

Cabinet Member for Health and Wellbeing

Agenda

Date:	Friday, 10th July, 2009
Time:	2.00 pm
Venue:	Committee Suite 2, 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 meeting on any matter relevant to the work of the meeting. 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.

During public speaking time, members of the public may ask questions of the appropriate Cabinet member who has responsibility for the matter in question. Where a member of the public wishes to ask a question of a Cabinet member at an executive meeting, 3 clear working days' notice must be given to the Democratic Services Manager.

4. **Minutes of Previous meeting** (Pages 1 - 2)

To approve the minutes of the meeting held on 1 May 2009.

5. **Cheshire and Warrington Local Access Forum** (Pages 3 - 8)

To consider the continuation of the Cheshire and Warrington Local Access Forum ("the LAF") and to appoint an elected Member to represent Cheshire East Council.

6. **The future of the Silk Heritage Trust** (Pages 9 - 24)

To consider options for the future of the Silk Heritage Trust.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Member for Health and Wellbeing**
held on Friday, 1st May, 2009 at Westfields, Sandbach

PRESENT

Councillor A Knowles, Cabinet Member for Health and Wellbeing

Officers:

Mark Wheelton, Leisure and Green Spaces Manager

Marianne Hodgkinson

Tony Barker

Paul Mountford, Democratic Services

1 PROVISION FOR SKATE/BMX PARK/PLAZA AT SOUTH PARK, MACCLESFIELD

The Council currently held section 106 monies specifically designated for use to fund the provision of a new skate/BMX park and Multi-Use Games Area within South Park, Macclesfield. Public consultation had been carried out in relation to the provision of this facility; the project was part of a larger scheme to regenerate South Park.

A tendering exercise had been carried out in accordance with the former Macclesfield Borough Council's Contract Rules of Procedure. The tendering process had identified Wheelscape Skate and Ride Ltd as the most suitable supplier, both in terms of quality and price.

RESOLVED

That the contract for the design, supply and installation of a skate/BMX park in South Park, Macclesfield be awarded to Wheelscape Skate and Ride Ltd for the sum of £149,441.60.

The meeting commenced at 2.00 pm and concluded at 2.15 pm

Councillor A Knowles

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CHESHIRE EAST COUNCIL

Cabinet Member for Health and Wellbeing

Date of meeting: 10 July 2009

Report of: Head of Health and Well-being

Title: Cheshire and Warrington Local Access Forum

1.0 Report Summary

- 1.1 To consider the continuation of the Cheshire and Warrington Local Access Forum (“the LAF”) and to appoint an elected Member to represent Cheshire East Council.

2.0 Recommendations

- 2.1 That the Cabinet Member for Health and Wellbeing approves that
- (1) Cheshire East Council enter into a Joint Local Access Forum with Cheshire West and Chester Council and Warrington Borough Council (subject to the Executive decision of Warrington Borough Council on 20 July 2009); and
 - (2) Councillor Rachel Bailey be appointed to the Cheshire and Warrington Local Access Forum as the elected Member representing Cheshire East Council.

3.0 Reasons for Recommendation

- 3.1 The authority is required to meet its obligation under the appropriate legislation/regulations.
- 3.2 A joint Forum has the capacity to build on relationships it has developed with Cheshire and Warrington and will enable it to have an influencing “voice” at regional and national level.
- 3.3 A joint Forum was the preferred option of the former Cheshire and Warrington Local Access Forum, which considered that it would have a strong and vibrant role in the sub-region.
- 3.4 The benefits of a joint Forum include minimising costs and maintaining a large enough population to attract good quality candidates for membership of the Forum. Failure to establish a joint Forum would require the Authority to set up its own with a consequent increase in costs.

4.0 Wards Affected

All wards.

5.0 Local Ward Members

All Councillors.

6.0 Policy Implications

None.

7.0 Financial Implications for Transition Costs

3.1 None.

8.0 Financial Implications 2009/10 and beyond

8.1 The recommendation carries with it an estimated cost to Cheshire East Council of £2,574.00 annually except in years where the recruitment of external members to the LAF occurs (triennially). In those years the estimated cost is £3,928.00.

8.2 The process for recruiting external members will start in the Autumn of 2009, and it is important for Cheshire East Council to have made a decision on this matter by 20th July 2009. Warrington Borough Council is also required to make a decision by 20th July. The Culture and Recreation Portfolio Holder for Cheshire West and Chester Council made a decision on 9th March 2009 to enter into a joint arrangement.

8.3 In addition to this, there are costs associated with the secretarial support required to be provided to the LAF (historically provided by Cheshire County Council's Committee Services) which are difficult to quantify.

9.0 Legal Implications

9.1 The LAF is a statutory advisory body which each Council is under a duty to establish either singularly or by joint arrangement with other authorities.

10.0 Risk Assessment

10.1 Failure to establish a LAF in a timely manner may result in monitored intervention by Natural England/DEFRA. It may generate complaint and/or challenge amongst those groups currently represented by the LAF and have associated reputational impact on Cheshire East Council.

11.0 Background and Options

- 11.1 The Cheshire and Warrington Local Access Forum is a statutory advisory body established in 2001, in accordance with the requirements of S.94 of the Countryside and Rights of Way Act 2000. The current legislation governing the operation of LAFs is the Local Access Forum (England) Regulations 2007. The LAF is a non-executive body whose role is to advise member authorities and Natural England on the improvement of public access to, and enjoyment of, land for open air recreation.
- 11.2 The outgoing LAF was established as a joint Forum with the approval of Members of Cheshire County Council and Warrington Borough Council. The LAF covers the geographical areas of Cheshire and Warrington, excluding that part of Cheshire East which falls within the Peak District National Park, which has its own LAF.
- 11.3 LAFs are designed to balance interests in countryside access and recreation between users, landowners and managers, and others (eg health, education, conservation, transport, rural economy).
- 11.4 Prior to vesting day, Mr John White, the Chairman of the LAF, wrote to Cheshire East Council, Cheshire West and Chester Council and Warrington Borough Council, drawing attention to the need for a decision on the future of the LAF and expressing the LAF's preference to continue as a joint body, representing the three authorities. The letter is attached as an **Appendix**.
- 11.5 An effective LAF works in partnership with the Councils whose area it covers and provides an opportunity for two-way consultation and advice in respect of countryside access and recreation
- 11.6 It should be noted that as a result of the proposed changes to the Sub Regional Architecture, the Local Access Forum will sit as part of the Prosperity Commission. The nature of the relationship of the LAF to the Commission is still to be determined, but Members should note that it will fit within this framework and will not be outside of it.
- 11.7 It is possible that Warrington Borough Council will opt for an alternative option of a joint LAF with Halton Borough Council. In that case the Cheshire Local Access Forum would be established with Cheshire West and Chester and Cheshire east as the two partners.

12.0 Overview of Year One and Term One Issues

None arising for the attention of the Cabinet. The LAF will continue to monitor the Council's progress with the existing Cheshire County Council Rights of Way Improvement Plan (2006-2011) and the development of the new Cheshire East Council Rights of Way Improvement Plan (2011-2026).

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer.

Background paper: Annual Report 2008-2009

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Cheshire & Warrington Local Access Forum



Mr John White (Chairman). c/o Countryside & Rights of Way Office.
Ground Floor, Phoenix House, Clough Road, Winsford, Cheshire. CW7 4BD

Erika Wenzel and Julie Openshaw (Cheshire East)
Steve Robinson and Fiona Crane (Cheshire West and Chester)
Andy Farrall (Warrington)

Date

Dear

Provision for a Statutory Local Access Forum after April 1 2009

I am writing to you on behalf of the existing Cheshire and Warrington Local Access Forum, to draw your attention to the need to plan for this statutory advisory body after vesting day for the new councils of Cheshire West and Chester and Cheshire East.

The current joint forum was set up in 2001 in accordance with the requirements of S94 of the Countryside and Rights of Way Act 2000 and is currently operating under the "Local Access Forum (England) Regulations 2007". The purpose of the forum is to advise the appointing authorities and other prescribed bodies as to the improvement of public access to land in Cheshire and Warrington for the purposes of open-air recreation and the enjoyment of the area and its functions include a statutory overview of the preparation and implementation of the Rights of Way Improvement Plan, which is part of the Local Transport Plan. The authorities concerned are bound to take account of the advice given by the Forum in respect of decisions being taken about such matters.

The joint appointing authorities are currently Cheshire and Warrington and the joint arrangements were agreed by the Members of those councils.

At its meeting on 19 September 2008, the Forum agreed that its preference was that joint arrangements be continued after vesting day. However, this will require the formal agreement of the three authorities concerned.

The process for changing the boundaries or make up of a forum is contained in Part 3 of the Regulations. If the individual authorities wish to withdraw from the current joint arrangements, 21 days' notice must be given and each authority will be under an obligation to establish its own forum. Although the costs of supporting a Forum are modest (typically £9000 per year, mainly in officer time), the costs associated with three

separate forums will triple, especially since it is a requirement that a secretary be appointed and notified to Natural England. In addition, there is a formal recruitment procedure every three years which is due to take place in 2009/10; this carries additional costs of formal advertising and selection, costs which have previously been shared.

It should be noted that Natural England carried out research several years ago into the effectiveness of local access forums; it found that the ability to recruit and retain members and the ability to make a difference to countryside recreation in the local area is demonstrably related to the size of the area concerned and the calibre of the secretary.

Please note that there is a Peak Park Local Access Forum which covers the boundaries of the National Park and which therefore already includes part of Cheshire East.

I hope that this information will enable your council to come to a formal decision in respect of the future of the Local Access Forum in Cheshire and Warrington.

I look forward to hearing from you.

Yours sincerely

John White
Chair
Cheshire and Warrington Local Access Forum

CHESHIRE EAST COUNCIL

Cabinet Member for Health and Wellbeing

Date of Meeting: 10 July 2009
Report of: Head of Health and Wellbeing
Subject/Title: The future of the Silk Heritage Trust

1.0 Report Summary

- 1.1 The Silk Heritage Trust operate a number of museum and heritage sites in Macclesfield. They receive funding from the Council as well as from other income sources. The Trust's existing business model is not financially viable. Options are given for the future of the Trust for consideration by Members.

2.0 Recommendations

- 2.1 That the Cabinet Member for Health and Wellbeing approves that
- (1) the proposal to develop a business case to facilitate the aspiration to establish the National Silk Centre be supported; and
 - (2) Officers from Health and Wellbeing and Regeneration work with the Trust to develop the business case.

3.0 Reasons for Recommendations

- 3.1 The proposal to build a business case to establish the National Silk Centre provides an opportunity to develop a viable long term future for the Trust and its collections. It has the potential to become a nationally significant centre of excellence in relation to the silk industry and textile design, a successful visitor attraction contributing to the visitor economy, a locally significant attraction that provides local people with a better understanding of Macclesfield, enhancing their sense of Place and a valuable educational and learning resource.
- 3.2 The alternative is to downscale the Trust's operations to a largely volunteer-run organisation, with very limited impact upon cross-cutting corporate priorities. It may be that if the business case cannot be proven for the National Silk Centre, that this does become the only option for the organisation.

4.0 Wards Affected

- 4.1 The Trust's buildings are in Macclesfield Town Ward but visitors and schools from across Cheshire East (and beyond) visit the museums.

5.0 Local Ward Members

- 5.1 Councillors Stephen Broadhurst, David Neilson and Christine Tomlinson

**6.0 Policy Implications including - Climate change
- Health**

- 6.1 The Trust's activities already contribute to the learning of the children and young people of Cheshire East and to the visitor economy of Macclesfield in particular. There is significant potential to increase the impacts if the national Silk Centre could be established. There are no specific implications regarding climate change although successful external funding applications would allow for capital investment to increase the efficiency of the Trust's buildings from an environmental perspective. The wellbeing of visitors to the museums is enhanced through their informal learning about the history and science of silk making; enjoyment of the collections and the stories told by the Museums of Macclesfield's past. There is a prospect of increasing employment in Macclesfield with consequent impact on the wellbeing of local people. Again this could be significantly increased if the proposal were successful.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 N/A

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

- 8.1 The Authority's grant to the Trust in 2009-2010 is £146,000 made up of the former grants from Macclesfield and the County Council. There is no proposal to increase this revenue support and it will be reviewed as part of the budget setting for 2010-2011.
- 8.2 As part of the initial thinking regarding the proposed National Silk Centre, the option of transferring the current Macclesfield Registry Office to the Trust as a capital contribution has been outlined. This would need detailed consideration as part of the business case and in conjunction with Democratic Services and Property Services.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 There are no legal implications regarding the development of the business case.

10.0 Risk Management

- 10.1 There are no significant risks associated with developing a business case for the National Silk Centre. The process of drafting the business case will include a comprehensive risk analysis.

11.0 Background and Options

- 11.1 The Appendix summarises the current situation of the Trust and the two options that the Trust's Board considers it has to consider. The 'as is' model is not financially viable with the Trust not generating enough income to cover its costs. There is the potential to get one more year out of the Trust in its current form, but during that year the future model would need to be developed and planned for - either downsizing, or achieving National Silk Centre status.
- 11.2 It is proposed that Officers from Health and Wellbeing and Regeneration (and other services as required) work with the Trust's Board and Director to develop a business case to test the option of establishing the National Silk Centre and assuming it be found to be a viable option, preparing an action plan to map out the steps necessary to move towards achieving this status.
- 11.3 The Trust have submitted an expression of interest to the North-West Development Agency for £250,000 towards the costs of developing the National Silk Centre and will continue to explore other external funding opportunities. They are being supported in this by Visit Chester and Cheshire and the Cheshire and Warrington Economic Alliance.

12.0 Overview of Year One and Term One Issues

- 12.1 There are no Year One issues. The future of the Trust will need to be resolved during the first Term of the administration.

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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