

Cabinet Agenda

Date: Tuesday, 2nd June, 2009
Time: 10.00 am
Venue: East Committee Room. Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

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.

Where a member of public wishes to ask a question of a Cabinet Member three clear working days notice must be given to the Democratic Services Manager, and the question must be in writing.

4. **Minutes of Previous meeting** (Pages 1 - 6)

To approve the minutes of the meeting held on 19 May 2009.

Please contact Cherry Foreman on 01270 529736
E-Mail: cherry.foreman@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. **Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 – MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

6. **Key Decision Gorsey Bank Primary School, Wilmslow - Remedial Works** (Pages 7 - 34)

To consider remedial works to a four classroom extension at Gorsey Bank Primary School.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 19th May, 2009 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor B Silvester (Vice-Chairman)

Councillors R Domleo, D Brickhill, P Findlow, F Keegan, A Knowles, J Macrae
and P Mason

Councillors in attendance:

Councillors A Arnold, Rhoda Bailey, D Hough, O Hunter, S Jones, R Menlove, A
Moran, D Neilson, A Richardson, A Thwaite, R Walker and R Westwood.

Officers in attendance:

Chief Executive

Borough Solicitor

Borough Treasurer and Head of Assets

Head of Human Resources and Organisational Development

Head of Policy and Performance

Strategic Director People

Strategic Director Places

Apologies

Councillors D Brown

12 APOLOGIES FOR ABSENCE**13 DECLARATIONS OF INTEREST**

There were no declarations of interest.

14 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from members of the public.

15 MINUTES OF PREVIOUS MEETING

RESOLVED

The minutes of the meeting held on 21 April 2009 were approved as a correct
record.

16 KEY DECISION CE59 LOCAL AND STRATEGIC PARTNERSHIP FRAMEWORK

Consideration was given to the continuing development of partnership arrangements in Cheshire East, to the development of neighbourhood projects, and to the proposed governance structure for the Local Strategic Partnerships.

RESOLVED

For the reasons set out in the report: -

1. That the suggested governance structure be approved and recommended to the Local Strategic Partnership Executive Board for adoption and continuing development.
2. That the following officers be tasked with responsibility for ensuring the establishment of the five themed partnerships referred to:
 - Crime and Disorder Reduction Partnership - Head of Safer and Stronger Communities
 - Children's Trust – Strategic Director Places
 - Health and Wellbeing – Strategic Director People
 - Economic Development, Learning and Skills – Head Of Regeneration
 - Environment/Sustainability – Jane Staley of Groundwork
3. That the member representation on the Local Area Partnerships be confirmed as:
 - Congleton – 4
 - Crewe – 4
 - Knutsford – 2
 - Macclesfield – 4
 - Nantwich – 3
 - Poynton – 2
 - Wilmslow – 2
4. That progress on the development of the previously identified neighbourhood projects be noted and that agreement be given to work being undertaken on developing two further projects for the Macclesfield and Nantwich Local Area Partnerships.

17 SUSTAINABLE COMMUNITIES ACT

Consideration was given to a response to the Notice of Motion submitted to the Council at its meeting on 1 April 2009, and to a mechanism for Cheshire East Council to respond to the Sustainable Communities Act 2007.

RSOLVED

For the reasons set out in the report : -

That agreement be given to use the Local Area Partnerships as the main channel for implementing the Sustainable Communities Act 2007, and to explore the use of additional parts of the Local Strategic Partnership as appropriate.

18 ILLEGAL PERSONAL DATA

Consideration was given to a response to the Notice of Motion submitted to the Council at its meeting on 1 April 2009, that steps be taken to ensure that contractors supplying services to the Council do not use companies that sell illegal personal data. At the meeting a revised wording was provided for recommendation 3 of the decision requested, and this was approved.

RESOLVED

For the reasons set out in the report: -

1. That approval be given to the development of appropriate clauses that can be built into the Council's procurement process to ensure that the Council does not contract with contractors that use companies that sell illegal, personal data to vet potential staff.
2. That a further exploration be carried out of the recommendation that potential contractors use the Information Commissioners framework code of practice for sharing personal information as an example of best practice.
3. That current contractors be advised that the use of companies who vet staff by unlawful means would be regarded as a breach of the Council's terms and conditions.

19 SUPPORT OF FAIR TRADE PRINCIPLES

Consideration was given to a response to the Notice of Motion submitted to the Council at its meeting on 1 April 2009 that 'This Council supports Fair Trade principles and requests that an appropriate report be brought forward in due course.'

RESOLVED

For the reasons set out in the report: -

That the Notice of Motion be amended to read 'This Council supports Fair Trade principles where consistent with value for money' and that it be adopted.

20 RECESSION MITIGATION ACTION PLAN

Consideration was given to the work of the Councils Recession Mitigation Task Group, to the Recession Mitigation Action Plan, and to proposals for additional investment during 2009/10.

RESOLVED

For the reasons set out in the report: -

1. That the Recession Mitigation Action Plan, attached to the report as Appendix 1, be endorsed.
2. That approval be given to the additional investment of £331,000 linked to the proposals outlined in the Action Plan.

3. That approval be given for delegated authority for the individual investment decisions arising from the Action Plan to be given to the Portfolio Holder for Prosperity in consultation with other relevant Cabinet Members.

21 APPOINTMENT TO THE BOARD OF DANE HOUSING GROUP

The Cabinet was requested to reconsider the appointment of Councillors to the Board of the Dane Housing Group as a recent change in its constitutional arrangements had reduced the number of Councillors required from four to two.

RESOLVED

For the reasons set out in the report: -

That Councillors David Brown and Peter Mason be appointed as the Council's representatives on the Board of Dane Housing and that these appointments supersede those made by the Cabinet at its meeting on 3 March 2009.

22 CAPITAL PROGRAMME AND HIGHWAYS MAINTENANCE REVENUE BUDGET 2009 - 2010

Consideration was given to the detailed programme of work for both revenue and capital expenditure for 2009-2010. The report included a breakdown of the Capital Programme for the local transport blocks, the Highways Maintenance Revenue budget approved by the Council on 24 February 2009, and a summary of the Highways Maintenance Revenue budget for principal and non-principal road schemes.

RESOLVED

For the reasons set out in the report: -

1. That the detailed programmes of work for both revenue and capital expenditure for 2009/10 be approved.
2. That approval be given for delegated authority to be given the Portfolio Holder for Environment Services to review and make local changes to these programmes during the course of the year, taking into account local views and priorities, and road condition data.

23 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That in accordance with Section 100(A)4 of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1,2 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

(Paragraphs 1 and 2 concern information relating to or likely to reveal the identity of an individual. Paragraph 5 relates to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.)

**24 KEY DECISION GORSEY BANK PRIMARY SCHOOL, WILMSLOW -
REMEDIAL WORKS**

Consideration of this item was deferred to a future meeting.

25 VOLUNTARY LEAVERS

Consideration was given to the release of employees under the terms of the Voluntary Early Retirement Scheme. A revised copy of Appendix A was circulated at the meeting.

RESOLVED

For the reasons set out in the report: -

That approval be given to the decision requested, for the release of those employees listed on the revised copy of Appendix A as circulated at the meeting

The meeting commenced at 2.00 pm and concluded at 3.45 pm

Councillor W Fitzgerald (Chairman)

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