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CHESHIRE EAST COUNCIL

Minutes of a meeting of the Council

held on Thursday, 28th February, 2013 at Grand Hall Congleton Hall -
Congleton Town Hall, High Street, Congleton CW12 1BN

PRESENT

Councillor G M Walton (Chairman)
Councillor D Flude (Vice-Chairman)

Councillors C Andrew, Rachel Bailey, Rhoda Bailey, A Barratt, G Barton, G Baxendale, D Bebbington, G Boston, D Brickhill, D Brown, L Brown, B Burkhill, P Butterill, R Cartlidge, J Clowes, S Corcoran, H Davenport, W S Davies, R Domleo, K Edwards, P Edwards, I Faseyi, J P Findlow, W Fitzgerald, R Fletcher, H Gaddum, S Gardiner, L Gilbert, M Grant, P Groves, J Hammond, M Hardy, A Harewood, P Hayes, S Hogben, D Hough, P Hoyland, O Hunter, M Jones, S Jones, F Keegan, A Kolker, W Livesley, J Macrae, D Mahon, D Marren, A Martin, M A Martin, P Mason, R Menlove, G Merry, A Moran, B Moran, B Murphy, H Murray, D Neilson, D Newton, P Nurse, P Raynes, L Roberts, J Saunders, M Sherratt, B Silvester, M J Simon, L Smetham, A Thwaite, D Topping, G Wait, M J Weatherill, R West, P Whiteley, S Wilkinson and J Wray

Apologies

Councillors D Druce, J Jackson, L Jeuda, S McGrory, M Parsons, D Stockton and C G Thorley

82 PRAYERS

The Mayor's Chaplain said Prayers, at the request of the Mayor.

83 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 13 December 2012 be approved as a correct record.

84 MAYOR'S ANNOUNCEMENTS

The Mayor:-

1. Announced the recent sad death of Honorary Freeman, Mrs Margaret Duddy OBE. Margaret was a former Leader of Macclesfield Borough Council. Her funeral would be held at 12.00 noon, on Friday 8th March at St Mary's Parish Church, Disley and the Mayor would be representing the Council at the funeral.

The Mayor also announced that former Crewe and Nantwich Borough Councillor, John Beech had recently died and that his funeral would take place on Thursday 7th March at 11.30am at St Mary's Church, Acton.

Members stood in silent tribute, as a mark of respect.

2. Announced that, since the last Council meeting in December, he and the Deputy Mayor had attended over 40 events:-

Before Christmas he had visited the majority of the Council's major Office locations to wish staff a very happy Christmas. He and the Mayoress had been made very welcome and through the generosity of staff had collected nearly £500 for his charity fund. He had also attended quite a number of carol services and brass band concerts.

On 20th December he had the honour of opening the Council's new Registration Office in the Municipal Buildings in Crewe and was very impressed with the facilities that had been provided for registering births, deaths and marriages. He understood that the facility had been very well received by the public.

In late December he was one of a very few Mayors from across the North West to be invited to meet with Dr Dipu Moni, the Bangladeshi Foreign Minister when she visited Manchester. This was both a very interesting and informative meeting.

After Christmas it was the pantomime season with 'Cinderella' at the Lyceum, Crewe; a 'never to be forgotten' performance of 'Beauty & the Beast' at Woodford and last week, 'Sleeping Beauty' at Shavington.

In early January he had the pleasure of attending the North West Showmen's Guild annual luncheon which this year had been held at Cranage Hall, Holmes Chapel. There was quite a gathering of Mayors & Mayoresses from a wide area and he had been very surprised to receive a generous donation, from the Guild, as the hosting authority, towards his charity fund.

He had also been delighted to attend Civic Church Services at Crewe and Wistaston.

Cheshire East's rail stations had been very successful in various categories at this year's Awards evening held in Northwich with Chelford, his Ward, had been declared as Cheshire's Best Kept Station.

3. He and the Mayoress had attended a number of Mayor's Balls and Civic Ceremonies both inside and outside the Cheshire East boundary, putting Cheshire East well and truly on the map.
4. Reminded Members that he would be hosting a charity Sunday lunch at the Tytherington Club in Macclesfield on 12th May. Formal invitations would be sent out very shortly and he was most grateful to those Members who had already indicated that they would be attending. Other Members who wished to attend should contact The Mayor's Secretary.

5. Welcomed Mike Rowan, the Interim Borough Solicitor, to his first meeting of the Council and also welcomed Sir Nicholas Winterton, Honorary Freeman, to the meeting.

85 DECLARATIONS OF INTEREST

Cllr S Wilkinson declared a non-pecuniary interest in item 7 – HS2, as the planned route ran close to his house. However, it did not run through land holding held in his name, but he would keep this under review.

Michael Rowan, Interim Borough Solicitor, declared a non-pecuniary interest in item 10 – Designation of Monitoring Officer, by virtue of being the subject of the report and would leave the meeting during consideration this matter.

86 PUBLIC SPEAKING TIME/OPEN SESSION

Mr Stuart Redgard used public speaking time to ask the following question relating to land to the north of Adlington Road, Wilmslow in respect of the recently updated Strategic Housing Land Availability Assessment - January 2013. (Formerly Site 3150 in the previous version of the SHLAA -March 2012):-

"Why is it now considered likely that due to size of site, and mix of uses, a sustainable development can be created?. The previous version of this document stated that this "Site is not considered sustainable". What has materially changed to this site to make it changed?

Cllr David Brown, in response stated:-

"The SHLAA is a technical document which provides evidence for use in planning applications and other planning processes. As such it does not make policy but rather reflects policy decisions elsewhere. The Site at Addlington Road has been identified as a housing site as part of the review of the development plan; the changed notation within the SHLAA reflects the status of the site in the draft Local Plan.

As part of the preparation of the Local Plan the merits of the site have been re-appraised - together with an assessment of the facilities that might be provided on the site as part of any development. Collectively this means that we are now satisfied that sustainable development can be achieved on the site. The area of land is one of only two areas of land in the north of the Borough that is not green belt but safeguarded for future development or uses. As these areas are finite and valuable we are duty bound to consider their development very carefully - but the right and proper place to do this is part and parcel of the Local Plan review and that is exactly what we are doing."

Mr Steve Ranger used public speaking time to ask the following question:-

"Given the coalition Government's pressure on all Councils to reduce expenditure, the very least that the residents of Cheshire East have a right to expect is that their Council does not waste money through mismanagement and the pursuit of poorly thought-through policies.

The card being presented to the Council Leader today identifies some of the Council's costly blunders of the past few years. The Lyme Green debacle is only the most spectacular of these. The fact that the Council refuses to publish the Lyme Green report, and other indicators

such as the comparison that has been made between Lyme Green and the Bewilderwood development, suggest that the Council leadership is not learning from the experience of previous problems caused by mismanagement and inadequate planning.

The Council is now embarking on a massive re-organisation of its management structure and proceeding with an extensive redundancy programme, consequently outsourcing most of the Council's services. In the light of the Council's recent history, what assurance can the residents of East Cheshire feel that these radical changes will not be marked by further poor planning and financial mismanagement?"

In summary, the Leader of the Council, Cllr Michael Jones stated that he looked forward to receiving the card and took the points very seriously, but felt that they were a political statement. He had listened to Members and residents. He felt that this should be end to comments about Lyme Green. The issue had been dealt with thoroughly and clearly for the betterment of the Council. The Council was in a new process of going forward to deliver to the public. The Council was an aspirational and healthy Council and delivered more services than in the previous year. He gave some examples of where he considered the Council had performed well and stated that Council tax had not been raised. He looked forward to meeting Mr Ranger.

Mrs Mabel Taylor used public speaking time to ask a question and indicated that she would like a written response to her question:-

She stated that despite the growth in population over that period that she had lived in Knutsford, from 1975, she had witnessed a diminution in health services provided locally, culminating in the current proposal to permanently close the intermediate bed services formerly provided at Tatton Ward.

She asked, as Cheshire East Council owned Tatton Ward, since its temporary closure the EC NHS Trust had continued to pay rent to the Council how much had Cheshire East Council received by way of rental for Tatton Ward since its 'temporary' closure in 2011.

Mrs Charlotte Peters Rock used public question time to ask that the Council, via the newly constituting Health and Wellbeing Board, request that East Cheshire NHS Trust should present its conclusions and the reasons for those conclusions in respect of the permanent closure of the Tatton Ward, Knutsford, following what she considered to be the very poorly publicised 'public consultation' which had concluded on 24 February 2013. She also requested that, in view of the current needs of the elderly of the Knutsford area and the proposed expansion by 400 properties, that the conclusion should be carefully scrutinised, especially in view of the Trust's initial claim in September 2010 that the closure was of a temporary nature.

In respect of new plans, across this Council area, she suggested that more adequate, well researched initial planning by Council officers, might save many thousands of Cheshire East residents from fighting angrily for equitable treatment.

Mrs Judie Collins used public speaking time to ask the following question:

“In view of the cuts to the 27 bus service which is the main way Knutsford residents can get to Macclesfield Hospital and with further public transport cuts to essential services pending, what is the Council doing to ameliorate the situation? I understand they were offered £6,000 by the Hospital trust to look at solutions but this offer has not been taken up. Could this decision now be reviewed”.

The Mayor undertook to provide a written response to Mrs Collins.

Mrs Thornber used public speaking time to express concern regarding the possible closure of Mountview Community Support Centre, Congleton. Family members had used the Centre’s services in the past and she currently attended the centre and used respite services on one day per week with her husband, who suffered from dementia and the day care was very valuable to both of them. There was no other equivalent service available locally and if it was not available they would have to travel to Macclesfield or Crewe for respite services.

The Leader of the Council, in summary stated that a decision to close Mountview Community Support Centre had not been made. He would like to meet with Mrs Thornber to discuss general needs, as he considered it important to get greater needs right for the future. The Council realised how important respite was and that was why it was being reviewed.

Mrs Firkin also addressed Council regarding the proposed closure of Mountview Community Support Centre and expressed concern that there had not been a period of consultation before any decision was made and that staff had already been served with a 90 day notice period and that the budget figures were based on the assumption that it would closed. She called upon the Council to review the notice period issued to staff.

The Leader of the Council stated that it was a review not a decision and that the Council would work with Mrs Firkin, in order to understand her needs.

87 **HS2**

Members of the Council viewed a presentation relating to the proposed High Speed 2 rail link. Following the presentation, the Leader of the Council thanked officers for supporting the Council’s position and thanked Group Leaders for the work they had carried out in respect of this matter. He undertook to keep them informed of developments. A number of Group Leaders and other Members also spoke in respect of this matter.

88 **RECOMMENDATIONS FROM CABINET**

(a) Treasury Management Strategy

Consideration was given to the recommendation from Cabinet concerning the Treasury Management Policy and Strategy. Revisions were proposed to the existing Strategy and Prudential Indicators for 2012/13. A new Treasury Management and a new Annual Investment Strategy for 2013/14 were proposed together with prudential indicators for 2013/14 to 2015/16. A revised Annual Policy Statement on Minimum Revenue Provision was also submitted for approval.

RESOLVED

That the Treasury Management Policy Statement, the Annual Investment Strategy and the Minimum Revenue Provision Statement, as set out in the report, be approved.

(b) Pay Policy Statement

Consideration was given to the recommendation from Cabinet concerning the Pay Policy Statement. Section 38 of the Localism Act 2011 required local authorities to produce a Pay Policy Statement by 31 March on an annual basis.

A revised draft Pay Policy Statement (PPS) for 2013/2014 had been prepared and had been considered by the Council's Staffing Committee at its meeting on 11 January 2013, where amendments were proposed. The draft PPS for 2013/2014 was appended to the agenda and this highlighted the main changes between the current PPS (2012/13) and the proposed PPS for the next financial year (2013/14), together with the additional amendments recommended by the Council's Staffing Committee.

RESOLVED

That the Pay Policy Statement for 2013/2014, including the recommendations from the Staffing Committee, be approved.

(c) Health and Wellbeing Board Terms of Reference

Consideration was given to the recommendation from Cabinet regarding Terms of Reference for the Health and Well Being Board.

Once established, in April 2013, the Board would be a Committee of the Local Authority but regulations under the Act would modify some of the normal requirements of the Local Government Act 1972, details of which were given in the Cabinet report, appended to the agenda. The Regulations had not been published at the time of the Cabinet meeting, but had since been made available to Local Authorities. The Cabinet report enclosed draft terms of reference and recommended that these be approved until such time as Cabinet and the Constitution Committee were asked to review the Health and Wellbeing Board's Terms of Reference and make recommendations on any modifications if required.

In considering the draft Terms of Reference, Council agreed that they should be referred back to the Health and Wellbeing Board for further consideration and suggested an addition to the wording of the last bullet point at paragraph 2 – The Boards Vision, to refer to “Achieving **improved** evidence-based **public** outcomes within a holistic vision of health and wellbeing”.

RESOLVED

That the current Health and Wellbeing Board's Terms of Reference be approved, until such a time as the draft Terms of Reference had been reviewed by the Health and Wellbeing Board, in light of the recently published guidance.

89 RECOMMENDATIONS FROM CONSTITUTION COMMITTEE

Consideration was given to a number of recommendations from the Constitution Committee, as follows:-

(a) Frequency of Meetings

The Constitution Committee had received a report which indicated that Council Members attended around 220 decision-making and other meetings per year. In view of the consequent burden on Member time and expenses, the associated officer costs, the cost of arranging meetings etc, the report sought an in-principle decision that there should be fewer Council meetings.

The Constitution Committee had declined to accept the recommendations of the report and resolved to recommend that Council should approve the draft calendar of meetings for 2013/14, which was appended to the agenda.

RESOLVED

That the Calendar of meetings for 2013/14 be approved.

(b) Questions at Cabinet

At the meeting of Council on 13th December 2012 it was proposed that a new provision be included in the Council Procedure Rules which would allow questions to be put by Members to Cabinet Members at Council meetings, without notice first having been given. Council had agreed this proposal.

The Leader subsequently called for a similar provision to be put in place which would allow for questions, without notice, to be put by Members to Cabinet Members at Cabinet meetings.

A report had, therefore, been submitted to the Constitution Committee, which proposed that the Constitution should be amended to include a provision, which would allow 20 minutes for questions to be put to Cabinet Members by Members of the Council at Cabinet meetings.

It was recommended that the Rules previously agreed by Council, which applied to questions at Council should be adapted appropriately for the purposes of questions to Cabinet Members at Cabinet meetings, details of which were contained in the report to Council.

RESOLVED

1. That the Constitution be amended to include a provision to allow 20 minutes for questions to be put to Cabinet Members by Members of the Council at Cabinet meetings.
2. That the Rules previously agreed by Council, which applied to questions at Council, be adapted appropriately for the purposes of questions to Cabinet Members at Cabinet meetings, as contained in the report.

(c) Scheme of Delegation for Director of Public Health

The Constitution Committee had received a report which explained that health responsibilities would transfer to local authorities in April 2013. Therefore, the Council needed to amend its scheme of delegation in order to ensure that the Director of Public Health would be empowered to undertake their role. A draft scheme of delegation for the Director of Public Health was appended to the agenda for consideration. The report noted that the Officer Delegation Working Group was continuing to consider the officer delegation scheme and that this Group might wish to review the delegation scheme in due course.

The Constitution Committee resolved to recommend to Council that the scheme of delegation for the Director of Public Health be adopted pending a further review by the Scheme of Delegation Member Working Group.

RESOLVED

That the scheme of delegation for the Director of Public Health be adopted, pending a further review by the Scheme of Delegation Member Working Group.

90 DESIGNATION OF MONITORING OFFICER

(Michael Rowan had declared a non-pecuniary interest in this item, by virtue of being the subject of the report and left the meeting during consideration this matter).

Consideration was given to the report which outlined the process used for the recruitment of the Interim Borough Solicitor and Monitoring Officer and requesting Council to agree that the appointee be designated as Monitoring Officer.

RESOLVED

That Mr Michael Rowan be designated as Monitoring Officer of Cheshire East Council.

91 APPOINTMENT OF COMMITTEE CHAIRMEN

The Leader of the Council proposed the following changes to chairmanships :-

Staffing Committee – That Cllr D Topping be elected as Chairman.

Corporate Scrutiny Committee – That Cllr S Wilkinson be elected as Chairman.

The Leader also outlined the proposed membership, Chairmanship and Vice-chairmanship for the East Cheshire Engine of the North, new development company model.

RESOLVED

That the above nominations be approved.

92 LEADER'S ANNOUNCEMENTS

The Leader of the Council reported details of some recent changes to Cabinet and the appointment of Cllr Topping as Portfolio Holder for Environment.

He also announced the addition of Leisure and Cultural Strategy to the Health and Adult Care Service Portfolio. An updated list of Cabinet appointments, incorporating these changes is appended to these minutes.

(Cllr D Newton stated that he was Chairman of Sport Cheshire, a company which had contracts for the delivery of some services for Cheshire East Council and which may at some time in the future bid for any contract relating to the delivery of leisure services, as part of the process for outsourcing sports development. He would declare an interest at any future meetings where this matter was considered, as appropriate).

93 THREE YEAR MEDIUM TERM FINANCIAL STRATEGY 2013 - 2016 BUDGET REPORT

(Items 13 &14 of the agenda were considered together, as one item).

The Cheshire East Council Budget Report for 2013/2016 had been produced following engagement on the Business Planning Process during January and February 2013. The Budget Report provides financial background to the Medium Term Financial Strategy Report as well as setting out further details of the approach to funding the Three Year Council Plan. The Budget Report set out, in detail, the spending plans and income targets for the financial year starting 1st April 2013, as well as financial estimates for the 2014/2015 and 2015/2016 financial years.

The 2013/2016 Budget Report had been reported to Cabinet on 4th February 2013 and Cabinet had recommended the report to Council for approval. The Budget Report to Council had been updated to reflect the final Local Government Finance Report for 2013/2014. This had been approved by Members of Parliament following a debate in the House of Commons on 13th February 2013. It was noted, that the impact of the final Settlement was minor and did not impact on any service proposals.

The Leader of the Council also presented his budget report under this item and proposed the recommendations set out in report under items 13 &14 of the agenda.

- The Leader indicated that he and his Cabinet had set out the framework of a new 3 Year Council Plan, which gave a clear strategic direction. This showed the purpose of the Council, the main outcomes they wanted (to ensure good quality of life for local people in Cheshire East) and the priorities for action to achieve these.
- It was recognised that, if ambitions to make Cheshire East a better place to live and work were to be realised, a new medium term financial strategy was needed, that would make the best use of the limited resources and would provide tangible value for money for local people in these difficult times.
- He and his Cabinet also set out the principles that would drive the thinking in preparing the Council's Budget and would guide the difficult decisions that need to be made over where to find savings and to cut costs, whilst also investing in necessary improvements in vital services.

The following principles would underpin budget decisions:

- We will be policy-led and stick to our decisions
- We will make decisions based on evidence of need and of what works, with due regard to our equality duty
- We are planning for at least 3 years
- We must be a more productive and affordable organisation
- We will stop doing some things to focus on those that matter most to local people
- We will invest in innovative new ways of providing services
- We will ensure that those who provide services, whether in-house or externally, give real value for money
- We will promote self reliance and capacity in local communities to reduce demand on public services
- We will focus our limited resources on prevention and early intervention
- We will invest in infrastructure to promote local economic growth and access to job opportunities

- As well as ensuring that our main priorities for improvement are properly resourced, he wanted to create a Council that was financially stable. A prudent approach had been taken in a time of unprecedented change and uncertainty in local government, and of growing demand for some local services, such as care for those who are elderly and vulnerable.
- This sound financial management and wise stewardship of public money was what this Council is about under his leadership. Hard pressed, hard working local people and families could be confident that the Council were on their side and that they could rely on the Council in these uncertain times.
- Over the past few months, the intensive and wide-ranging work he and his Cabinet had done meant that the Council could confidently make decisions now on the best use of the Council's resources. The Leader's recommendations to Council for a balanced budget over the next 3 years would protect and enhance our essential frontline services, retain sufficient skilled staff to get the job done well and give local people even better value for money as costs were cut. This approach was also the best way to make the Council's contribution to reducing the burden of public debt and to create greater prosperity for hard working local people.

The recommendations were seconded by the Finance Portfolio Holder, Cllr P Raynes. Following this, nominated spokespersons for each political group were invited to speak for an extended speaking period.

Before this matter was opened to general debate the Mayor informed Members that the Corporate Scrutiny Committee had considered the budget, at its meeting on 21 February 2013 and the minutes of the meeting had been circulated around the Chamber for information.

RESOLVED

Leaders Report

Council: -

1. Noted the ongoing Budget Engagement exercise undertaken by the Council, as set out in the attached Appendix 4 of the report.
2. Noted the comments of the Council's Chief Finance Officer regarding the robustness of estimates and level of reserves held by the Council based on the budget proposals.
3. Approved the Leader's 2013/2016 Budget Report, which presented the financial implications of the Medium Term Financial Strategy, and the detailed changes needed to implement it, as set out in the report.
4. Approved the 3 Year Capital Programme for 2013/2014 to 2015/2016 as set out in the attached Appendix 3 of the report.
5. Approved a Band D Council tax of £1,216.34 (no change from 2012/2013).
6. Approved the recommended Reserves Strategy;
7. Noted the 2013/2014 non ring-fenced Specific Grants, and that any amendments to particular grants, in the light of further information received from government Departments or other funding bodies, will be reported to Council;
8. Agreed the 2013/2014 Dedicated Schools Grant (DSG) of £182.4 million and the associated policy proposals;
9. Authorised the Children's and Family Services Portfolio Holder to agree any necessary amendment to the DSG position in the light of further information received from DfE, pupil number changes, further academy transfers and the actual balance brought forward from 2012/2013;
10. Noted the receipt by the Council of the transferred and ring-fenced grant for Public Health functions, and acknowledged the positive benefits for local people from the Council acquiring these new functions and responsibilities from 1 April 2013;
11. Approved the recommended Prudential Indicators for Capital Financing; and
12. Noted the risk assessment detailed in the Chief Finance Officer's report.

Budget Report

1. Council noted the comments of the Deputy Section 151 Officer, regarding the robustness of estimates and level of reserves held by the Council based on this budget, at Appendix A of the report, comment from Finance Manager and Deputy Section 151 Officer).
2. That the 2013/2016 Budget Report, at Appendix A of the report, be approved, as part of the Medium Term Financial Strategy Report.

94 COUNCIL TAX STATUTORY RESOLUTION

Consideration was given to a report relating to the setting of the Council tax for 2013/14. The Council, as a billing authority, was responsible for the billing and collection of Council Tax due from local taxpayers and must set the overall Council Tax level. This meant that the Authority also collected Council Tax income to cover not only its own services but also precepts set by other authorities. The Council Tax levied was, therefore, made up of four elements -Cheshire East Borough Council element, Parish Councils & Charter Trustees precepts, Police & Crime Commissioner for Cheshire precept and Cheshire Fire Authority precept.
RESOLVED

That the Council Tax for Cheshire East Council for the financial year 2013/2014, be set at £1,216.34, in accordance with the formal resolutions as shown in section 18 of the report and the precept levy for Crewe Parish Council be set at £362,255 :-

1. **That it be noted that on 13th December 2012 the Council calculated the Council Tax base 2013/2014**
 - (a) **for the whole Council area as 137,122.19.**
 - (b) **for dwellings in those parts of its area to which a Parish precept relates as attached to the report.**
2. **Calculated that the Council Tax requirement for the Council's own purposes for 2013/2014 (excluding Parish precepts) is £166,787,205.**
3. **That the following amounts be calculated for the year 2013/2014 in accordance with Sections 31 to 36 of the Act:**
 - a. £727,587,024 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - b. £556,275,641 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - c. £171,311,383 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
 - d. £1,249.33 being the amount at (c) above divided by the amount at 18.1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - e. £4,524,178 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act

- f. £1,216.34, being the amount at (d) above less the result given by dividing the amount at 18.3(e) above by the amount at (a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - g. Appendix A, being the amounts calculated by the Council, in accordance with regulations 3 and 6 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its total council tax base for the year and council tax base for dwellings in those parts of its area to which one or more special items relate.
 - h. Appendix B, being the amounts given by adding to the amount at (f) above, the amounts of special items relating to dwellings in those parts of the Council's area mentioned above divided by in each case the appropriate tax base from Appendix A, calculated by the Council in accordance with Section 34(3) of the 1992 Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of the area to which one or more special items relate. (Band D charges for each Parish and Charter Trustees area).
 - i. Appendix C, being the amounts given by multiplying the amount at (h) above by the number which, in the proportion set out in Section 5(1) of the 1992 Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the 1992 Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (Local charges for all Bands).
 - j. Appendix D, being the aggregate of the local charges in (i) above and the amounts levied by major precepting authorities, calculated in accordance with Section 30(2) of the 1992 Act (The total Council Tax charge for each band in each Parish and Charter Trustees area).
- 4. That it be noted that the Police & Crime Commissioner and the Fire Authority have issued precepts to Cheshire East Council in accordance with section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as shown in sections 15 and 16 above.**
- 5. It was accepted that the Cheshire East Council's basic amount of Council tax for 2013/2014 was not excessive, in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.**

95 **RECOMMENDATION FROM CABINET - BECOMING A "STRATEGIC COUNCIL" - REVIEW OF MANAGEMENT ROLES AND RESPONSIBILITIES**

Consideration was given to the recommendation from Cabinet setting out proposals for significant changes in the current roles and responsibilities of managers at all levels within the organisation, as a key element of establishing a new operating model for the Council.

The Cabinet report provided details of how the Council would need to change the way in which it operated, and was structured, in order to become a strategic commissioning body; identifying and prioritising local needs, and meeting those needs in a cost-effective way by stimulating and managing a diverse local market of high quality local providers. Costs would be brought down by doing things differently and using innovative and new approaches to the way in which services were delivered that achieved the desired outcomes for local people.

The new "Strategic Council" would be one that was able to capture, leverage and disperse all available local funds and resources in line with its strategic ambitions and goals for its local communities, as part of its "place shaping" role.

There would be a strengthening of the role of elected Members, beginning and ending with councillors' democratic relationship with local residents, who should have a stronger voice and input into commissioning decisions in the future.

Changes to existing management roles and responsibilities would need to be undertaken in three phases, entailing a process of top-down displacement of current postholders.

The Cabinet report detailed the proposed arrangements around selection to new roles, training and development, and support.

New programmes of training and development would be provided to assist those involved to take on new or expanded roles and responsibilities with confidence. Where individuals were displaced by the process, support would be provided to redeploy them into suitable alternative employment.

A dedicated HR team would be set up to oversee and coordinate the process, assisted by a limited, cost effective input from external experts to ensure objectivity and fairness in the assessment and selection process, to support the managers involved in the review, and to avoid the risk of challenge or appeals from the staff involved.

The Cabinet report set out the process and timetable for implementing the required management changes over the following six months and sought Council's approval for the authority to proceed immediately with the Management Review, on the basis set out in the Cabinet report, so that its benefits could start to be realised as quickly as possible.

RESOLVED

1. That the Interim Chief Executive, in consultation with the Leader of the Council and his Cabinet Portfolio Holders, be authorised to start, with

immediate effect, the proposed Management Review and the phased process of selection for appointment to new management posts in the Council's revised organisational structure, on the basis and timetable set out in the report.

2. That the need for planned complementary action on the wider implications of the introduction of the new operating model for the Council, in terms of collaborative working with other local commissioners and providers of public services, as well as the development of the Council's Localism initiative be noted
3. That further reports on these initiatives be brought forward for Members' consideration in due course.

96 NOTICES OF MOTION

Consideration was given to the following Notices of Motion :-

THANK YOU TO COUNCIL STAFF

Submitted by Councillor David Topping and Seconded By Councillor Michael Jones

This Council thanks all those staff who worked long, unsocial hours during the recent spell of adverse weather to ensure that traffic kept flowing on the Council's road network. Their hard work and commitment clearing and gritting roads kept Cheshire East moving. Particular praise should be paid to the work undertaken to clear and grit pavements around a wide range of key locations across the Borough; these included hospitals, doctor's surgeries, old people's homes and shops. The same staff have also been responding to the very wet conditions that we have been experiencing; which have resulted in frequent flooding events across the Borough.

The Council's thanks also go to our local supply chain and to farming contractors who provided an invaluable service in working to keep our more rural communities open for business.

Tribute should also be paid to our refuse crews, who braved the adverse weather to provide as normal a service as they could, to all of the Council's travelling staff who ensured that, as far as possible, business continued as normal during the adverse weather and to our Customer Services team who over this difficult period have continued to advise and help our residents.

(In considering the Notice of Motion, Council agreed to make special reference to Care For staff and refuse staff in addition to those staff in the areas set out in the Notice of Motion).

That, subject to the above additional references, the motion be approved.

LOAN SHARKS AND CREDIT UNIONS

Submitted by Councillor Sam Corcoran and Seconded by Councillor Michelle Sherratt

Cheshire East Council:

Notes and welcomes the UK-wide campaign to end 'legal loan sharking'.

Believes that the lack of access to affordable credit is socially and economically damaging. Unaffordable credit is causing a myriad of unwanted effects such as poorer diets, colder homes, rent, council tax and utility arrears, depression (which impacts on job seeking behaviour) and poor health.

Further notes that unaffordable credit is extracting wealth from the most deprived communities.

Believes it is the responsibility of all levels of government to try to ensure affordable credit for all, and therefore pledges to use best practice to promote financial literacy and affordable lending. This will help to ensure that wealth stays in the local economy.

Pledges to promote credit unions in Cheshire East, community-based co-operative organisations offering access to affordable credit and promoting saving, to all members of the community.

Will work to make credit union payroll deduction facilities available to council staff to facilitate easy access to local credit unions and support saving for people in the area.

Calls on the government to introduce caps on the total lending rates that can be charged for providing credit.

Calls on the government to give local authorities the power to veto licences for high street credit agencies where they could have negative economic or social impacts on communities.

RESOLVED

That the motion be accepted.

PLANNING COMMITTEE UPDATE REPORTS

Submitted by Councillor David Brickhill and Seconded by Councillor Michael Jones

In connection with the proceedings of the Strategic Planning Board on 30th January, when the following late update papers were produced after publication of the agenda for the meeting:

Update 1 containing 14 pages on 23rd at 11.42 including the Parish Council's response prompted by Councillor Hogben

Update 2 containing 18 pages on 25th at 17.22

Update 3 containing 12 pages, on 29th at 18.24

All of which led to delays in the business of the Board and a deferment. This Council calls upon officers and the Committee to ensure that:

- Update papers which are issued after publication of the agendas for planning meetings should be produced without delay prior to the meeting in question.
- Where it is necessary for update papers to be brought to the attention of Members within the five working days before planning meetings, the application in question should only be determined where:
 - The officers advise that it is necessary to do so in view of the urgency of the matter; and
 - Members of the Committee/Board agree that they and the public have had sufficient time to absorb the information in question; but
- That in other cases, the Committee/Board should resolve to defer consideration of the application in question.

RESOLVED

That the motion stand referred to the Strategic Planning Board for consideration.

LYME GREEN

Submitted by Councillor Brendan Murphy and Seconded by Councillor Lloyd Roberts

Council resolves that the Designated Independent Person's report should be published unless there is well-founded legal advice to the contrary.

(In moving his motion Cllr Murphy made a correction to the wording to replace the word "advice" with the word "reason").

RESOLVED

That the motion be not accepted.

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT

Submitted by Councillor David Brown and Seconded by Councillor Michael Jones

This Council welcomes the recent decision to approve the 2013 Strategic Housing Land Availability Assessment, and supports its use to evidence a 5 year housing supply wherever appropriate.

RESOLVED

That the motion be accepted.

97 **QUESTIONS**

Due to the lateness in the day, at the suggestion of the Mayor, Council agreed that written responses should be provided for all the Member questions submitted in writing. These would be circulated by e-mail to all Members of the Council. The questions and responses are also attached to these minutes.

The meeting commenced at 2.00 pm and concluded at 8.45 pm

Councillor G M Walton (Chairman)
CHAIRMAN

Agenda Item 12 Leader's Announcements**Cabinet Membership and Responsibilities**

Details of the Leader's appointments to the Cabinet and the functions delegated to Cabinet Members

CABINET MEMBER	ADDRESS	WARD	PORTFOLIO
Michael Jones	Westfields Middlewich Road Sandbach CW11 1HZ	Bunbury	Leader of the Council
David Brown (Deputy Leader)	Westfields Middlewich Road Sandbach CW11 1HZ	Congleton East	Strategic Communities <ul style="list-style-type: none"> • Customer Access/Service including Libraries and Archives • Local Development Framework • Community Strategy • Community Grants • Communications and Marketing • ICT and Transformation • Information, Intelligence and Consultation • Energy <ul style="list-style-type: none"> • Distribution • Generation • Marketing
Rachel Bailey	Westfields Middlewich Road Sandbach CW11 1HZ	Audlem	Children & Family Services <ul style="list-style-type: none"> • Education • Welfare of Children and Families • Children's Centres • Early Years and Child Care • Youth Support • Development Management • Building Control

Janet Clowes	Westfields Middlewich Road Sandbach CW11 1HZ	Wybunbury	Health & Adult Care Services <ul style="list-style-type: none"> • Leisure and Cultural Strategy • Operational Delivery of Leisure Services • Public Health Promotion and Protection • Health Improvement • Integration with Health Partners • NHS Liaison • Care for Elderly and Vulnerable People • Welfare of Adults
Paul Findlow	Westfields Middlewich Road Sandbach CW11 1HZ	Prestbury	Corporate Policy <ul style="list-style-type: none"> • Corporate Policy Advice and Development • Legal • Democratic Services • Procurement • Policy on Shared Services • Policy on Delivery Models • Civic Matters • Member Training and Development • Elections
Les Gilbert	Westfields Middlewich Road Sandbach CW11 1HZ	Dane Valley	Communities & Regulatory Services <ul style="list-style-type: none"> • Operational delivery of cultural services • Neighbourhood & Community Cohesion • Crime Reduction • Licensing • Environmental Health • Trading Standards • Local Area Partnerships and Neighbourhood Working • Registration Services (Births, Marriages & Deaths)

Jamie Macrae	Westfields Middlewich Road Sandbach CW11 1HZ	Mobberley	Prosperity & Economic Regeneration <ul style="list-style-type: none"> • Assets • Economic Development • Tourism and Visitor Economy • Tatton Park • Strategic Highways and Transport • Public and Private Sector Housing Strategy and Provision
David Topping	Westfields Middlewich Road Sandbach CW11 1HZ	Congleton West	Environment <ul style="list-style-type: none"> • Street Scene • Waste Management • Highways Services and Operations • Parking • Cremation and Burial Services • Markets • Town Centre Management
Barry Moran	Westfields Middlewich Road Sandbach CW11 1HZ	Sandbach Town	Performance <ul style="list-style-type: none"> • HR Strategy and Delivery • Organisational Development • Health and Safety • Performance Management Strategy and Delivery • Project Programme Management
Peter Raynes	Westfields Middlewich Road Sandbach CW11 1HZ	Knutsford	Finance <ul style="list-style-type: none"> • Finance Service • Development of the Business Plan • Capital Strategy and Programme • Treasury Management • Audit and Insurance • Risk Management • Council Tax and Housing Benefit Administration

Cabinet Support Members

Councillor Rhoda Bailey	Children & Family Services
Councillor Stewart Gardiner	Health & Adult Care Services
Councillor Peter Groves	Prosperity & Economic Regeneration
Councillor David Marren	Corporate Policy/Performance
Councillor Peter Mason	Finance
Councillor Lesley Smetham	Strategic Communities
Councillor Don Stockton	Environment
Councillor Gail Wait	Environment
Councillor Steve Wilkinson	Communities & Regulatory Services

Notes:

Operational Delivery of Leisure Services has transferred from the Environment Portfolio to the Health and Adult Care Services Portfolio.

QUESTIONS AND ANSWERS TO COUNCIL – 28 FEBRUARY 2013**QUESTION 1**

From Councillor Michelle Sherratt

Municipal Buildings, Crewe

It has come to my knowledge that the new build part of the Municipal Buildings in Crewe are going to be sold off in March and possibly populated with a new library including the history society and a museum.

I would like to know please:

- Where are the numerous departments within the current building going to be relocated to?
- What will become of the vacant library building?
- Why weren't ALL the Crewe Members informed?
- Have access points to the Municipal building even been considered? There is no front entrance to the offices and people would have to traipse around the back gate. This is not in the best interests of the library.
- What are the costs involved?

RESPONSE:

My I thank Cllr Michelle Sherratt for her question, and for the opportunity to quash rumour and conjecture circulating in Crewe regarding the future of the Municipal Buildings.

There is no decision that the offices attached to the Municipal Buildings are be sold off in March, or any decision as to their long term use as part of the councils property portfolio.

Yes, In line with the major property review, the future use of all Cheshire East Council assets continues, including location of staff to reflect the changing way the Council operates, this includes the Municipal Buildings. As Members will be aware, refurbishment has recently taken place to the ground floor of the Civic building in order that the Registration Service can be accommodated, providing an essential service to the public in a building that is fit for purpose. This work is continuing, with alterations to the front entrance, making the building accessible to all.

However, the offices at the rear of the building are currently under-occupied and, should they remain in use as offices, would require an extensive programme of refurbishment. As part of the on-going accommodation strategy, and in order to make best use of those corporate buildings where refurbishment has already taken place, it is likely that staff will be moved to other locations in the Spring.

As the property review progresses, in conjunction with the All Change for Crewe programme, Members and other partners will be consulted.

QUESTION 2

From Councillor Ken Edwards

SEN Funding

Is the Cabinet Member aware of the rapid changes and the reductions in funding resulting from the changes to the funding of children with Special Educational needs?

Will the Cabinet Member:

1. Ask for an urgent report on the effects on individual schools? Cuts in provision of up to £200,000 have been reported.
2. Ascertain from each school the impact on all pupils with Formal Statements of Special Educational Needs
3. Contact Edward Timpson, the Minister with responsibility for Children with Special Educational Needs, as a matter of urgency to request him to oversee a better organised transition period in funding reductions.
4. To report to the Policy Development Group procedures for managing the cuts in funding to ensure an effective service is maintained to pupils with Special Educational Needs.

RESPONSE:

I have attended the Schools Forum meetings where these issues have been extensively debated. There isn't a reduction in the total money available to schools the impact is being caused by the changes to DfE regulations which govern the way funding is distributed between schools.

1. Reports and information regarding individual schools are on the Schools Forum website
2. Cheshire East Schools Forum has agreed that for all pupils with Statements, the LA will continue to **top up** the funding to the agreed level until the annual review. Schools will receive a full year top up in their initial budgets but this will be subject to any in year adjustments resulting from the review.
3. Edward Timpson instigated a meeting, which I attended with representatives of the DfE and a number of Primary HT's, a Secondary HT representative and other LA colleagues.

The meeting provided an opportunity for the LA and Schools to articulate directly to the DfE the real difficulties posed by the introduction of the SEN funding reforms so quickly, the financial turbulence that results and the difficulty for HT's in engaging with parents and managing their expectations of support for their children.

While we left the DfE with some key issues to consider it was clear that Cheshire East has explored all avenues to implement the reforms as laid down by Government

4. This will be arranged, I will ask Officers to prepare a report.
-

QUESTION 3

From Councillor Ken Edwards

Careers Advice in Schools

The Education Select Committee has produced a report criticising the Coalition Government's decision to task schools with the responsibility for giving independent careers advice to their pupils rather than it being a responsibility for the Local authority.

What, if anything, can the Cheshire East Borough Council do to monitor careers advice in schools to ensure it is wide ranging, tailored to the needs of individual pupils, independent and effective in encouraging our young people into appropriate employment education and training? And are we doing it?

RESPONSE:

The responsibility of giving young people independent careers advice, and guidance transferred from the Local Authority to schools from September 2012. Schools have chosen a variety of ways to deliver this duty. This year Cheshire East Council has offered a purchased service through the Youth Support Service to each school in Cheshire East, which has been taken up by 7 schools. This provision has ensured a quality service has been delivered in these schools.

It is not the statutory responsibility of the local authority to monitor the schools provision of Careers advice and guidance however in the guidance to the schools; there are measures that schools can ensure are in place to support the quality of the guidance given. Awards such as Matrix, can support the company or individual that schools employ/contract to meet the guideline requirements, 3 schools within Cheshire East currently hold the award IIC (Investors in Careers).

Ofsted is the accountable body to ensure schools fulfil responsibilities to deliver Careers advice and guidance effectively.

On a wider level the Council is considering bringing together a forum/forums for sharing good practice, systems and policy, maybe one in the North and one in the South of the borough. This could look at offering support to the schools with their selection process and policies that they have in place for Careers Guidance and the curriculum, but this obviously has resource implications.

For individuals Cheshire East Youth Support Service works with those young people who are at risk of becoming NEET both in schools and other settings to ensure that they are given quality Careers Advice and Guidance at the most appropriate time and tailored to their specific needs.

QUESTION 4

From Councillor Peter Nurse

GCSEs

Will the Cabinet Member, in the light of the Secretary of State for Education's decision to withdraw his proposal to abolish G.C.S.E.'s, issue a statement to Pupils, Heads and Governors of Cheshire East Schools that confirms the Council's view that G.C.S.E.'s remain a proper and worthwhile qualification for young people to work for and achieve.

RESPONSE:

The Council has always worked closely with its Secondary Schools to ensure that the curriculum and assessment arrangements at the end of Key Stage 4 offer all our learners the best opportunities to achieve their full potential. The recent changes in the Government's direction on the GCSE qualification means that Headteachers and Governors have increased opportunities to use the flexibility of the GCSE to best suit our learners. The Council supports the view that any move to create a potentially two-tier examination system (as suggested through the EBC route) would potentially lead to less inclusivity and restrict some pupils to achieve the highest grades.

GCSE's, therefore, provide a versatile and worthwhile qualification and remain a key driver to raise standards across our schools. The EBC change is only one of numerous proposed changes to Key Stage 4 qualifications (as set out in the recent DfE Consultation response) and schools must remain vigilant to ensure that they are well placed to adapt to new initiatives. These include the on-going issue of grading as well as how GCSE's are used to measure overall school performance.

QUESTION 5

From Councillor Peter Nurse

Composition of Beef Products

Has the composition of Beef products used in East Cheshire School Meals been tested for the presence of horsemeat? If so, what were the results?

RESPONSE:

To follow

QUESTION 6

From Councillor Brian Silvester

Crewe Alexandra Football Club

Would the Mayor please agree to pass on the good wishes of Cheshire East Council to Crewe Alexandra Football Club in the Johnstone Paints Final on April 7th and encourage Council to support the team's bid to come back with the Cup?

For a small club like Crewe Alexandra to win through to play at Wembley twice in less than a year is a major achievement.

The winning philosophy of the team and their appearances in the national sporting media helps to put Cheshire East on the map and will encourage many more people to support the Alex and visit the Borough. It will also lead to more local people playing football and becoming involved in healthy activity.

Everyone involved with Crewe Alexandra should be congratulated on their continuing success.

RESPONSE:

I will be writing to Crewe Alexandra Football Club (as I did last May when Crewe were successful in the Division 2 playoff Final at Wembley, gaining promotion to Division 1), to congratulate them on their success in reaching the final of the Johnstone's Paint Trophy and to wish them the very best of luck against Southend United on 7 April.

QUESTION 7

From Councillor Roy Cartlidge

The Mayor

I would like to ask a question to the Mayor - Did you appear on national television on Sunday 27th January and state the following statements:

"There would be visible public outrage if the HS2 route was forced through "highly loved countryside" lying south of Manchester. The backlash would be horrendous if it goes through Tatton Park, which is National Trust land. Anything anywhere near there would be an absolute disaster."

If it's yes to the above questions then Mr Mayor a supplementary question be put

As Mayor of Cheshire East do you think it was appropriate to make a political point and try and make policy for the Council?

I am sure other councillor's representing the same ward as yourself could have carried your views forward without the need to put your civic duties in a political context.

RESPONSE:

Yes, I appeared on Sky News and BBC1's Northwest Tonight on Sunday 27th January, the day before the HS2 route announcement was made. The interviews started with me expressing full support of the proposal for HS2 for all the obvious reasons, whilst at the same time stating that there would be concerns amongst the farming community and villagers / homeowners affected by the chosen route.

I would point out that I represent a single Member Ward covering 7 Parishes across the Chelford area.