

Scrutiny Committee

Agenda

Date: Wednesday, 18th February, 2009
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

4. **Minutes of Previous meeting (Pages 1 - 4)**

To approve the minutes of the meeting held on 21 January 2009.

Please contact Denise French on 01270 529643 or 01270 529736
E-Mail: denise.french@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

5. **Action taken by the Chairman**

6. **Outcomes from the meeting of the Governance and Constitution Committee held on 9 February 2009**

To receive a verbal update on various Scrutiny matters considered at the meeting of the Governance and Constitution Committee held on 9 February 2009.

7. **Address by Portfolio Holder**

The Chairman, on behalf of the Committee, has invited Councillor Frank Keegan, Portfolio Holder for Resources, to address the meeting on current financial issues.

8. **Annual Work Programme (Pages 5 - 20)**

To consider further the development of the Committee's Annual Work Programme taking into account the following:

- A Schedule of Reviews undertaken by Macclesfield Borough Council (attached);
- A Schedule of some Reviews undertaken by Crewe and Nantwich Borough Council (attached);
- An extract from the minutes of a meeting of the Crewe and Nantwich Borough Council Community Scrutiny Committee in relation to Migrant Workers (attached);
- A Schedule of Reviews undertaken by Congleton Borough Council (to follow);
- The Cheshire East current Forward Plan (attached);
- A request from the Performance and Capacity Portfolio Holder for the Citizen Advice Bureau to be included in the Work Programme;
- Details of tasks to be carried forward from each of the four constituent Authorities.

Members will note that a Schedule of Scrutiny Reviews undertaken by Cheshire County Council was circulated with the Agenda papers for the meeting held on 15 December 2008.

9. **Annual Scrutiny Report for 2008/09**

The Chairman to report verbally on the drafting of an Annual Scrutiny Report for the Shadow Council for the year 2008/09.

10. **Facilities for Young People - Pilot Project**

To receive a verbal update on the Scrutiny Review of Facilities for Young People.

11. **Update: Cheshire and Warrington Improvement Partnership Member Development - Overview and Scrutiny Programme**

To receive a verbal update on Module 4 of the Cheshire and Warrington Improvement Partnership Member Development – Overview and Scrutiny Programme to be held at Crewe on 13 February.

12. **Scrutiny Developments and Training Issues**

To receive a verbal update on various Scrutiny Developments and Training Issues.

13. **Progress on Government Guidance**

To receive a verbal update on Government Guidance.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Scrutiny Committee**
held on Wednesday, 21st January, 2009 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor A Thwaite (Chairman)
Councillor A Richardson (Vice-Chairman)

Councillors A Barratt, G Baxendale, S Conquest, P Edwards, Miss S Furlong,
Ms O Hunter, R Menlove, Mrs L Smetham, J Wray and Mrs S Jones

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Broadhurst, M Davies
and Mrs B Howell

36 DECLARATIONS OF INTEREST

A number of Councillors who were existing County and Borough Councillors
declared a personal interest in the business of the meeting en bloc. In
accordance with the Code of Conduct they remained in the meeting during
consideration of the relevant items.

37 PUBLIC SPEAKING TIME/OPEN SESSION

None

Members agreed that this issue should be deleted from future Scrutiny
Committee agendas, as public speaking was not relevant to this Committee.

RESOLVED

That the Governance and Constitution Committee be requested to give
consideration to the removal of Public Speaking/Open Session from the Rules of
Procedure for the Scrutiny Committee

38 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting be approved as a correct record subject to
Councillor P Edwards being included in the list of apologies.

39 ACTION TAKEN BY THE CHAIRMAN

The Chairman reported that he had undertaken the following action since the last
meeting of the Committee:

Urgent Decision under Standing Order No 25 – Appointment of Strategic Director, Places Informal Briefing to Members of the Cabinet.

RESOLVED

That the action taken by the Chairman in respect of the matter set out above be noted.

40 OPEN INVITATION TO THE LEADER OF THE COUNCIL AND CHIEF EXECUTIVE

It was noted that the Leader of the Council and Chief Executive were not available to attend this meeting.

It was agreed that this invitation should be a standard item on the Scrutiny Committee agenda and that the Leader of Council should be requested to address a future meeting of the Committee to express his views on the scrutiny process and how he would envisage scrutiny working post-vesting day.

RESOLVED

That an open invitation to the Leader of the Council and Chief Executive be included on all future Scrutiny Committee agendas

41 ADDRESS BY PORTFOLIO HOLDER

The Portfolio Holder for Resources did not attend the meeting

42 FEEDBACK ON SCOPING EXERCISE

The Scrutiny Committee had completed a scoping exercise earlier in the day on a review of Facilities for Young People, which would be completed by March 2009. Members agreed that although the exercise went well, the training that had been received so far did not assist in the review.

RESOLVED

That the feedback on the scoping exercise be noted.

43 ANNUAL WORK PROGRAMME

Consideration was given to the Committee's work programme. It was agreed that at the next meeting of the Committee, Members receive a report on the reviews/issues that would be referred to the Scrutiny Committee and a report on the reviews that had already been undertaken by the Borough Councils and County Councils.

Members also agreed that the forward Plan should be considered at all future meetings of the Committee.

RESOLVED

That the work programme be approved subject to the comments highlighted above.

44 UPDATE: CHESHIRE AND WARRINGTON IMPROVEMENT PARTNERSHIP MEMBER DEVELOPMENT – OVERVIEW AND SCRUTINY PROGRAMME

Members completed a feedback questionnaire on a training session relating to Module 3 – Having an Influence, Work Planning and Prioritisation, which was held at Warrington Town Hall on Friday 16 January 2009.

Following detailed discussion on the session, Members agreed that the following specific issues should be raised:

1. That the knowledge and expertise of the IDeA facilitator was good, however this did not come across during the training session
2. That the agenda for the session was not followed
3. That the location was poor
4. That members received too much background information and there was insufficient emphasis on the outcome of a review
5. That there was insufficient practical training such as workshops and case studies

RESOLVED

That the feedback form be approved and submitted to the IDeA

45 TRAINING AND DEVELOPMENT ISSUES

Consideration was given to the further training and development issue required by the Scrutiny Committee. It was agreed that:

1. J Lamb and H Boots be requested to facilitate a review session to enable any outstanding questions to be answered.
2. Training be received on the functions of the Borough and County Councils.
3. Additional practical training be received on how to conduct a review, with a focus on outcomes.

RESOLVED

1. That J Lamb and H Boots be requested to lead a future training session to answer any outstanding questions and help to review progress to date.
2. That the Committee receive training in respect of the functions of the Borough and County Councils and how to conduct a Scrutiny review.

46 ANNUAL SCRUTINY REPORT FOR 2008/09

Consideration was given to the Annual Report for 2008/09. It was agreed that the Chairman would draft the report and submit it to the next meeting of the Committee for consideration

RESOLVED

That the Committee give consideration to the draft Annual report at its meeting scheduled to be held on 18 February 2009.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor A Thwaite (Chairman)

MACCLESFIELD BOROUGH COUNCIL**SCRUTINY SCHEDULE****1 Report by Scrutiny Committee on Youth Sports Provisions – Considered by Cabinet on 2 April 2008**

Consideration was given to the recommendations of the Scrutiny Committee, arising from its recent review of youth sports provision, as follows:-

1. Base Budget to reflect staff salaries.
2. Cheshire East Council be encouraged to use the principles of Sports Development in its service provision to young people.
3. The possibility of creating a Football Academy be investigated by the Community Policy Development Committee.
4. The Sports Development Service to be expanded to cover deprived wards and rural areas not already provided for.
5. The principles of community engagement and social inclusion together with provision of diversion activities to be incorporated into the Leisure Trust's heads of terms.

In considering the report and agreeing with its recommendations it was recognised that they would need to be taken into account by both the new Leisure Trust, and by the Council for Cheshire East Cheshire.

RESOLVED

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

That the recommendations of the Scrutiny Committee be approved.

2 Bollington Town Plan – Considered by Cabinet on 10 December 2008

Consideration was give to the report indicating that the Bollington Town Plan 2008 had recently been published in its final form. The Parish Plan Committee had consulted extensively on the Plan and it's proposed actions. This Plan succeeded an earlier plan published in 2004. The Cabinet commended the Parish Plan Committee for the excellent document produced.

RESOLVED

For the reasons set out in the report:-

1. That Bollington Town Council and the Parish Plan Committee be congratulated on the publication of the Parish Plan, known as Bollington Town Plan 2008.
2. That the Borough Council receives the plan and notes that any actions could be incorporated into locally based plans for delivery.
3. That the Plan be recommended to Cheshire East Council.

3 Misuse of Alcohol – Considered by the Community and Resources Policy Development Committee 30 July 2008

The Committee received information from the Partnership for a Safe Borough and a presentation on behalf of Eastern Cheshire Primary Care Trust relating to addressing the problems of alcohol misuse in the Borough. The presentation outlined the national and local picture for alcohol misuse, how its priorities would be addressed and the activities of Central and Eastern Cheshire PCT. The Committee also received local alcohol profiles for England.

With regard to alcohol test purchasing it was agreed that the Joint Enforcement Group should investigate how prosecutions could be publicised to all licensees.

With regard to the sale of alcohol, Members agreed that the Government should be lobbied to ban advertisements and promotional offers. It was also agreed that as well as the binge drinking culture being addressed the number of units per drink should be advertised in all licensed premises.

Following detailed consideration of the issues contained within the report, it was agreed that that Chairman should contact the Portfolio Holder for Community and Wellbeing with a view to the above issues being investigated by Cheshire East Council.

RESOLVED

That the Chairman discuss the above issues with the Portfolio Holder for Community and Wellbeing with a view to alcohol misuse being investigated by Cheshire East Council.

4 Wheels to Work project – Considered by the Community and Resources Policy Development Committee – 20 November 2008

The Committee received a presentation on the success of the Wheels to Work project, in helping young people access employment and vocational training.

The presentation highlighted what the Wheels to Work Scheme provided, details of the loan, the successful outcomes, value for money, the environmental impact, the local economy, the strategic fit with local, sub regional, regional and national policy and the results of an independent evaluation.

Members agreed that the scheme was excellent and that Cheshire East Council should be recommended to adopt the scheme addressing any financial issues.

RESOLVED

That Cheshire East Council be recommended to adopt the Wheels to Work scheme and that any financial issues should be addressed by the authority.

5 Website Development for Parking Fines - Considered by the Community and Resources Policy Development Committee – 20 November 2008

Consideration was given to a report outlining the development of the Council's parking website to allow on line data subject access. Members were generally supportive, however it was noted that there would be advantages and disadvantages to the proposals. The Committee therefore agreed that the Car Parking Task Group be requested to look at this issue with a view to it being adopted by Cheshire East Council.

RESOLVED

That the Car Parking Task Group be requested to look at the website development for parking fines with a view to the proposals being adopted

6 Clinical Waste Collection – Considered by the Environment Policy Development Committee 13 November 2008

Consideration was given to a report seeking the comments of the Committee on the collection of clinical waste. It was noted that any comments would be taken into account by the Cheshire East Waste Collection Policy Advisory Group, which was looking at the design and delivery of future waste collection services. Members had requested a report on the collection of clinical waste, arising from domestic properties. The report looked at the issues connected with the collection of such waste, the demand for such a service within the Borough and the potential costs of the service.

RESOLVED

That the above comments be passed to the Cheshire East Waste Collection Policy Advisory Group when considering this matter.

There will also be recommendations from the Scrutiny Committee Review of Street Cleansing which will be considered by Cabinet at its meeting scheduled to be held on 18 March.

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Foot and Mouth Disease: 27 November 2001

Terms of Reference:

To consider the outbreak of foot and mouth disease with a request to DEFRA to nominate an officer to attend the Committee to advise it on -

- What lessons DEFRA had learnt from the outbreak
- What measures were in place to deal with an outbreak locally if it occurred again?
- Any other matters with the Committee felt appropriate to the local situation

Recommendations:

- a) A report to be submitted to the Board outlining the evidence obtained from a hearing held on 27 November 2001
- b) Letter to be written to the Secretary of State enclosing a copy of the evidence obtained.

Outcome:

A response was received from the Secretary of State noting the content of the letter. The Committee was informed that the evidence which had been had been submitted to the "Foot and Mouth: Lessons Learnt" inquiry set up by the government. Review concluded.

A534 Nantwich Road Crewe: 20 March 2002

Terms of Reference:

To investigate the problems associated with the traffic usage and traffic management of the A534 Nantwich Road Corridor from the Crewe Arms Hotel, Crewe roundabout to The Peacock Public House, Nantwich and examine the future development of the road.

Recommendation:

Papers supplied for the meeting and evidence taken at the meeting was forwarded to the Board for information and to the Highways and Transportation Local Joint Committee for consideration.

Outcome:

The Issues were considered at the Highways meeting on 8 July 2002. The Committee noted the comments as it had no powers to affect the changes proposed.

Future of Crewe and Nantwich Markets: 5 July 2004

Terms of Reference:

To consider i) the present position relating to Crewe and Nantwich markets; ii) Issues affecting both markets; and iii) Options for the future

Recommendations:

- a) That the Borough Council should continue to operate the markets
- b) A best practice visit be arranged to Shrewsbury Market
- c) Feasibility study be drawn up regarding proposals to extend the covered market
- d) Proposed policy on tradable goods be drafted

Outcomes:

The Borough Council remains the operator of the markets. The best practice visit found that whilst there were elements of its operation that could be adopted by the Council (brighter environment, better stalls) it concluded that private contractors would not enhance its operation. The feasibility study was superseded by plans to redevelop the town's three squares.

Task Group Reviews

Waste Management Task Group Appointed June 2001

Terms of Reference:

To assist in the continued implementation of the waste minimisation strategy and to maximise participation in recycling/composting

Subjects Considered:

- Waste minimisation
- Kerbside collection of recyclable/dry recyclable materials
- Co-mingled waste
- Materials Reclamation Facility/Transfer Station
- Public participation in recycling initiatives

Car Parking Task Group

Appointed December 2004

Terms of Reference:

To ensure adequate provision of car parking facilities within the town centres, monitor income streams and review car parking policies

Subjects Considered:

- Parking Permits
- Disabled Parking
- Decriminalised Parking
- Off -street Car Parking policy
- General Car Parking review
- Car parking in Nantwich
- Amendments to Car Parking Orders

Crewe Town Centre Task Group

Appointed December 2004

Terms of Reference:

To consider developments proposed and long term plans for Crewe Town Centre

Subjects Considered:

- Renovation of Municipal Square/Relocation of the War Memorial
- Redevelopment of Lyceum and Market Squares
- Modus Development

Queens Park Restoration

Adopted as a Standing Item July 2005

Terms of Reference:

To monitor the Queens Park Restoration Project.

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**CREWE & NANTWICH BOROUGH COUCIL
COMMUNITY SCRUTINY COMMITTEE**

**EXTRACT FROM RECORD OF MEETING
HELD ON 19 NOVEMBER 2008**

32. WORK PROGRAMME

32.2 Migrant Workers

During 2005, the Borough experienced a significant increase in its population due to an influx of migrant workers, placing pressure on both Council services and the local community. The authority had been quick to identify problem areas and, together with partner organisations had put in place practical assistance (welcome packs) and support (Crewe Polish Association) for migrant workers and their families. The Committee noted that Crewe and Nantwich Borough Council had become a 'pathfinder authority' for its work on migrant workers which had been recognised at national level.

The Community Development Manager updated Members by reporting progress on current activities which were to be expanded to include emergency planning and homelessness. Members praised the work of the officers involved in the project since its inception and a number of questions were put to the Community Development Manager, which were responded to accordingly.

In 2006, the Borough had been awarded government funding from the Invest to Save Budget (ISB) to '*address the needs of a changing community*'. Although the project was due to end in June 2009 the challenges associated with changing communities would be inherited by Cheshire East Council and it was considered important that established practices were not lost during this transitional period. The Committee was invited to consider a number of recommendations which would continue to build on achievements to date.

RECOMMENDATION:

It is the Committee's view that the work presently done under the Invest to Save Budget is crucially important in terms of community cohesion and recommends to the Board of Crewe and Nantwich Borough Council and the Cabinet of Cheshire East Shadow Council that they adopt the measures listed below:

THAT:

- a) A mapping exercise be carried out in Macclesfield Borough and Congleton Borough prior to April 2009 to establish baseline figures for Migrant Workers;
- b) Emergency planning procedures be developed to consider the impact of fluid communities and external influences that may bring about sudden or rapid change in population demographics;

- c) Continuing support be given to the newly emerging Migrant Worker Association, to ensure viability and sustainability;
- d) Consideration be given to commissioning work and/or setting up service level agreements between Cheshire East Council and the Migrant Worker Association to deliver on key pieces of research or consultation; and
- e) Changing Communities is adopted as a mainstream element within Cheshire East Council.



FORWARD PLAN 1 FEBRUARY 2009 - 31 MAY 2009

This Plan sets out the key decisions which the Executive expect to take over the next four months. The Plan is rolled forward every month. It will next be published in mid December and will then contain all key decisions expected to be taken between 1 January 2006 and 30 April 2006. Key decisions are defined in the Councils Constitution.

Reports relevant to key decisions, and any listed background documents may be viewed at any of the Councils Offices/Information Centres 6 days before the decision is to be made. Copies of, or extracts from these documents may be obtained on the payment of a reasonable fee from the following address:-

Democratic Services Team
Cheshire East Council ,
c/o Westfields, Middlewich Road, Sandbach Cheshire CW11 1HZ
Telephone: 01270 529736

However, it is not possible to make available for viewing or to supply copies of reports or documents, the publication of which is restricted due to confidentiality of the information contained.

A decision notice for each key decision is published within 6 days of it having been made. This is open for public inspection on the Council's Website, Council Information Centres and Council Offices.

The law and the Council's Constitution provides for urgent key decisions to be made. A decision notice will be published for these in exactly the same way.

Forward Plan 1 February 2009 to 31 May 2009

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made
CE11 Flexible and Mobile Working HR Policies		Cabinet	3 Feb 2009	With staff through normal routes.	Trish Barnett, Lead Officer Cheshire East Transition HR Project
CE26 Employee Code of Conduct		Council	9 Dec 2008	Via Trade Unions	Trish Barnett, Lead Officer Cheshire East Transition HR Project
CE29 Harmonisation Strategy		Cabinet	3 Mar 2009	Via Trade Unions	Trish Barnett, Lead Officer Cheshire East Transition HR Project
CE35 Shared Services		Cabinet	3 Feb 2009	Via Trade Unions	Ian Simpson, Performance and Capacity Block Lead Officer
CE37 Deprivation of Liberty Safeguards		Cabinet	2 Dec 2008	With providers and PCT	Keith Evans, Senior Manager Mental Health

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made
CE45 Revenue Budget 2009/10	Recommend Revenue Budget 2009/10 to Council Recommend Band D Council tax 2009/10 to Council Recommend Reserves Policy and Strategy to Council Recommend Prudential Indicators to Council	Cabinet, Council	Before 28 Feb 2009	Formal Stakeholder consultation in January 2009.	Lisa Quinn, Borough Treasurer and Head of Assets (Section 151 Officer)
CE46 Capital Programme 2009/10 - 2011/12	To recommend the Capital Programme to Council.	Cabinet, Council	Before 28 Feb 2009	Formal Stakeholder consultation in January 2009.	Lisa Quinn, Borough Treasurer and Head of Assets (Section 151 Officer)
CE47 Extra Care Housing Round 5 PFI		Cabinet, Council	Before 28 Feb 2009	Through publication of Cabinet agenda.	John Weeks, Strategic Director People
CE48 Transitional Costs Update		Cabinet	3 Feb 2009	Through publication of Cabinet agenda,	Lisa Quinn, Borough Treasurer and Head of Assets (Section 151 Officer)
CE49 Corporate Plan		Council	24 Feb 2009	Through publication of Cabinet agenda	Lisa Quinn, Borough Treasurer and Head of Assets (Section 151 Officer)

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made
CE53 Choice Based Lettings Common Allocations Policy		Cabinet	6 Jan 2009	Through publication of Cabinet agenda.	Chris McCarthy, Interim Strategic Director Places
CE54 Critical Day 1 HR Policies		Cabinet	3 Feb 2009	Through publication of Cabinet agenda.	Trish Barnett, Lead Officer Cheshire East Transition HR Project
CE55 Pensions Discretions		Cabinet	3 Feb 2009	Through publication of Cabinet agenda.	Trish Barnett, Lead Officer Cheshire East Transition HR Project
CE56 Criminal Records Bureau and Independent Safeguarding Authority		Cabinet	17 Feb 2009	Through publication of Cabinet agenda.	John Weeks, Strategic Director People
CE57 School Admissions Report		Cabinet	24 Mar 2009	To consult Schools and neighbouring authorities.	John Weeks, Strategic Director People
CE58 Local Strategic Partnership Formation		Council	24 Feb 2009	Through publication of Council agenda.	Ian Simpson, Performance and Capacity Block Lead Officer

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made
CE59 Local Area Working		Council	24 Feb 2009	Through publication of Council agenda.	Ian Simpson, Performance and Capacity Block Lead Officer
Sub Regional Housing Strategy		Cabinet	17 Feb 2009	Through publication of Council agenda. Consultation with partner organisations have been carried out.	Chris McCarthy, Interim Strategic Director Places
Waste Treatment PFI Contract		Cabinet	17 Feb 2009	Consideration by Joint Waste Board and Advisory Panel and through publication of Cabinet agenda.	Chris McCarthy, Interim Strategic Director Places

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