

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 28th May, 2013 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor M Jones (Chairman)  
Councillor D Brown (Vice-Chairman)

Councillors Rachel Bailey, J Clowes, J P Findlow, B Moran, P Raynes and  
D Topping

## **Members in Attendance**

Councillors G Baxendale, Rhoda Bailey, L Brown, K Edwards, D Flude, S  
Gardiner, P Groves, S Hogben, P Hoyland, L Jeuda, B Livesley, P Mason, A  
Moran, P Nurse, J Saunders, A Thwaite, G Wait, R West and S Wilkinson

## **Officers in Attendance**

Kim Ryley, Paul Bradshaw, Tony Crane, Rachel Musson, Julie Openshaw and  
Paul Mountford

## **Apologies**

Councillors L Gilbert and J Macrae

## **1 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

There were no members of the public wishing to speak.

## **3 QUESTIONS TO CABINET MEMBERS**

The Mayor, Councillor D Flude, sought an assurance that the proposed  
new case management system would be fully tested before it was  
purchased by the Council. The Leader gave that assurance. Councillor J  
Clowes, Portfolio Holder for Health and Adult Care, added that the system  
was already being tested by front line staff.

## **4 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 7<sup>th</sup> May 2013 be approved as a  
correct record.

## **5 KEY DECISION 41 - ICT STRATEGY 2013-16**

Cabinet considered the ICT Strategy for 2013-16. The Strategy set the corporate direction for ICT within the Council and supported corporate priorities.

Councillor D Brown, Portfolio Holder for Strategic Communities, informed Members of the following additional bullet point for the Strategy, under Section 3 – ICT Vision:

“Support the changing nature of service delivery through new and improved operating models such as social enterprises, separate legal entity, development companies, etc.”

### **RESOLVED**

That

- (1) the corporate Information and Communications Technology Strategy 2013-2016 be approved; and
- (2) the officers be authorised to take all necessary actions to publish and implement the Strategy.

## **6 KEY DECISION 52 - HOME TO SCHOOL TRANSPORT**

Cabinet considered a revised home to school transport policy.

Cabinet had previously approved proposed changes to the policy specifically in relation to discretionary areas of activity. Revised government guidance, reaffirmed the Council's updated policy and set out statutory guidance that councils must take into account when formulating policy for the rights of parents who wished to challenge entitlement and eligibility decisions regarding home to school transport.

The appropriate policy clarifications had been made to ensure that the Council was meeting its statutory obligations.

### **RESOLVED**

That

- (1) the revised Home to School transport policy be received; and
- (2) the officers be authorised to undertake all actions necessary to publish and implement the policy in accordance with statutory requirements.

**7 KEY DECISION 53 - CONTRACT FOR PROVISION OF BANKING AND CARD TRANSACTION SERVICES**

Cabinet considered a report on the award of the contract for banking and card services.

The Council had a requirement to undertake a tender for the provision of banking and card transaction services. The current contracts had been in place with the Co-Operative Bank and Global Payments (formerly HSBC) since 2009 and were due to expire in March 2014.

**RESOLVED**

That the Chief Operating Officer in consultation with the Borough Solicitor and the Portfolio Holder for Finance be authorised to award the contract for banking and card services.

**8 KEY DECISION 5 - AWARD OF CONTRACT FOR THE FLEXIBLE TRANSPORT SERVICE**

Cabinet considered a report seeking approval to award the contract for a long term flexible demand responsive transport contract from 15<sup>th</sup> July 2013 until 14<sup>th</sup> July 2018. The total value of the contract was £2,300,208 over 5 years with the option to extend the contract for a further 2 years.

The contract would replace two interim flexible transport contracts that had been in place since spring last year following the withdrawal of 'dial a ride' services in the Borough.

**RESOLVED**

That

- (1) the contract for the new flexible transport service be awarded to Tenderer 1 with a contract end date of 14<sup>th</sup> July 2018; and
- (2) the officers be authorised to award the contract and to work with the operator to plan, mobilise and start the service on 15<sup>th</sup> July 2013.

**9 KEY DECISION 6 - CREWE GREEN LINK ROAD SOUTH: CONTRACT AWARD AND FORWARD FUNDING OF DEVELOPER CONTRIBUTIONS BY COUNCIL**

Cabinet considered a report seeking approval to award the Early Contractor Involvement (ECI) Contract for the design and construction of the Crewe Green Link Road (South) scheme to the winning Tenderer following a fully compliant tender evaluation of all the bids.

The report also sought approval for the Council to 'forward fund' the delivery of the link road in advance of the potential availability of

developer (S106) contributions to the scheme to evidence the scheme's viability through the imminent CPO public Inquiry.

## **RESOLVED**

That

- (1) Tenderer 1 be confirmed as the winning Contractor for the Early Contractor Involvement (ECI) Contract for the design and construction of Crewe Green Link Road (South);
- (2) the ECI Contract between the Council and Tenderer 1 be formally entered into on the terms and conditions set out in the tender following completion of a ten working day statutory standstill period in accordance with the Public Contracts Regulations 2006;
- (3) it be noted that this decision will permit Contract Award and Authority to Proceed with Phase 1 – 'Design and development of Target Cost only;
- (4) the winning Contractor's proposal to undertake some limited elements of the Detailed Design work as part of Phase 1 be approved and responsibility for Change Control be delegated to the Head of Environmental Protection and Enhancement in consultation with the Portfolio Holder;
- (5) the Council forward fund the anticipated but contingent maximum developer (S106) contributions to the scheme up to a value of £8.8M in order to meet the current programme as agreed with the DfT pursuant to their programme entry confirmation letter, dated December 2011;
- (6) it be noted that this decision does not include the funding required to deliver the spur roads off the central roundabout; and
- (7) authority to proceed from Phase 1 to Phase 2 (Scheme Detailed design and construction) and the submission of the final DfT Funding bid be subject to a future Cabinet decision when the Target Cost is known and the extent of developer residual funding is finally established.

## **10 KEY DECISION 7 - CONTRACT FOR THE SUPPLY OF LIQUID FUELS**

Cabinet considered a report outlining the options for a new contract for the supply of liquid fuels.

The Council currently had a contract with GB Oils Limited for the supply of Liquid Fuels via a Government Procurement Service Framework Agreement. The contract was due to expire on 31<sup>st</sup> May 2013 and work

had been ongoing to manage arrangements for the re-tender of the contract. The report outlined the options for the new contract.

## **RESOLVED**

That the use of an existing public sector framework arrangement as outlined in section 11.2 of the report be approved.

### **11 KEY DECISION 8 - CREATIVE DESIGN AND PRINT FRAMEWORK AGREEMENT**

Cabinet considered a report seeking authority to implement a new creative design and print framework agreement.

Creative design and print services were procured externally by a number of different services within the authority. In September, 2010 Cheshire East Council put in place a contract for Creative Design and print services with a single provider. The contract expired on 15<sup>th</sup> April 2013.

The report sought authority to implement a new Creative Design and Print Framework Agreement which would provide a value for money and flexible creative design and print service for the authority. The Framework Agreement held a notional value of between £800k and £1.2m over the period of the contract which was for two years with the option to extend for one year and then one more year: a potential total period of four years.

## **RESOLVED**

That following an OJEU procurement process, the Portfolio Holder for Strategic Communities be given delegated authority to appoint the successful bidders to the Creative Design and Print Framework Agreement.

### **12 KEY DECISION 9 - PROCUREMENT OF NEW CASE MANAGEMENT SYSTEM**

Cabinet considered a report requesting approval to procure a new case management system (CMS).

The Council used the CIVICA PARIS CMS to plan and deliver Adults' and Children's social care services. PARIS was a legacy system which was no longer fit for purpose and the Council needed to procure and implement a new CMS as soon as possible. A new system would reduce maintenance costs, avoid future procurement and implementation costs and better support service delivery.

## **RESOLVED**

That

- (1) with effect from June 2013 the Council procure a new Case Management System on the basis set out in the report; and
- (2) a five year contract be awarded to the winning bidder to supply, implement and support its proposed CMS solution by December 2013, subject to:
  - a clear schedule for reviewing the performance of the supplier
  - the option to extend the contract in increments of one or more years for up to five additional years after the first five or in accordance with the terms of the framework
  - a clear schedule of break-points to give notice on the contract should the Council decide not to extend it after five years or earlier if the performance of the supplier is ultimately deemed unacceptable.

### **13 KEY DECISION 10 - UPDATE ON THE REVIEW OF SERVICE DELIVERY OPTIONS - LEISURE SERVICES**

Cabinet considered a report seeking approval for the creation of a company to deliver leisure services.

Cabinet had previously resolved: "That approval be given to the procurement and appointment of a suitable leisure and financial consultant to review the range of potential delivery models available and recommend a preferred option for leisure and related services."

The report set out the work to date on the various potential delivery models to secure the future of leisure services and sought approval for the creation of a company that would be a charitable Trust and for the delivery of leisure services to be transferred to that company.

The Council's leisure facilities were currently managed in-house. In line with the need to deliver efficiencies in future service provision the report outlined the conclusions from the options appraisal work by FMG consulting. The full options appraisal report was attached at appendix A to the report. The project had been reviewed by the Technical Enabler Group on 2<sup>nd</sup> May 2013 and the Group's comments had been taken into account.

### **RESOLVED**

That

- (1) Cabinet notes the findings of the options appraisal and consultation exercise that have concluded that the most appropriate model for the delivery of leisure services is that of a charitable trust;
- (2) the recommissioning of leisure services be approved with an effective target date of 1<sup>st</sup> April 2014 and with the new operating model being

established by the end of the year at the latest. In making this decision, Cabinet takes into consideration sections 9 and 10 of the report and in particular 9.1; and

- (3) subject to resolution (2), delegated authority be given to the Head of Public Protection and Enforcement (SRO for the project), Borough Solicitor and 151 Officer (or the officers that are devolved those powers) to implement the preferred delivery model in consultation with the Portfolio Holder and Leader of the Council.

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

##### **RESOLVED**

That pursuant to Section 100(A)4 of the Local Government Act 1972 the press and public be excluded from the meeting during consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

#### **15 KEY DECISION 51 - DOMICILIARY SUPPORT IN EXTRA CARE HOUSING SCHEMES**

Cabinet considered a report seeking delegated authority to award four domiciliary care contracts to provide care and support in the following extra care housing schemes:

Beechmere, Crewe  
Oakmere, Handforth  
Willowmere, Middlewich  
Mill House, Nantwich

The contracts would be let for an initial five year term with a possibility to extend for up to two further years.

##### **RESOLVED**

That delegated authority be given to the Executive Director of Strategic Commissioning to award the contract to the tenderer scoring highest in a legally compliant procurement exercise.

The meeting commenced at 2.00 pm and concluded at 3.20 pm

M Jones (Chairman)