

Cabinet Agenda

Date: Monday, 6th December, 2010
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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

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

1. **Apologies for Absence**

2. **Declarations of Interest**

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

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

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

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

In order for an informed answer to be given, where a member of the public wishes to ask a question of a Cabinet Member three clear working days notice must be given and the question must be submitted in writing at the time of notification. It is not required to give notice of the intention to make use of public speaking provision but, as a matter of courtesy, a period of 24 hours notice is encouraged.

Please contact Cherry Foreman on 01270 686463
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

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

To approve the minutes of the meeting held on 15 November 2010.

5. **Exclusion of the Press and Public**

The report relating to the remaining item on the agenda has been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matter 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 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 Paragraphs 1 and 2 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. **Workforce Change** (Pages 7 - 12)

To consider the report of the Head of Human Resources and Organisational Development.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 15th November, 2010 in The Capesthorne Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

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

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

Councillors in attendance:
Councillor Rhoda Bailey and B Silvester

Officers in attendance:
Chief Executive,
Borough Solicitor
Borough Treasurer and Head of Assets
Head of HR and Organisational Development
Head of Policy and Performance
Quality Assurance Manager Children and Family Services
Strategic Director Places

81 APOLOGIES FOR ABSENCE

There were no apologies for absence.

82 DECLARATIONS OF INTEREST

Item 7 (Appointments to Outside Organisations)
Councillors Rachel Bailey, D Brown, H Gaddum and J Macrae all declared
personal interests in this item by virtue of being named in the report.

83 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from members of the public.

84 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting be approved as a correct record.

85 KEY DECISION 53 - 16/19 LEARNING NEEDS COMMISSIONING

Consideration was given to this report which detailed the position
regarding 16-19 commissioning with effect from mid October 2010. This

followed further changes to the national arrangements which, in July 2010, had culminated with the Local Authority retaining its strategic role for all 16-19 learners and the Young Peoples Learning Agency taking on the majority of arrangements to institutions and training providers as well as the management of contracts and grant agreements.

RESOLVED

1. That the detailed process which presents a detailed performance Analysis principally based on 2008-9 learner outcomes from which the commissioning priorities have been identified be noted.
2. That the proposed 16-19 Commissioning priorities which sets out those strategic areas which are seen as essential in improving the outcomes for all 16-19 year old learners across Cheshire East be endorsed.
3. That the steps being taken to integrate Authority Service Teams in terms of establishing real collaboration and effective use of resources which allows the mapping of learner pathways from Pre 16, into Post 16 and then into adult Learning be noted.

86 2010-2011 QUARTER TWO (MID-YEAR) PERFORMANCE REPORT

Consideration was given to the joint report of the Borough Treasurer and Head of Assets, and the Head of Policy and Performance, which provided detailed information regarding the Council's financial and non-financial performance for mid year 2010-2011.

The report included details of the key financial pressures the Council was facing and the progress in identifying significant remedial measures, the use of central budgets and provisions to mitigate potential overspend. The report concentrated upon 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.

RESOLVED

1. That the updated forecast outturn position for the Council's revenue budget at the mid year stage of 2010-11, and the remedial actions detailed in Annex 1, Sections 2 and 3 of the report be noted.
2. That the potential impact on the Council's general reserves position as detailed in Annex 1, Section 4 of the report be noted.
3. That the Treasury Management update detailed in Annex 1, Section 6 of the report be noted.

4. That the Council's in-year collection rates for Council Tax and Business Rates, detailed in Annex 1, Section 7 of the report be noted.
5. That the Council's invoiced debt position as shown in Annex 1, Section 8 of the report be noted.
6. That progress to date on delivering the 2010-11 Capital Programme, detailed in Annex 1, Section 9 and Appendix 1 of the report be noted.
7. That delegated decisions approved by Directors for Supplementary Capital Estimates (SCE) and virement requests up to £100,000, as shown in Annex 1 Appendix 2a of the report be noted.
8. That delegated decisions to be approved by Directors in consultation with the relevant Portfolio Holder and the Portfolio Holder for Resources for Supplementary Capital Estimates and virement requests over £100,000 and up to and including £500,000 as shown in Annex 1, Appendix 2b of the report be noted.
9. That the work being undertaken to assess the retention and enhancement of the National Indicator Set following the Secretary of State's announcement, as outlined in Annex 2 paragraph 1.0.4 of the report be noted.
10. That the successes achieved during the first half of the year 2010/11 as outlined in Annex 2 of the report be noted and that consideration be given to the issues raised in relation to under performance against targets and how these will be addressed.
11. That approval be given to :
 - The Supplementary Revenue Estimate of £229,000 in respect of exceptional inflation on Household Waste Recycling contracts and Bus contracts in Places directorate, to be funded from the central Inflation contingency (Annex 1, Section 3.3 of the report);
 - The Supplementary Revenue Estimate of £588,000 in respect of the Total Transport Project in Places directorate to be funded from the Invest to Save earmarked reserve (Annex 1, Section 3.3 of the report) ;
 - Reductions in approved capital budgets, as shown in Annex 1, Appendix 3a of the report;
 - Deferrals in approved capital budgets, as shown in Annex 1, Appendix 3b of the report.

87 APPOINTMENT TO OUTSIDE ORGANISATIONS

Councillors Rachel Bailey, D Brown, H Gaddum and J Macrae had all declared personal interests in this item.

Consideration was given to appointments to a number of casual vacancies on various outside organisations, and to the designation of some such organisations.

RESOLVED

1. That Councillor H Gaddum be appointed as the Council's representative to fill the casual vacancy on the Standing Advisory Council for Religious Education (SACRE).
2. That SACRE be redesignated as a Category 2 organisation to which the Constitution Committee will, in future, make appointments.
3. That Councillor D Brown be appointed to Dane Housing to replace Councillor P Mason.
4. That the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee be added to the list of Category 1 outside organisations,
5. That Councillor J Macrae be appointed to PATROL as the substantive representative, and Councillor Rachel Bailey be the named substitute.

88 NORTH-WEST EVERGREEN FUND

Consideration was given to the establishment of the North-West Evergreen Fund by Local Authorities in the Greater Manchester, Lancashire, Cheshire and Cumbria sub-regions.

The aim of the fund was to secure long-term access to finance to support economic growth across the North West. The partnership between the public and private sectors would balance a commercial approach with the need to invest in local areas to release the economic value in the longer term; it would also provide an opportunity for Cheshire East Council to become a Limited partner in a new venture that would provide access to much needed finance in an environment where public resources are severely limited.

RESOLVED

1. That approval be given to the proposal to establish the North West Evergreen Fund to act as the area's UDF in accordance with its Investment Strategy
2. That approval be given for Cheshire East Council becoming a Limited Partner in the North West Evergreen Fund Limited Partnership.
3. That the Chief Executive, in consultation with the Leader of the Council, be authorized to nominate from time to time, a person to act as the Council's partner representative at the Annual Partnership Meeting.
4. That approval be given to Cheshire East Council in becoming a Shareholder in the General Partner.
5. That approval be given to Cheshire East Council's annual contribution towards the operating costs of the fund.
6. That the Chief Executive and the Borough Treasurer be authorized to negotiate and approve the final terms of the agreements necessary to implement the proposals and that the Borough Solicitor be authorised to arrange for the execution of the final agreements on behalf of Cheshire East Council.
7. That approval be given to a Supplementary Revenue Estimate for £51K during 2010/11. This will be funded over the 'Invest to Save' reserve. Thereafter, the revenue costs of £25k per year will be funded from within the Places budget.

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

90 MANAGING WORKFORCE CHANGE - SEVERANCE PROVISION

Consideration was given to the report of the Head of Human Resources on Organisational Development. In considering the report it was noted that there was an error in respect of the calculations for the employees listed at 40 and 41 of the Appendix; it was confirmed that this would be corrected.

RESOLVED

1. That the content of this report be noted as the six month review of the Council's current voluntary severance terms which were decided on 16 February 2010.
2. That approval be given for the terms as detailed in section 11.1 (i) to (iii) of the report to continue to apply until 31 March 2011 to all redundancies which occur for any reason during the period and that this practice be reviewed again in six months time.
3. That approval be given to make the Redeployment Officer post within the HR Delivery Team permanent.
4. That Cabinet supports the decision of the Chief Executive to release the employees whose roles are listed as 1 to 43 in Appendix A of the report under the arrangements agreed in relation to voluntary severance provisions for employees in the Council, subject to the calculations in respect of the employees detailed at 40 and 41 being duly amended.
5. That Cabinet notes the three employees listed as 44 to 46 in Appendix A of the report who may become compulsorily redundant and would receive payments under the arrangements agreed in relation to severance provisions for employees.

The meeting commenced at 2.00 pm and concluded at 2.40 pm

W Fitzgerald (Chairman)

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