance of the Government's Free Swimming Programme offer of funding for the 16 and under category and capital improvements. The report provided a framework for implementing the decision.

RESOLVED

For the reasons set out in the report: -

1. That the decision of the Chief Executive be noted.
2. That approval be given to the actions needed to take the programme forward from April 2009 onwards as set out in Section 7.6 of the report.

**97 NOTICE OF MOTION RELATING TO WASTE MANAGEMENT
CONTRACT REFERRED FROM COUNCIL ON 20 OCTOBER 2008**

Cabinet received a Notice of Motion referred to it from the meeting of the Council on 20 December 2008 and approved the response given by Councillor D Brickhill, Portfolio Holder for Environmental Services.

RESOLVED

Cabinet notes that it has already set up a Joint Waste Board to work with the West to monitor the procurement of new waste treatment facilities, knowing that its members on that Board will continue to ensure that environmental impacts from treatment of waste are minimised and fully taken into account in determining the preferred bidder.

98 SCHEDULES OF SECTION 24 CONSENTS

Consideration was given to a report by the Interim Monitoring Officer and the Interim Chief Finance Officer on Section 24 Consents issued under delegated powers since the last meeting. Details were reported of a refusal of consent in respect of the disposal of Trinity Court, Macclesfield.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

99 PROGRESS REPORTING PAPER

Consideration was given to an update on the programme giving progress made against key milestones, and to the steps to be taken in the coming months.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

W Fitzgerald (Chairman)