

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Monday, 16th August, 2010 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ

## **PRESENT**

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

Councillors Rachel Bailey, D Brown, H Gaddum, F Keegan, A Knowles,  
J Macrae, P Mason and R Menlove

## **COUNCILLORS IN ATTENDANCE:**

Councillors Rhoda Bailey, D Flude, O Hunter, L Smetham, A Thwaite and  
R Westwood

## **OFFICERS IN ATTENDANCE:**

Chief Executive; Borough Treasurer and Head of Assets; Head of HR and  
Organisational Development; Borough Solicitor and Monitoring Officer;  
Strategic Director – People; ICT Strategy Manager; Head of Policy and  
Performance; Head of Planning and Policy; Director of Adult, Community  
Health and Wellbeing Services; Head of Services for Children and Families;  
and Leisure Services and Greenspace Manager.

## **36 DECLARATIONS OF INTEREST**

No Member made any declaration of interest in respect of any item of  
business on the agenda.

## **37 PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from members of the public and Cabinet,  
therefore, proceeded to its next item of business.

## **38 MINUTES OF PREVIOUS MEETING**

### **RESOLVED:**

That the minutes of the meeting held on 19 July 2010 be approved as a  
correct record.

**39 2010-2011 - QUARTER ONE (FINANCIAL AND NON-FINANCIAL) PERFORMANCE REPORT**

Consideration was given to the joint report of the Borough Treasurer and Head of Assets and the Head of Policy and Performance.

The report gave summary and detailed information about the Council's financial and non-financial performance in the first quarter of 2010-2011. It contained the first projections of financial performance for 2010-2011 for the period to 30 June 2010 and highlighted the key emerging financial pressures, facing the council, of over £13m, and where possible, outlined potential remedial actions. The report focused on areas of high financial risk to the Council and included updates on the Capital Programme, Treasury Management, Debt, and in-year collection rates for Council Tax and Business Rates.

Cabinet was asked to note the report and to make comments as appropriate –

**RESOLVED**

(a) That the following be noted -

- emerging pressures on the Council's revenue budget in the first quarter of 2010-11, and remedial actions detailed in Annex 1 Sections 2 and 3;
- a further report on remedial action plans and capital programme update would be submitted to Cabinet in September;
- the Treasury Management update detailed in Annex 1, Section 5 be noted;
- the Council's in-year collection rates for Council Tax and Business Rates, detailed in Annex 1, Section 6;
- the Council's invoiced debt position as shown in Annex 1, Section 7;
- progress to date on delivering the 2010-11 capital programme, detailed in Annex 1, Section 8 and Appendix 1;
- Delegated Decisions approved by Directors, as shown in Annex 1 Appendix 2a;
- Delegated Decisions to be approved by Directors in consultation with the relevant Portfolio Holder and the Portfolio Holder for Resources for Supplementary Capital Estimates (SCE) and virement requests over £100,000 up to and including £500,000 as shown in Annex 1, Appendix 2b.
- the successes achieved during the first quarter 2010/11 as outlined in Annex 2;

- the issues raised in relation to underperformance against targets and how these would be addressed; and
- (b) That reductions in approved budgets as shown in Annex 1, Appendix 3 of the report, be approved.

#### **40 TREASURY MANAGEMENT ANNUAL REPORT 2009-2010**

The Treasury Management Policy required the preparation of an annual report on the performance of the Council's treasury management operation. Consideration was given to the report of the Borough Treasurer and Head of Assets which contained details of the activities in 2009-2010 for Cheshire East Borough Council.

The production of an annual report met the requirements of the CIPFA Code of Practice for Treasury Management in the Public Services and the Prudential Code for Capital Finance in Local Authorities.

#### **RESOLVED**

That the Treasury Management Annual Report for 2009-2010, as detailed in Appendix A of the report, be received and noted.

#### **41 ICT STRATEGY - 2010-2011**

Consideration was given to the report of the ICT Strategy Manager.

The Information and Communications Technology (ICT) Strategy had been published in 2009-2010 and had been updated for 2010-2011. The revised Strategy, which set the corporate direction for ICT within the Council and supported corporate priorities, summarised how the ICT Strategy Team, in conjunction with ICT Shared Services, partners and external providers, contributed to the success of Cheshire East.

#### **RESOLVED**

That the Corporate ICT Strategy 2010-2011 be approved for publication and implementation.

#### **42 POLICY AND PROCEDURES - REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)**

The Council was required to have in place clear and robust policies and procedures to guide Officers in carrying out their investigatory functions. Consideration was given to the report of the Head of Policy and Performance which presented the following updated policies and procedures for approval –

- (a) Cheshire East Policy and Procedures for Surveillance under the Regulation of Investigatory Powers Act 2000 (RIPA).

- (b) Cheshire East Policy and Procedures for the Acquisition and Disclosure of Communications Data under the Regulation of Investigatory Powers Act 2000.

#### **RESOLVED**

That the updated policies and procedures (Regulation of Investigatory Powers Act 2000), identified above, be adopted with immediate effect.

#### **43 EXCLUSION OF THE PRESS AND PUBLIC**

#### **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 involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing this information.

#### **44 KEY DECISION 41 - TO DECIDE UPON THE FUTURE DELIVERY METHOD OF THE COUNCIL-OWNED GOLF COURSES**

Consideration was given to a report which identified options for the future delivery method of Council-owned golf courses.

#### **RESOLVED**

- (a) That, to reduce the Council's on-going liability, a formal tender process be commenced offering an operational lease on Malkins Bank Golf Course; and
- (b) That specialist golf advisers be commissioned to assist with the tender process in order to secure the best financial terms and commercial operator.

#### **45 MANAGING WORKFORCE CHANGE**

Consideration was given to the report of the Head of Human Resources and Organisational Development which provided financial details of posts where the post-holders had applied for voluntary redundancy. All applications were recommended for approval by the Chief Executive.

#### **RESOLVED**

That the Cabinet support the decision of the Chief Executive to release the employees whose roles were listed 1-20 at Appendix A of the report, under arrangements agreed in relation to voluntary severance provisions for employees in the Council.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

W Fitzgerald (Chairman)