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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 5th March, 2012 in Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors Rachel Bailey, D Brown, J Clowes, H Gaddum, J Macrae,
P Mason, R Menlove and M Jones.

Councillors in attendance:

Rhoda Bailey, G Baxendale, S Gardiner, P Groves, S Hogben, O Hunter,
L Jeuda, P Nurse, P Raynes, L Smetham, A Thwaite, J Weatherill and S
Wilkinson.

Officers in attendance:

Chief Executive; Borough Solicitor; Director of Children, Families and Adults;
Director of Finance and Business Services; Head of HR and Organisational
Development; Head of Local Delivery and Independent Living; and Strategic
Director Places and Organisational Capacity.

117 APOLOGIES FOR ABSENCE

There were no apologies for absence.

118 DECLARATIONS OF INTEREST

There were no declarations of interest.

119 PUBLIC SPEAKING TIME/OPEN SESSION

The following members of the public spoke in respect of agenda item 5
(Improvements to Adults Social Care Services).

Charlotte Peters Rock asked a number of questions on behalf of Knutsford Area for Knutsford Action including what plans were there for day and respite services in the Knutsford area, what were the number of people in the Knutsford area needing those services and where did they currently go for that care; what arrangements are made for carers to oversee the care of those they care for; how is Cheshire East Council meeting its legislative care requirements and when would any of the currently closed day care and respite care facilities in the area be re-opened. In addition she sought a number of assurances regarding the Stanley Centre. As requested these questions are appended in full to the minutes of this meeting.

Mike Card, the parent of two daughters using the facilities at Queens Drive, Congleton, made a statement concerning his calculation of the costs resulting from its closure and the move of its customers to Lincoln House. He was concerned at the lack of alternative respite provision, especially for weekends, and at what he considered to be the inappropriate mixing of young and elderly people in the same facility.

John Coupland, who was also the parent of a child at Queens Drive, expressed similar concerns as Mike Card. He did not consider Lincoln House was the right place for the care of young adults and asked for further consideration to be given to the retention of such an excellent facility as Queens Drive.

Mabel Taylor, a resident of Knutsford, spoke in respect of the temporary and proposed permanent closure of Bexton Court and was concerned at the overall lack of provision in Cheshire East in the light of the forecast increase in the population of over 65 year olds. In addition she expressed the suspicion among local residents that facilities were being closed in order to facilitate the development of a health and well being centre.

Judie Collins spoke on the lack of public consultation on the temporary closure of Bexton Court, and that its permanent closure was now being proposed along with that of the Tatton Ward before the findings of the Task and Finish Group study of dementia, set up by the Adult Social Care Scrutiny Committee, was known. She asked that consideration be given to the timings of these closures; to the public consultation arrangements and also that the Head of Adult Services meet with KafKa as a matter of urgency.

The Chairman thanked everybody for their contributions and confirmed that written responses would be given to the points raised on submission of a written copy of what was asked or said.

120 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 6 February 2012 be approved as a correct record.

121 **KEY DEC 33 IMPROVEMENTS TO ADULTS SOCIAL CARE SERVICES**

Consideration was given to the results of the public consultation on proposed changes to enhance facilities and to transfer some day and short break services, the aim of which was to improve services and match supply with demand. The report included a detailed business case for the proposals made now made.

In developing the final proposals it was stressed that Officers had been proactive in their engagement with the community, had listened to the wide range of opinions expressed by the public during the consultation, and had incorporated them where practicable into the final recommendations; this included a full debate on the petition from Kafka (Knutsford Action for Knutsford Area) by the Council at its meeting on 23 February 2012.

The Adult Services Portfolio Holder gave a detailed resume of the process leading to the proposals now under consideration, the aim being to provide the best possible level of adult social care provision with facilities that were fit for this day and age, that those services were affordable, sustainable and in the right places.

Councillors welcomed the very comprehensive consultation exercise that had been carried out and thanked both the Officers concerned and the public for their extensive involvement. All the responses received during the consultation exercise had been looked at in depth as evidenced by the time it took to analyse and evaluate them, and to the changes made to the original proposals.

RESOLVED

1. That the importance be recognised of ensuring that the outcome of the public consultation was carefully considered in the evaluation of the proposals in the business case.
2. That approval be given to the recommendations in the business case (Appendix B of the report) summarised along with the key considerations as follows:

KNUTSFORD/WILMSLOW/POYNTON

Overall 23 options were considered. There was additional consultation specifically related to the Knutsford developments and the original proposal to close the Stanley Centre and to re-provide locally has been modified to retain local services whilst releasing Stanley House. Work continues to engage with Health regarding future opportunities with local development on the Bexton Court site.

- a) Invest in new Changing Places facilities and enhanced lifestyle facilities at Wilmslow Leisure Centre;
- b) Separate the Stanley Centre from Stanley House and make improvements to bathroom facilities. This will permit Stanley House to be returned to the corporate landlord property pool whilst retaining local Learning Disability day care facilities;
- c) Confirm the permanent closure of Bexton Court acknowledging that local demand for dementia respite is adequately provided for by the independent sector. Work with partners from Health to assess the future usage of the site;

- d) Invest in modifications to Redesmere to develop it as a multi purpose centre and permit the transfer of Learning Disability day care services from Dean Row. Subsequently to declare Dean Row surplus to requirements and return it to the corporate landlord property pool. The longer term goal is to move as soon as possible towards an integrated service which includes an integrated SMART, Frontline and Independent Living Centre (ILC) alongside the Lifestyle developments.

MACCLESFIELD

The alternative, more cost-effective, proposals for Hollins View now avoid disruption to customers during developments and significantly enhance local dementia services by providing a separate day centre provision which increases capacity and retains flexibility for future developments on that site.

- e) Invest in new Changing Places facilities and enhanced lifestyle facilities at Macclesfield Leisure Centre;
- f) Convert the current Youth Offending Team building at Hollins View into specialist dementia day care facilities with secure garden areas. This will permit some local customers to transfer from Mayfields;
- g) Transfer day care services from Peatfields to Mayfields, declare Peatfields surplus to requirements and return it to the corporate landlord property pool.

CONGLETON

Following consultation feedback the original proposals to provide additional complex Learning Disability (LD) respite at Mountview as an alternative to Queens Drive have been reconsidered. Therefore significant respite over-capacity will remain and further work will be done to explore options including Carter House where short-term investment is required. This work will need to examine independent sector alternative provision, the potential future use of Hollins View, and will require close monitoring of all service usage for the immediate future. The high level of demand for dementia care in this area is acknowledged.

- h) Investment in Mountview to convert some existing Older People (OP) bedrooms into 10 additional dementia respite beds;
- i) Closure of offices at 48/54 Lawton Street;
- j) Possible investment in Carter House for the essential improvements to make it fit for purpose.

CREWE

Following consultation feedback the original proposals to provide additional complex Learning Disability respite at Mountview as an alternative to Queens Drive have been reconsidered and supplemented with proposals at the more local Lincoln House.

- k) Investment in Lincoln House to create 5 additional Learning/Physical Disability respite beds;
 - l) Transfer of respite services from Queens Drive to both Lincoln House and Mountview, the subsequent closure of Queens Drive and its return to the corporate landlord property pool.
3. That approval be given to the renegotiation of the Service Level Agreement with Care4CE realigned with the anticipated future demand and incorporating appropriate staff consultations. Whilst these proposals will have a significant impact on the current double running costs (services being commissioned by individuals personal budgets in the independent sector and continued surplus services remaining within internal provision via Care4CE) it is anticipated that there will continue to be some surplus capacity within Care4CE both in the short and medium term. The continual review of capacity will be needed both in the medium and longer term.
 4. That it be confirmed that that the Places and People Directorates will work together to support the alternative, but minimal, transport provisions that might be required as a result of these proposed changes.
 5. That approval be given to the joint exploration of additional Lifestyle bases in line with the positive endorsements of the Lifestyle concept received during the consultation, working with the Places Directorate.
 6. That as part of the next phase of the review, the exploration of further solutions for delivery of Complex Learning Disability respite be endorsed, to possibly include additional development of the Hollins View site and options for services currently delivered from Warwick Mews. Additionally this work to incorporate the changing levels of Intermediate Care demand and possible developments on the Tatton site. Any proposals would be subject to consultation and future Cabinet decisions.
 7. That other ongoing work with Local Engagement Groups and other partners be endorsed, exploring future service developments and working to promote the development of a mixed economy for service provision providing greater choice and flexibility for customers. The outcome of this will result in further proposals being presented to Cabinet at a future date.

KEY DEC 36 SUPERFAST BROADBAND INITIATIVE

Consideration was given to the implementation of the Cheshire and Warrington Broadband Plan, to the investment needed, and to the programme of the wider Connecting Cheshire Partnership with Cheshire West and Chester, Warrington and Halton Councils.

The report detailed the financial support available from the UK Government whose objective was to deliver the best superfast broadband network in Europe by 2015, with funded Local Broadband Plans being in place by the end of April 2012.

RESOLVED

1. That the Cheshire Warrington and Halton Local Broadband Plan, as detailed in Appendix B of the report, be received and endorsed.
2. That the Council investment of £1.2 million, profiled over three years to provide for 90% superfast broadband coverage across the Borough, with an ambition to achieve 100% coverage by leveraging European Grant Funding, be noted.
3. That approval be given for the Strategic Director Places and Organisational Capacity, and the Director of Finance & Business Services, in consultation with the Cabinet Member for Performance and Capacity, to be given delegated authority to make necessary decisions on approved matters to enable the delivery of the Superfast Broadband project.
4. That approval be given for the Director of Finance and Business Services, the Borough Solicitor and the ICT Manager to prepare, negotiate and sign off legal documentation required between the Council and the Secretary of State, and the Connecting Cheshire Partnership, as required.

KEY DEC 38 REVIEW OF LOCAL DEVELOPMENT SCHEME AND TIMETABLE

Consideration was given to a revised programme for preparing the draft Local Plan for inclusion in the Local Development Scheme for 2012-14. The Local Development Scheme is a statutory document setting out the plans and policies the Council seeks to rely on in decision making. The revised programme aimed to ensure that the Council had a three year programme for the preparation of the various documents making up the Local Plan but also to allow sufficient time for input for Members, local Councils and key stakeholders.

RESOLVED

1. That the proposed Core Strategy and Site Allocations Timetable, as set out in Appendix 3, be included within the Local Development Scheme.
2. That, notwithstanding the powers already delegated by full Council and recorded in the Constitution, but for the avoidance of doubt, the Portfolio Holder for Performance and Capacity be granted delegated power to approve all elements of the Final Local Development Scheme as would be lawfully exercisable by the Cabinet.
3. That Cabinet further consider measures and resources that would enable an improved 'two stage' timetable for site allocations to be achieved.

124 **ANNUAL AUDIT LETTER 2010/11**

Cabinet was asked to receive and comment on the Annual Audit Letter for 2010-11; Judith Tench of the Audit Commission was present to introduce the item and to answer any questions from Members. The report summarised the Audit Commissions findings and included a summary of the Commissions opinion on the Council's financial statements, an assessment of the adequacy of its arrangements for securing value for money, and outlined some of the future challenges facing the Council.

RESOLVED

That the Annual Audit letter for 2010-11 be received and noted.

125 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

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 Paragraphs 1, 2 or 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

126 **KEY DEC 32 PYMS LANE/MINSHULL NEW ROAD, CREWE -
SALE OF LAND**

Consideration was given to the report of the Strategic Director Places and Organisational Capacity.

RESOLVED

1. That the freehold interest in the Land at Pyms Lane, Crewe be sold as detailed and upon the terms outlined in Section 10 of this report.
2. That the Strategic Director for Places and Organisational Capacity and Borough Solicitor be given delegated authority to finalise the details of the sale in accordance with the terms and conditions contained in this report.
3. That the Strategic Director for Places and Organisational Capacity be authorised to explore further the implications of the offer received simultaneously the company concerned in respect of the Land at Minshull New Road and that any decision to sell this land be subject to a further report to Cabinet.

127 **KEY DEC 35 OPTIONS FOR WASTE TREATMENT PFI
PROJECT**

Consideration was given to the report of the Strategic Director Places and Organisational Capacity regarding future options for the Waste Treatment PFI Project. It was noted that the same recommendations had been considered and approved at the meeting of the Cheshire West and Chester Council on 23 February 2012.

RESOLVED

That approval be given to the recommendations, made by the Joint Waste Board on 8 December 2011, that Cheshire East Borough Council and Cheshire West and Chester Borough Council both agreed that:

1. The Waste Treatment PFI procurement project be formally abandoned.
2. To note the write off of capitalised project expenditure.
3. That Council be recommended to approve this decision.

128 **PROCUREMENT OF TRANSFER STATION CAPACITY IN THE
NORTH**

Consideration was given to the report of the Strategic Director Places and Organisational Capacity on the procurement of waste transfer station capacity in the north of the Borough. At the meeting the Portfolio Holder for Environmental Services provided further details on the range of options available, the associated costs of those options, and the advantages of following the proposed course of action.

RESOLVED

1. That the strategic and operational importance of proceeding with this procurement be noted.
2. That the forecast financial implications of this procurement activity, which will be reported as part of the 2012/13 1st Quarter Performance report to Cabinet when the final outcome is known, be noted.
3. That approval be given to the procurement of waste transfer capacity through the Open Procedure (Option 1), as fully detailed in this report.

129 **WORKFORCE CHANGE**

Consideration was given to the report of the Head of Human Resources and Organisational Development.

RESOLVED

That Cabinet supports the decision of the Chief Executive to release the employees whose roles are listed as 1 to 15 of Appendix A of the report under the arrangements agreed in relation to voluntary severance provisions for employees in the Council.

The meeting commenced at 2.00 pm and concluded at 3.55 pm

W Fitzgerald (Chairman)

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Questions asked of Cheshire East Cabinet, on 05 March 2012, on behalf of Knutsford Area For Knutsford Action:

Given that the Full Council – because of the lack of background documents – has not yet had the opportunity to accurately proceed with a full Debate, in respect of the closure of social care services in Knutsford; nor has the Bexton Court closure gone for Scrutiny nor Public Consultation:

1.a. In view of the current situation, where the old of the Knutsford Area who are in need either as Service Users or as Carers (or both) of Day and or Respite Services, what plans does Cheshire East have to satisfy those needs, within the ambit of that Knutsford area?

1.b. What Plans does Cheshire East have to overcome the currently insurmountable problem, in that there is NO suitable Day or Respite care available within the commercial sector, since that sector's imperative is for full beds, and not for Respite of hard-pressed carers?

1.c. How many people, who live in the Knutsford area, currently need Day and Respite Services

- i) as service Users
- ii) as Carers

Can you please split down the reply to separate out the need for Respite from the need for ongoing Day Care.

1.d. Where does that Day and Respite Care currently take place, for those people who live in the Knutsford area?

1.e. What arrangements are currently made to ensure that Carers can oversee the care received by those service users for whom they care?

1.f. What Arrangements has Cheshire East made, to ensure that it complies with legislation in respect of care for the elderly, frail, vulnerable, disabled and demented?

1.g. What arrangements has Cheshire East made to ensure that it complies with legislation in respect of Carers needs?

1.h. When will Cheshire East reopen at least one facility for Day and Respite Care of the elderly, within Knutsford, to take the place of the three facilities which were closed down 18 months ago?

1.i. What private arrangement has Cheshire East made with the NHS, in order to refuse service to the old, ill, frail, demented and vulnerable of the Knutsford area?

1.j. These questions urgently need positive responses, so that the old, all of whom are potentially both service users and carers, can be assured that this Council is not taking their hard earned money in vain.

2. Can Cheshire East assure Learning Disabled Service Users and their Carers that The Stanley Centre will remain open and have its facilities upgraded to currently expected standards, as a result of the proposed removal of the Stanley House rooms from its ambit? An estimated time frame would be useful; as would an assurance that there will not be any closure of that facility, even for a short time

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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