

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Council

held on Thursday, 17th December, 2009 at The Assembly Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor M Simon (Chairman)

Councillor G Baxendale (Vice-Chairman)

Councillors C Andrew, A Arnold, M Asquith, Rachel Bailey, Rhoda Bailey, A Barratt, G Barton, C Beard, T Beard, D Bebbington, D Beckford, S Bentley, D Brickhill, S Broadhurst, D Brown, R Cartlidge, J Crockatt, H Davenport, M Davies, Davies, B Dykes, P Edwards, P Findlow, W Fitzgerald, R Fletcher, D Flude, S Furlong, H Gaddum, L Gilbert, E Gilliland, J Hammond, M Hardy, M Hollins, D Hough, O Hunter, T Jackson, J Jones, S Jones, F Keegan, A Knowles, W Livesley, J Macrae, A Martin, M Martin, P Mason, S McGrory, R Menlove, G Merry, A Moran, B Moran, H Murray, J Narraway, D Neilson, R Parker, M Parsons, A Ranfield, L Smetham, D Stockton, D Thompson, C Thorley, A Thwaite, C Tomlinson, D Topping, R Walker, G M Walton, J Weatherill, R West, R Westwood, P Whiteley, S Wilkinson and J Wray

Apologies

Councillors E Alcock, D Cannon, S Conquest, R Domleo, J Goddard, B Howell and B Silvester

PART 1

146 PRAYERS

The Reverend Charles Razzall said prayers, at the request of the Mayor.

(The Mayor reported that she had been advised that the item relating to the Leader's report should be taken in Part 2 of the agenda and that, subject to the agreement of Council, and in accordance with Procedure Rule No. 5, she intended to vary the order of business to take it after the item relating to urgent items of business. Council so agreed.)

147 MINUTES OF THE MEETING HELD ON 15 OCTOBER 2009

RESOLVED

That the minutes be approved as a correct record, subject to an amendment to minute 132 – Declarations of Interest, to add Councillor Fletcher to the list of Members who had declared personal interests by virtue of membership of the Cheshire Fire Authority.

148 MAYOR'S ANNOUNCEMENTS

The Mayor:-

1. Referred to the recent sad death of the former Macclesfield Borough Councillor, Tom Scanlon, who was Mayor of the Borough from 1998-1999. Mr. Scanlon had worked as an employee of Wilmslow Urban District Council and completed 21 years' service as a Macclesfield Borough Councillor. He was also honoured with the title of Honorary Alderman, in March 2009, in recognition of eminent services rendered to Macclesfield Borough Council. He would be greatly missed.
2. Announced the sad death of former Crewe and Nantwich Borough Council Councillor Malcolm Rowley, who would also be greatly missed.
3. Announced that an annual Ofsted inspection had rated Children's Services in Cheshire East as level 3 or 'Performs Well'. This meant the overall effectiveness of inspected services were good or better. Childcare, nursery education and primary schools were better than similar areas and that found nationally. Inspectors also found that there was adequate provision from the Council's secondary schools, but this could be improved, compared with others nationally. All the Council's special schools were good and their performance was above that found in similar areas and that seen nationally.
4. Announced that, in their daily fight against crime and anti-social behaviour, Community Wardens had been given new powers to obtain names and addresses of offenders and to deal with issues arising from drinking in public places. The powers followed their achievement of the Community Safety Accredited Persons Certificate NCFE Level 2. To obtain these qualifications a high level of commitment and dedication was required. The Mayor congratulated all Community Wardens in the Authority.
5. Announced that she was delighted to report that the Council had received a very positive first Comprehensive Area Assessment report after only eight months as a Council. The Comprehensive Area Assessment was carried out by six Inspectorates and outlined how effectively Cheshire East Council, Cheshire Fire and Rescue Service, Cheshire Police and the Primary Care Trust were catering for local people and the likelihood of improvements in the future.

The Council had been praised for its work so far and assessed as good and indeed better than many other parts of England, in most services. While there was much work to do, this was a remarkable achievement in such a short space of time.

6. Announced that she and her Consort had undertaken a wide and varied selection of official engagements since the last Council meeting and had particularly enjoyed the Christmas festivities at the schools.

149 DECLARATIONS OF INTEREST

Councillor A Arnold declared a personal interest in the item relating to Police Authority Representatives on the Sustainable Communities Scrutiny Committee, by virtue of being a member of the Police Authority.

150 PUBLIC SPEAKING TIME/OPEN SESSION

1. Mr I Knowlson used public speaking time to make a statement, on behalf of the residents and traders of the former Congleton Borough, in respect of the introduction of car parking control and parking charges in that area. He considered that proper consultation had not taken place in respect of the scheme and that insufficient consideration had been given to objections to the scheme in respect of: the effect on the local economy; the environment for residents; locations where people chose to park;; health and safety impact on children playing; and additional costs to businesses in the town centre.

Mr Knowlson requested that the Council work with local residents and traders, in order to get a fairer car parking charging scheme across the Borough.

2. Mr K Edwards used public speaking time to request that the Council consider whether it could put in place a structure to consider local highway issues in local towns. Mr Edwards stated that he was a member of the Macclesfield Local Area Partnership and had seen a genuine commitment amongst partners to come together to work towards improving the area of the Local Area Partnership, in this regard. However the Local Area Partnership did not deal with all aspects of local working that Town and Parish Councils were concerned with and highways issues had been overlooked.

151 NOTICE OF MOTION

Consideration was given to the following Notice of Motion moved by Councillor A Moran and seconded by Cllr Flude:-

This Council calls upon the Executive to recognise the need to improve the conduct of decision-making and consultation in relation to all matters relating to the Council's responsibilities as a Highways Authority and its responsibilities through its Transport Policies.

In particular, the Council calls upon the Executive Members with responsibility for Strategic Planning and the Environment to recommend the establishment of bodies, which would effectively carry out the public functions which were previously the responsibility of the three Joint Highways Committees and the Public Transport Liaison Committees, within the area now governed by Cheshire East.

These responsibilities should include the public consideration of decisions in relation to parking, Traffic Regulation Orders, Speed limits and engineering

improvements and all other matters where effective transparent consultation and decision making is required.

The Council asks for Committees of local Councillors to be established in each of the previous areas covered by Macclesfield, Congleton and Crewe and Nantwich Borough Councils and provision to be made for the involvement of the police and where relevant town and Parish Councils. The Committees to be empowered to receive and consider representations by the public where these are appropriate.

The motion stood referred to Cabinet.

152 **SUPPLEMENTARY ESTIMATES APPROVALS**

Consideration was given to a report requesting approval of Supplementary Capital Estimate and virement requests of over £1.0m, or which required funding from later years, or which needed to be funded from reserves, as detailed in Section 11 and Appendix 1 of the report submitted.

RESOLVED

1. That the following Supplementary Capital Estimates (SCE) and Virement requests of over £1.0m, or which required funding from later years, or which are funded from reserves, as detailed in Section 11 and Appendix 1 of the report be approved:-
 - a. Christ the King Catholic & C of E Primary School £3,039,000
 - b. Stapeley Broad Lane Primary School £906,000
 - c. Offley Primary School £845,000
 - d. Energy Efficiency – Invest to Save £75,000
2. That, subject to grant approval, an SCE of £2.2m, to be fully funded by Connected for Health grant, for the Common Assessment Framework Demonstrator Bid, as detailed in Section 11 of the report submitted, be approved.
3. That the use of General Reserves to fund the following items, as detailed in Section 11 of the report be approved :-
 - a. £75,000 in 2009-10 for energy efficiency measures to reduce Carbon Emissions.
 - b. Round 2 Voluntary Redundancy costs of up to £5m, together with the additional future payment of actuarial costs.
4. That the use of General Reserves to create the following new earmarked reserves as detailed in Section 11 of the report, be approved :-
 - a. Invest-to-Save Projects (£2m)
 - b. Enabling Local Working (£625,000)

153 REFERRAL TO COUNCIL OF RECOMMENDATIONS FROM THE GOVERNANCE AND CONSTITUTION COMMITTEE

Consideration was given to the recommendations to Council from the Governance and Constitution Committee in respect of the following matters:

(a) Police Authority Representation on the Sustainable Communities Scrutiny Committee

The Governance and Constitution Committee, at its meeting on 19 November 2009 had considered proposals for Police Authority representation on the Sustainable Communities Scrutiny Committee.

The Council had designated the Sustainable Communities Scrutiny Committee as the Committee to discharge the Council's responsibilities for crime and disorder functions, in accordance with Section 19 of the Police and Justice Act 2006. The Home Office had issued guidance in connection with Sections 19 and 20 of the Act which stated that 'Local Authorities should, in all cases, presume that the Police Authority should play an active part at committee when community safety matters were being discussed and particularly when the Police were to be present'.

The guidance contained three options for ensuring Police Authority involvement in community safety matters. The Governance and Constitution Committee had considered the merits of each in relation to the circumstances of Cheshire East Council and its representation on the Police Authority. Option 2, which involved issuing the Police Authority with a standing invitation to attend the Sustainable Communities Scrutiny Committee as an 'expert adviser', appeared to give the Police Authority flexibility to send different representatives to individual meetings of the Scrutiny Committee, depending on the subject matter before the Committee.

The guidance also recommended developing a protocol between partners.

RESOLVED

1. That Cheshire Police Authority be informed that the Council supports the appointment of a Police Authority representative to the Sustainable Communities Scrutiny Committee, in accordance with option 2 as contained in the Home Office Guidance on Sections 19 and 20 of the Police and Justice Act 2006.
2. That the Borough Solicitor be authorised to make such changes to the Council's Constitution as he considers necessary to give effect to the wishes of Council to recognise that Cheshire Police Authority receives a standing invitation to attend meetings of the Sustainable Communities Scrutiny Committee, in order for the Police Authority representative to act as an 'expert adviser' in respect of Community Safety matters.
3. That the Sustainable Communities Scrutiny Committee be requested to develop a Protocol which sets out the mutual expectations of Scrutiny Members and partners in connection with the involvement of the Committee in the Community Safety Scrutiny Process.

(b) Cabinet Support Members

The Governance and Constitution Committee, at its meeting on 19 November 2009, considered proposed changes to the arrangements for Cabinet Support Members in relation to Scrutiny committees.

All four Cabinet Support Members had been appointed as members of overview and scrutiny committees.

It was felt, for reasons set out in the report, that there was potential for conflict between the role of the four Cabinet Support Members and their membership of overview and scrutiny committees, due to the executive nature of their role, albeit without direct responsibility for executive decision-making.

RESOLVED

1. That Cabinet Support Members should not be permitted to be members of Overview and Scrutiny Committees and accordingly, the following Members should not take their place(s) on Overview and Scrutiny Committees:

Children and Families	- Councillors Rhoda Bailey, Olivia Hunter, Lesley Smetham
Health and Adult Social Care	- Councillor Olivia Hunter
Environment and Prosperity	- Councillors Rod Menlove, Lesley Smetham

2. That nominations be sought from the Conservative Group to fill the vacancies on each of the above Overview and Scrutiny committees;.
3. That the Borough Solicitor be authorised to make such changes to the Constitution as he considers necessary to give effect to the wishes of Council.

(c) Questions at Council

At its Chairman's request, the Governance and Constitution Committee, at its meeting on 19 November 2009 had reviewed the current arrangements with regard to questions by Members at Council meetings.

The current Rules provided for Members to ask questions at Council of the Mayor, the appropriate Cabinet Member, or the Chairman of a Committee, about a matter for which the Council, the Cabinet or the Committee had powers, duties or responsibilities (Council Procedure Rule 11.1). Questions had to be provided in writing at least three clear working days before the meeting (Council Procedure Rule 11.3).

The Rules provided for the questioner to ask a supplementary question which related to the initial answer.

The Governance and Constitution Committee resolved:-

That Council be recommended to agree that the provision giving Members the right to ask supplementary questions at Council meetings be removed from the Constitution.

The above recommendation was moved and seconded.

An amendment to the motion to refer this matter back to the Governance and Constitution Committee, so that an agenda item could be prepared to give an analysis as to why this motion had come forward, with reasons, was then moved and seconded.

(The Mayor accepted a point of order, which questioned the appropriateness of this motion being moved as an amendment and the matter was, therefore, put as a Motion without Notice under Appendix 1, Rule 4, Council Procedure Rule 10 of the Constitution).

A request for a recorded vote was submitted and duly supported, in accordance with the provisions of Council Procedure Rule 15.2 of the Constitution.

The amendment was put to the meeting with the following results:-

For	Against	Not voting
A Arnold	C M Andrew	
T Beard	Rachel Bailey	M Asquith-not present when vote taken
S Broadhurst	Rhoda Bailey	W Livesley-not present when vote taken
R Cartlidge	G Barton	
P Edwards	G Baxendale	
R Fletcher	C Beard	
D Flude	D Bebbington	
D Hough	D Beckford	
S Jones	S Bentley	
M Martin	D Brickhill	
S McGrory	D Brown	
A Moran	J Crockatt	
J Narraway	H Davenport	
M Parsons	M Davies	
C Thorley	S Davies	
C Tomlinson	B Dykes	
	P Findlow	
	R W J Fitzgerald	
	S Furlong	
	H Gaddum	
	L Gilbert	
	E Gilliland	
	J Hammond	
	C Hardy	
	M Hollins	
	O Hunter	
	T Jackson	
	J Jones	
	F Keegan	

	A Knowles	
	J Macrae	
	A Martin	
	P Mason	
	R Menlove	
	G Merry	
	B Moran	
	H Murray	
	T Ranfield	
	M Simon	
	L Smetham	
	D Stockton	
	D Thompson	
	A Thwaite	
	D Topping	
	R Walker	
	G Walton	
	J Weatherill	
	R West	
	R Westwood	
	P Whiteley	
	S Wilkinson	
	J Wray	

The motion was declared not carried, with 16 votes for and 52 against.

The recommendation of the Governance and Constitution Committee was then voted upon.

RESOLVED

That the provision giving Members the right to ask supplementary questions at Council meetings be removed from the Constitution.

154 QUESTIONS

The questions submitted, together with a summary of the responses are set out below:-

Question 1 – Submitted by Cllr R Walker CBE

How many (serving and ex-service) Service personnel who have been (seriously) injured in the operations in Iraq and Afghanistan are currently living in Cheshire East? What is the Council and its partners doing to assist them in their recovery and to support them in their futures?"

The Leader of the Council responded:-

"Unfortunately the Council is not party to the information on the numbers of seriously injured Service personnel from these particular conflicts who are now living in Cheshire East. The information regarding each individual is out of necessity kept confidentially, for personal medical and security reasons.

We are checking to establish if any such individuals have been referred to the Adults Social Care Physical Disabilities Team and if this provides some information it will be conveyed to Councillor Walker in writing. We are also checking with colleagues in the Health service to establish if they have any database of such patients that might provide an indication of numbers, and again this will be passed on if available. This includes those who may have been referred to the Cheshire and Wirral Partnership Trust that deals with those with mental health issues.

I can assure the Councillor that Cheshire East is committed to providing the best services it can for all people with physical or mental disabilities, and those who might be recovering from injuries, sustained through active service or other incidents or accidents. This includes concessionary use of leisure facilities for example. We will also do all we can working with our health partners to help with the rehabilitation of any such personnel who are made known to us”.

Question 2 – Submitted by Cllr D Flude

Council Publications

Recent articles in the national press have highlighted local authorities where services have been cut. In one authority the first action of the new Leader was to close down the local Council run newspaper because, in his opinion, it was “publishing politics on the rates”. He stated that he wanted to pass on the savings for the things that really mattered to the residents, like Children’s Services.

Will the Executive Member confirm that the budget for this department is £1.45m, with an extra £300,000 from transition costs and will the transition cost be rolled over into 2010/2011?

What is the production cost of one edition of Cheshire East News, including staff time and the cost of delivery?

This Council has recently published a Scrutiny Bulletin.
How much has this publication cost to produce and distribute including staff time?

The Performance and Capacity Portfolio Holder responded:-

“Yes, Yes and no.

The cost per issue of printing and distribution of Cheshire East News is £32,000. We now have an established brand, which is all done in-house and we should commend the Communications team for this.

The Council is at the stage of developing a Scrutiny newsletter with the Scrutiny team. We have drafted and produced artwork for a 1/3 folding A4 leaflet. The leaflet explains the role of Overview and Scrutiny and encourages them to submit their views about the Council and its services - both online and through the reply form included within the leaflet.

The following quote to print 1000 copies is £163, to be distributed via CSPs, libraries, other council buildings”.

Question 3 – Submitted by Cllr D Flude

Child Care

We understand that there is pressure on the budget for Child Care, as many more children than expected have been taken into care in Cheshire East. Will the Cabinet Member responsible call for a report on the reasons for this increase in the need for care, will he further produce a report on the long term budgetary implications of the need for increased child care and will he put in place a plan to meet the necessary resource requirement and report to this Council as soon as possible, on how those resources will be allocated?

The Children and Family Services Portfolio Holder responded:-

“The number of Cared for Children has risen from 316 in January 2009 to 405 in November 2009.

When comparing with other North West LA, the number of Cared for children per 10,000 of children under 18 is at the lowest end. The average for the region is 74 children compared to Cheshire East at 53.

The unit cost of providing care for these children is estimated at £900 per child per week. (Data on costs is no longer required as a Government return; therefore the figure is still estimated unit costs whilst more detailed work is completed in assessing costs.)

The service is addressing issues concerning the Cared for Children population through the service re-design. Development of targeted services will assist in early interventions to prevent the need for children to be looked after. This will include a new assessment of need for placements and resources to accommodate Cared for Children.

Within the budget challenge sessions, the Service has bid for growth in this area”.

Question 4 – Submitted by Cllr D Flude

Cost of Re Branding this Council

A resident of Wilmslow has contacted me with his concerns about the cost of rebranding all of Cheshire East buildings, leisure facilities and vehicles, as well as the signage for the borders of our new authority.

Will the appropriate Cabinet member provide the detailed costings for this rebranding exercise? Will he further assure me that the appropriate number of quotations were received for the work and can he assure me that where possible the work went to local business in Cheshire East?

The Performance and Capacity Portfolio Holder responded:-

“In respect of internal re-branding I can confirm that three quotations were received and evaluated. The Contract was subjected to a full procurement tender exercise under the European Procurement Directives . The contracts were advertised both in the European Journal and in the trade press . Applicants were selected following the satisfactory completion of a pre qualification questionnaire. From the 46 completed questionnaires 26 companies were sent an invitation to

tender. 17 companies submitted bids . The contract was awarded to the company that offered the most economically advantageous bid. This was not a Cheshire East based business. Cheshire East supports local business, however EU procurement Directives govern Public sector procurement and ensure that all procurement is fair, open and transparent. As such we cannot award business on the basis of location alone. We are currently developing a training programme to support local businesses in securing Public sector business”.

Question 5 – Submitted by Cllr D Flude

Helping Local Businesses.

This Council has quite rightly set out a policy for supporting local businesses in Cheshire East. Will the Cabinet member responsible for procurement assure me that, wherever possible, contracts for Council work are let to local businesses, that local businesses are made aware of all work available and will the Cabinet Member arrange to publish each year the proportion of the procurement budget that is spent with businesses located in Cheshire East?

The Procurement, Assets and Shared Services Portfolio Holder responded:-

“EU procurement Directives govern Public sector procurement and ensure that all procurement is fair, open and transparent. As such we cannot award business on the basis of location alone. We are currently developing a training programme to support local businesses in securing Public sector business in partnership with local Chambers of Commerce & Business Link. This was conveyed to over 100 businesses at a successful business breakfast held earlier this autumn.

As part of the procurement process, for each contract that is above the European Procurement Threshold, these procurements are advertised in the Official Journal of the European Union. Procurement opportunities are also on our Council web site pages under the tender opportunities section of the procurement pages.

Within the first half of 2010, Cheshire East Council intends to introduce an e-tendering portal, this is currently used by the majority of West Authorities, sponsored by North West Improvement & Efficiency Partnership. This will detail all of the Council's tendering opportunities, therefore making it easier for suppliers to gain information on and be included in the procurements being undertaken by the Council.

This will allow suppliers to register to receive electronic alerts notifying them of opportunities in there category of work &/or geographical region.

Cheshire East will gather and Publish on an annual basis the level of spend that the Council spend with Suppliers based in the Borough as part of the procurement performance indicators being developed”.

Question 6 – Submitted Cllr D Flude

Traffic Regulation Orders

A basic responsibility of Cheshire East Council is to consult on and implement, where appropriate, Traffic Regulation Orders. There have been serious delays in the implementation of a number of such orders, due to this Authority being unable

to create an appropriate process. Can the Cabinet member responsible assure me that every effort is being made to resolve this difficulty and that he has taken advice from other authorities who appear to manage this process with little or no difficulty?

The Environmental Services Portfolio Holder responded:-

"I do not believe that Cllr Flude can substantiate her allegation that there have been serious delays in implementing Traffic Regulation orders. This Council has been in existence for less than nine months. By law - Traffic regulation orders have to be advertised and consulted upon as well as being checked by engineers and lawyers taking at least three and up to six months.

However Cheshire East's procedure for the introduction of Traffic Regulation Orders has been implemented and several traffic regulation orders have been approved by this process which gives delegated authority to the Strategic Director. This removes the requirement for committee approvals that were needed in the former authority and will greatly speed up the processing of those Orders".

Question 7 – Submitted by Cllr D Flude

Car Parking Income

Councillors will be aware of the considerable public disquiet over the policy adopted by this administration in relation to charging for car parking. Given this deep public concern, the utmost transparency is required as to the use of surplus revenue arising from these charges.

Responsible officers, the Cheshire East Cabinet Member for the Environment will be clearly aware of the legal obligations on Cheshire East Council to use car parking income for the benefit of road users. This obligation, as set out in the Department of Transport's Operational Guidance to Local Authorities section 14.7.

Will the Cabinet Member responsible bring forward, as soon as possible, two reports to the Council? The first detailing the revenue raised and the surplus revenue achieved in 2009/2010 together, how that surplus revenue will be allocated on expenditure designed to benefit road users in Cheshire East. Will he further bring forward a report, as soon as possible, on the revenue planned to be achieved in 2010/2011, together with the surplus revenue expected and how he expects that surplus revenue to be allocated to expenditure heads that will benefit road users in Cheshire East.

The public are entitled to be fully informed of how the revenue from these charges is to be spent.

The Environmental Services Portfolio Holder responded:-

"Section 14.7 of the DfT Guidance for Local Authorities only refers to On-Street parking fine income. It does 'constrain' a Local Authority in the use of its Pay & Display or Off-Street Parking Income. However, separate Financial Accounts for On and Off Street Parking are maintained by the Council.

On-Street Fine Income is expected to raise about half a million during 2009/10. This is entirely spent covering the half million costs of the Patrol and Notice Processing Staff and maintaining the 'lines and signs' to ensure the public are

fully aware of the Regulations in force (estimated to be a further £200,000 this year)

Raising Income is not the primary purpose of this team – their role is to maintain traffic flow, reduce the local environmental impact of inconsiderate and illegal parking and ensure road safety.

Off-Street Income was budgeted at £6.45 million and is estimated to be £5.65M for 2009/10 which is a recessionary impact. You will remember the recession was exacerbated by the incompetent Labour Government.

The budgeted net 'surplus' of £3.7 M is thus reduced this year to below £3M

Central services costs were budgeted at 1.15M giving a net surplus of £2.5M budgeted The forecast for these costs is now £0.9M giving an out turn of £2M

The Council spends many more millions of pounds each year on the maintenance and improvement of its' highway network for the benefit of our towns and villages, road users and pedestrians alike.

The 2009/10 report will be produced (as usual) as part of the Closedown of Accounts from April 2010. The detail of the 'notional' surplus revenue from all parking activity will be included in this.

The 2010/11 Budget-setting process is underway now. Again, the final budget report planned for Council in February 2010 will include the income and expenditure estimates for car parking and highways. At this time we are not proposing any parking income increase above the 2009/10 budget".

Question 8 – Submitted by Cllr D Flude

Libraries

The recent LAA Performance Indicators for Cheshire East indicate that our Library Service has a 76% public satisfaction level well above the nation average of 69%.

Will this Council congratulate the staff in our libraries for their excellent performance?

The Health and Wellbeing Portfolio Holder responded:-

"Cheshire East libraries are an outstanding success. There are 18 Libraries open a total of 599.5 hours per week as well as 3 Mobile libraries. The Place survey shows that their performance is consistently amongst the best when compared to other councils in the North West and the rest of England. Resident satisfaction levels (76%) are in the top quartile with user satisfaction rates even higher - 89% for children and 94% for adults.

Cheshire East has continued to invest in and improve its library services. Of particular note this year is the investment in Self Service technology which gives users the option to issue and return books for themselves. This will enable staff to spend more time providing advice and information to customers. Macclesfield Library is the 1st to have this installed and Nantwich, Bollington, Sandbach and

Holmes Chapel will follow suit in the New Year. All being well this will be introduced in the remaining libraries over the following 12 months.

There were more than 1.5 million books, cds, dvds, computer games borrowed in the first six months of Cheshire East. There are nearly 300,000 registered members. We gained nearly 7,000 new members in the first six months

There were nearly 104,000 individual computer sessions in the first six months, using People's Network computers.

929 community activities took place in libraries in the first quarter of 2009-10. Many of these were lifelong learning or health and wellbeing activities. Libraries have formed a range of partnerships to deliver activities and services, including Age Concern, schools and the PCT.

Libraries run Relish bibliotherapy reading groups for people with mental health problems in conjunction with health workers; provide Books on Prescription, provide access to and help with NHS Choices through a programme of staff training; deliver a Books on Wheels service to older people with WRVS volunteers; promote and host activities for Change4Life.

Libraries support Bookstart and Bookcrawl, holding regular rhyme and story times for pre-school children and their families. They run the summer reading challenge for children every summer, putting on related special events. This was very successful this year with 38% more children taking part. It was particularly pleasing to note that 44% more boys took part and boys now make up 43% of those taking part.

The Virtual Reference Library provides our members with one of the most comprehensive collections of information material in the UK which is available to members from any computer 24/7".

Question 9 – Submitted by Cllr D Flude

Staff Survey

The recent MORI survey that has taken place looking at staff satisfaction within this Council has not been published.

When will the survey be made available to all of this Council's Members?

When it is made available, will that information be in its original form as received from MORI?

The Resources Portfolio Holder responded:-

"A summary of the employee survey findings will be shared with all Council Members via the Member Bulletin scheduled to go out on 16th December. This balanced summary has been produced by Ipsos Mori for staff in a narrative format which summarises key areas of strength and key areas for improvement and then goes on to explain these findings further. A copy of the full reports are also available to Members, the contact details for which will be included in the article in the Member Bulletin on 16th December".

Question 10 – Submitted by Cllr R Cartlidge

Crewe Gateway

Hansard Thursday 25th June 2009

“Mr Khan I thank the hon. Gentleman for the interest he shows in the regeneration of that important part of the country. The Crewe railway gateway scheme was confirmed as a regional priority for investment in February. The Department officials are ready to discuss with Cheshire the way forward on this scheme once the major scheme business case has been submitted”.

Can it be confirmed that contact has been made, by this Council, with the Department of Transport to discuss the way forward and that a major business case had been submitted?

Is this Council aware that Network Rails report HS2 shows

3.1 Crewe in the top 20 travel to London Stations

3.2 Shows Crewe as having the potential to be 6th with a massive increase in business.

3.11 Highlights the potential of Crewe, with a veiled warning that Warrington might be possible.

4.1 Shows Crewe as one of only 7 target cities /towns.

Will the residents of Crewe have the opportunity to comment on the Vision for Crewe Report through a public meeting or a display in our excellent public library?

This Council will be judged by the residents of Crewe town, if this Council gets its view of the future for the town wrong.

The Prosperity Portfolio Holder responded:-

“On Tuesday 17th November the Department for Transport (DFT) issued a press release stating that 10 stations including Crewe will benefit from £ 50million of investment. Access to the funding is dependent on the development and approval of a business case for the investment. It is anticipated that any funding will be supplemented by commercial and third party contributions. It has been suggested that the Crewe Rail Gateway Business Plan should be immediately submitted to take advantage of the announced funding. However, work halted on the project four years ago and both the business plan and the business case are no longer valid.

However, Cheshire East Council, with support from the Northwest Development Agency is leading a high level master-planning/visioning process for the Crewe area. The aim is to determine a clear strategy for public and private sector investment and to influence future regional and national policy.

Discussions with NWDA have highlighted the significance of Crewe in the region, and the opportunity for Cheshire East Council to demonstrate leadership by exploring its true potential in relation to the Northwest economy.

We believe the future of Crewe will have a major role to play in the continued growth of the Northwest as key decisions are made nationally with regards to investment in the rail network. In order to build a strong evidence base for future

public sector investment it is essential that we stand together as stakeholders behind a common vision which has been built together.

Key partners, including Network Rail, have participated in 'Visioning' workshops that are helping us to develop our thinking and an overall vision for the future. This cannot be a long drawn-out process as we have a short window of opportunity to influence the development of the Single Regional Strategy for the Northwest. We are also building on the large amount of detailed master-planning work that has already taken place on the specific sites and development areas so we are not starting from a nil base.

In parallel with the development of the long-term vision, the Council is also developing a short-term investment strategy which, subject to availability of public sector funding, will provide the case for much needed funding in the short-term. In the interim we are working hard to progress key schemes such as Crewe Green Link Road which will be vital to any future vision.

We will deliver a Strategic Framework document very early in the New Year and the final full Vision in February or early March, which will be made public and will then be used to inform the Core Strategy of the Local Development Framework, which will provide the focus for fuller public consultation.

Our visioning work will provide clear advice about the benefits of either investing in the station's current location or relocating to another site. In view of their imminent report and in the absence of a valid business case it is premature to act on the DFT announcement.

The final stage of the visioning work during Jan-Mar next year will develop an investment strategy for Crewe that will identify the key projects to deliver the vision. The investment strategy needs to tie in closely with the DFT announcement so Cheshire East maximises potential for future funding but linked to a strong evidence-based strategy and vision for the medium-long term.

Senior Officers met with Corovest International Ltd last week and agreed the following:

- i) The redevelopment of Crewe Town Centre remains a priority for the Council and Corovest.
- ii) The current development scheme is no longer viable due to the economic downturn.
- iii) A short, medium and long-term plan will be drawn up by Corovest and the Council to ensure a new scheme is brought forward within the parameters of our procurement legislation.
- iv) A package of short-term investment will be identified for the next 18 months which will address the immediate issues in the town centre and kick start an incremental programme of development. The bus station remains a priority and options for investment in the short and medium term will be looked at early in the process.
- v) To alleviate unnecessary pressure in the town, the Council intends to write to Government Office for the Northwest to withdraw the CPO application.
- vi) A press statement will be issued before Christmas on all of the above".

Question 11 – Submitted by Cllr T Beard

Rough Sleeping Count and Service Provision

After a recent Committee meeting at Macclesfield Town Hall I was somewhat dismayed to see a young woman seated by a heating grating. When I inquired if she needed help she informed me that she was homeless. I returned to the Town Hall reception desk to request help for the woman.

The last street counts that this Authority reported on there were, on the 27/03/2008, in Macclesfield Borough, two rough sleepers, in Crewe & Nantwich on the 27/03/2008, there were two rough sleepers. There were no rough sleepers in Congleton Borough.

The legislation states that if a Local Authority has less than ten, but more than zero rough sleepers, a further count is not necessary, although one may be carried out at the Local Authority's discretion. It is recommended that the occasional hotspot count take place to keep track of the situation.

Does this Council intend to carry out a discretionary hot spot count?
What service is offered to homeless young people?

Recent reports have highlighted that young people who are in or have been in the care system are particularly vulnerable to becoming homeless. Should this Council have any cause for concern in relation to young people who have recently left the or who are in the its care?

The Prosperity Portfolio Holder responded:-

"Even though we do not have to carry out a formal rough sleepers count due to the numbers found in 2008, we usually hold a count every other year across the whole of Cheshire as good practice. We have been praised by Communities and Local Government in the past for taking this approach especially as it is in conjunction with Cheshire West and Chester because it ensures consistency and there is no double counting of anyone who might otherwise "border hop". We have scheduled in a Rough Sleepers Count for the whole borough on March 24th 2010 and this will include a focus on known hot spots. We will be liaising with partners, stakeholders and relevant organisations prior to the event to ensure that we are aware of known hot spots for rough sleepers. We will be monitored by Communities and Local Government on the night of the Count to ensure that we are meeting the requirements for the count. Members are welcome to join us on the night to help with the Count.

Young people are treated exactly the same as any other homeless person during assessment although 16 and 17 year olds are automatically categorised as in a "priority need" which means we need to accommodate them for a period of time regardless of whether they are intentionally homeless or not. In terms of accommodation available to young people, there are a number of options for them. The Housing Options Teams provide low level mediation to help young people return home; they also refer 16 to 24 year olds to the Nightstop scheme which provides emergency accommodation with host volunteer families throughout the area (for between 1 and 3 nights) whilst other accommodation or a return home is organised; there are also supported housing schemes

throughout the whole of Cheshire East which young people can be referred to for more long term accommodation – these are: Hungerford Road in Crewe, YMCA in Crewe, Adullam Homes in Congleton and Macclesfield Accommodation Care and Concern in Macclesfield. There is also a Vulnerable Young Persons Scheme in operation in the Congleton area. This is a partnership with Plus Dane Housing, Adullam Homes and Cheshire East Council where young people are nominated to a panel (Social Services and Housing representatives are on this panel) to assess which young people are capable of maintaining their own tenancy with Plus Dane Housing but need some support, provided by Adullam Homes. The support is offered for two years at the end of which, the young person gets their own tenancy with Plus Dane Housing. Furthermore, there is also a dedicated young persons housing advice worker in Macclesfield who works at “Just Drop In”. Currently we provide talks in some schools, predominantly in the Congleton area, which are aimed at 15/16 year old to talk about the realities of becoming homeless and the costs involved with moving into their own accommodation.

The results from the homeless approaches for the last two financial years does not show that we have a problem with homeless approaches from young people in or leaving care in this area. We have strong relationships with the Care Leavers Team and the officers to ensure that young people in care/leaving care who are at risk of becoming homeless have their housing situation resolved as soon as possible. Early notification between teams has been key to resolving these issues.”

Question 12 – Submitted by Cllr C Thorley

Crewe Town Centre Redevelopment

Crewe & Nantwich Borough Council made a Compulsory Purchase Order to enable land in the town centre to be compulsorily acquired for the redevelopment of Crewe town centre. A Public Inquiry was held into objections against the CPO and the redevelopment scheme. That Public Inquiry was concluded in March 2008 and it was anticipated that there would have been a recommendation from the Inspector and a decision by the Secretary of State, by autumn – or at the latest winter, 2008. We are now at the end of 2009 and there is still no decision as to whether the CPO will be confirmed. The uncertainty has left property owners and retailers in a difficult position. They are unable to sell their property, because no one would want to buy with a CPO hanging over it and they are unwilling to invest in refurbishment as they might not recoup the cost in any CPO compensation. This has led to planning blight and the poor appearance of the town centre. Of particular concern is the bus station, that all will agree is in a very poor first impression of the town for bus travellers.

This Council should not leave town centre shopkeepers in a position of uncertainty, in the current difficult economic climate.

It has been well publicised in the press that the proposed town centre developer has financial difficulties.

If there is eventually some other financially viable scheme to redevelop the town centre, then the Council should ask for another planning application for it and consider a CPO that is tailored to that scheme.

If the proposed developer is not able to progress the existing scheme then will the Council consider withdrawing the CPO, so that it cannot be confirmed?

The Prosperity Portfolio Holder responded:-

“The Cabinet reviewed a report on the procurement and legal issues regarding the inherited Crewe Town Centre Redevelopment Agreement on 1 December 2009. Following advice, Senior Officers met with Corovest International Ltd subsequently agreed the following:

- vii) The redevelopment of Crewe Town Centre remains a priority for the Council and Corovest.
- viii) The current development scheme is no longer viable due to the economic downturn.
- ix) A short, medium and long-term plan will be drawn up by Corovest and the Council to ensure a new scheme is brought forward within the parameters of our procurement legislation.
- x) A package of short-term investment will be identified for the next 18 months which will address the immediate issues in the town centre and kick start an incremental programme of development. The bus station remains a priority and options for investment in the short and medium term will be looked at early in the process.
- xi) To alleviate unnecessary pressure in the town, the Council intends to write to Government Office for the Northwest to withdraw the CPO application.
- xii) A press statement will be issued before Christmas on all of the above”.

Question 13 – Submitted by Cllr D Flude

Budget 2009/2010

This Council recognises the need to act with honesty and transparency in relation to its financial affairs. Will the Cabinet member for Finance deny strongly, the rumour that is circulating with regard to the Budget for this authority for 2009/10? That rumour is that, whereas on the one hand budget heads were agreed with Budget holders and finance allocated so far so good. However the rumour is that direct orders were then issued that only 80% of the allocated budget was to be spent. Will he agree with me that if such an underhand method of providing services or indeed cutting services was to have been used, that this would be dishonest and be liable to bring Cheshire East into disrepute. Will he, therefore, publicly deny this rumour and state that all allocated funds are available to be spent by Departments?

The Resources Portfolio Holder responded to the follow effect:

I can confirm that no explicit corporate direction along the line described has been issued.

The 2009/10 approved budget is available in full for spending in-year, as this Council and Cheshire East council-tax payers would expect.

Colleagues will recall, however, that in both the first quarter and mid-year financial update, services projected significant overspending in a number of areas, and officers were asked to put in place appropriate remedial action to address this.

This is in line with their duty, set out in the Council's Finance Procedure Rules.

To ensure that spending remains within the services overall cash limit and that individual budget heads are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast FPR B19(c).

The Rules go on to state that such action may be undertaken provided that there is no detrimental impact on service delivery FPR 25

'Corrective action' in this context, may include managed underspending in areas of the budget where expenditure can be scaled back or deferred, to offset overspending elsewhere.

It is therefore, possible that managers locally, may have adopted this approach as part of their overall outturn management, but this would be at their discretion, and subject to the conditions previously stated, not as a result of any indiscriminate, corporate directive.

Question 14 – Submitted by Cllr M Hardy

- 1) What has the Recession Task Group been dealing with and how/where have the monies been allocated to help the businesses and residents of Cheshire East?**

The Prosperity Portfolio Holder responded:-

"The Council continues to deliver a wide range of initiatives to support businesses and communities across Cheshire East, based upon an Action Plan agreed with Cabinet in May. The delivery of the Action Plan has taken place across a range of service areas, and is detailed more fully in the attached Action Plan update. Successes include:

The Recession Task Group has continued to engage with businesses to provide support through these difficult economic times, with a very successful Business breakfast event being held on the 10th September at Tatton Hall, with over 150 businesses attending. A key initiative of the event was a step-by-step guide to ensure that local businesses have open access to public sector procurement opportunities. This was supported by the hosting of a business village to enable direct business contacts to be made and developed.

Direct support to promote business development is being provided through programme of business start-up advice sessions which are being held in conjunction with the three Cheshire East Chambers of Commerce.

Support for vulnerable businesses and individuals has been a key consideration and over £1M pounds has been retained in the Cheshire East economy through the promotion of business rate relief and benefit take-up

A successful bid has been made to DWP for £1.3M of Future Job Fund monies to create 200 jobs in Cheshire East area. The jobs will be available to 18 to 24 year olds who have been claiming unemployment benefit for over 6 months.

Production and distribution of 5,000 'Think Local, Buy Local' bags, to promote local purchasing within Cheshire East's shops and businesses.

There has been other ranges of activity and I would be happy to make the detailed reports and facts available to any Member who requires them. Thanks to the Comms team for their work in getting the message across”.

2) What is the current situation with the Macclesfield Town Centre re-development?

The Prosperity Portfolio Holder responded:-

“Cheshire East Council remains fully committed to the redevelopment of Macclesfield town centre. Discussions are currently underway with our Wilson Bowden, our development partner, to bring in much needed investment. The credit crunch has clearly had an impact on the timescales as all other areas across the country but both the Council and Wilson Bowden remain committed to bringing in new investment and we believe Macclesfield Town Centre has fantastic potential.

Members will be aware that on 22nd December, Cabinet will be asked to support the development of a delivery plan for Macclesfield over to next 5-10 years, focusing specifically on opportunities in the town centre and the South Macclesfield Development Area.

Whilst the economic conditions have put a brake on major development schemes in the town, particularly in the town centre, the Council is keen to ensure that we're using the lull in the market to position the town ready for the up-turn.

In order to ensure that the needs and ambitions of communities in Macclesfield, and of the Council itself, are addressed as holistically, effectively and promptly as possible, the Council needs to take a pro-active approach with commercial development partners to the planning of new schemes. Whilst this does not presuppose that implementation will commence immediately, it will position the town and Council much more strongly in this respect, both in relation to its current position and the position of other towns”.

3) There has been much anger from a number of residents within Cheshire East, against the harmonisation/introduction of car parking charges across the Borough.

What consultations have there been with these residents and have they been fully made aware of the need for these charges?

Also, are all the funds raised from car parking charges re-invested within the car parks and roads within Cheshire East?

The Environmental Services Portfolio Holder responded:-

“An extensive consultation process was undertaken with all former Congleton Borough area residents and businesses.

Quite apart from individual meetings with Town Councils and Traders Associations, FIVE full public meetings were held (one in each town involved). This was not required by law but was carried out in order to hear the views of those who wished to attend. These were recorded and were taken into account in the decision making process.

In addition, the Statutory 21 Day Period was extended to 35 Days to ensure as many people as possible were able to comment.

Modifications to the original Order were made following this and a further 21 Day Period allowed for representations on these.

The Reasons for making the Car Parking Order, the link with On-Street Powers expected from DfT in March next year and the proposed environmental and economic benefits were discussed at great length during this time. All information was made available through our website.

For information, Cheshire East's net spending on highways operations, repairs and maintenance is £10m per year and annual capital investment in highways is in the order of £15m. I have already given the figures in a previous answer."

4) How is a Cheshire East building relationship with the residents and businesses of the Borough?

The Performance and Capacity Portfolio Holder responded:-

"The Council is building relationships with residents and businesses through a variety of means. For example, through Cheshire East News, through our many customer access points, and through our website. Our strategy for customer services "Closer to Customers" will further develop our engagement with residents in particular.

Our Local Strategic Partnership held its first Assembly in October which included representatives from public, private, community and voluntary sectors across Cheshire East. At this event partners identified what our priorities should be and how we should work together to achieve them. Our Sustainable Community Strategy will set out our vision and priorities for Cheshire East – we will engage residents and businesses in shaping this vision over the next 4-5 months.

We have also set up our 7 local area partnerships which will continue to develop as a key route for engaging and empowering our communities. Alongside this we are also continuing to support a range of community and voluntary groups across Cheshire East through our community engagement team, and also to work with town and parish councils as a key voice of the community.

Our budget consultation process is also a good example of how we are listening to our residents and businesses.

Through the Places directorate we provide an extensive range of business support services including the highly successful business breakfasts, women in business events, and the targeted business support during the recession."

5) How is Cheshire East supporting the local communities at this Christmas time, and will these supports continue?

The Performance and Capacity Portfolio Holder responded:-

"In addition to Christmas lights and decorations in our town centres, the recession task group has provided a programme of support to local communities this Christmas. The Christmas edition of Cheshire East News was a one stop guide to Christmas in Cheshire East, encouraging people to think local and buy local. It included information on events, shopping and travel across Cheshire East. We will continue our support to business, our support to town centres, and our engagement with communities through the Local Area Partnerships".

6) How are the Cheshire East Wardens working with Cheshire Police and other agencies to the benefit of all residents within Cheshire East?

The Leader of the Council responded:-

"Cheshire East Wardens carry out a broad range of duties including tackling anti-social behaviour and dealing with environmental problems of littering and graffiti.

They are tasked based on shared intelligence between all partner agencies (including the Police and Fire Services and local Housing Associations) to ensure that together we deploy the right person, with the right powers to the right place at the right time. Tasking & Co-ordination meetings take place on a regular basis to agree local priorities and action. A recent success of this partnership approach includes the joint Halloween and Bonfire Night initiative which helped reduce reports of ASB during this problematic time by 23%.

The Council's Wardens have recently received 'Accreditation' from Cheshire Constabulary granting them additional policing powers to tackle issues such as 'drinking in designated areas', 'the confiscation of alcohol and tobacco from minors' etc. These powers will enable our wardens to make an even greater contribution to help resolve the sort of problems which can seriously affect peoples' quality of life.

We are currently working with the Police to 'authorise' the PCSO's working across Cheshire East with our Local Authority environmental powers to help address local environmental quality problems.

We are exploring further opportunities with all our community safety partners on how we can continue to improve our services to residents as part of the broader 'policing family' ."

Question 15 – Submitted by Cllr S Jones

I am fully aware that Cheshire East charges £4.50 to issue a key for disabled toilets. I am also aware that this figure has been chosen arbitrarily, because it was the figure charged in the former Macclesfield Borough Area. This does not appear to me to be an acceptable reason for arriving at a fair charge. Why does it cost Cheshire East Council such a high price for issuing this key to disabled residents, when charitable organisations and other Local Authorities manage to issue the key for a much lower charge? Are they more efficient or simply more caring of their vulnerable residents?

The Environmental Services Portfolio Holder responded:-

"These keys admit people to disabled toilets throughout the UK most of which are fitted with a standard lock. The keys are available from many sources. Councils

supply them as a convenience to local disabled residents, who find it both convenient and cheap to obtain them from us, rather than elsewhere, so we cannot be overcharging.

In harmonising the charge for providing keys, the Council had regard to the cost of the key and the costs in administering their sale across the new borough.

Administration costs at about £1 relate to procurement, distribution and point of sale verification of appropriate issue. The present charge therefore tries to represent nothing more than the overall cost to the Council, whereas the previous charge in Crewe and Nantwich represented the cost of the key only and in Congleton, a "free" key was provided at the entire expense of the local taxpayers.

In preparing the Schedule of Fees and Charges for this year's budget there is an opportunity to consider again the extent to which the Council may wish to support the provision of disabled toilet keys".

Question 16 – Submitted by Cllr D Hough

1. If the task group of the Environment Committee, which is reviewing the charging criteria finds that individual car parks do not meet the criteria for charging set out in the Car Parking Strategy, will the charges be removed or not imposed?
2. Last year the budget was set to give a net surplus of £3.745,000 on Car Parking. Earlier this year I received an estimated income for 20010/11 for Fairview car park Alsager. What are the figures being used across the whole of Cheshire East in 20010/11 budget setting exercise?
3. Charging on Fairview Car Park Alsager was due to be discussed at the planning stage with Coop/Kimberley who are developing a Supermarket on site. This application is now at an advanced state. Has any negotiation taken place?

If supplementary questions are not to be allowed I hope that the responses should include references to the Cheshire East Car Parking Strategy.

a) section 1.0

Bullet point 1 asks that economic vitality of Town Centre is taken into account and Bullet point 3 asks that parking needs of local residents, shops and businesses be considered.

b) Section 5.1

This lays out the policy that this Authority will in principle impose charges for parking at levels reflecting local pressures and needs. That these may vary as between different Towns and smaller centres.

The reference for Question 3 is Appendix 3, section 10 presented to Cabinet on 10th November 2009.

The Environmental Services Portfolio Holder responded:-

The advice from the Scrutiny Committee on setting the Tariff framework for 2010/11 and beyond will be considered by Cabinet in February next year when the 'Task & Finish' Group have completed their work. The Group have agreed the scope of their work and will be seeking to reflect all the criteria for charging as set out in the Council's Car Parking Strategy and Local Pricing Policy.

- 1) All charges in all car parks will then be revised to reflect the final decision of Cabinet taking into account the advice of Scrutiny.
- 2) The current budget-setting process for 2010/11 is seeking to maintain the Original Estimate for 2009/10.
- 3) Cabinet will be considering a report on this site from the Borough Treasurer in January 2010. A planning application could then be received from the Developers in March 2010 for consideration by Planning in June 2010. Car Park staff will be involved in detailed discussions at this time."

155 URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

156 EXCLUSION RESOLUTION

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 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

PART 2

157 LEADER'S REPORT TO FULL COUNCIL

Council having agreed that this item should be taken after the Exclusion Resolution; the Leader of the Council reported the following Key Decision, which had been taken under the urgency provisions contained within Council Procedure Rule 44:

Sale of County Hall, Chester and associated land.

The meeting commenced at 2.00 pm and concluded at 4.40 pm

Councillor M Simon (Chairman)