

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 10th September, 2019 at Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor S Corcoran (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors D Flude, T Fox, J Rhodes, B Roberts and A Stott

## **Councillors in attendance**

Councillors Q Abel, S Akers Smith, M Beanland, M Benson, D Brown,  
C Bulman, J Clowes, B Murphy, K Parkinson, B Puddicombe,  
J Saunders and R Vernon

## **Officers in Attendance**

Kath O'Dwyer, Acting Chief Executive  
Frank Jordan, Executive Director Place  
Mark Palethorpe, Acting Executive Director of People  
Jan Bakewell, Director of Governance and Compliance  
Alex Thompson, Director of Financial and Customer Services  
Paul Mountford, Executive Democratic Services Officer

## **Apologies**

Councillors L Jeuda, N Mannion and M Warren

The Chairman referred to former Borough Councillor Roland Domleo who had recently passed away. All stood for a minute's silence as a mark of respect.

The Chairman announced that with effect from this meeting, a 'traffic light' device would be in operation during Public Speaking Time and Members' Questions to Cabinet to ensure that all speakers were able to make the best use of their allotted speaking time, whilst also ensuring that the total period allowed for speaking was not exceeded.

## **36 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

Sue Helliwell referred to the amendment to the minutes of the July Cabinet meeting regarding the Council's policy on the prevention of badger culling on Council-owned land. The Leader responded that this showed the Council's determination to address the problem, and he referred by way of example to a recent training event at Tatton Park on badger vaccination.

Sue Helliwell also asked why details of remuneration paid to councillors by outside organisations were not published on the Council's website. The Leader responded that, as mentioned at the previous meeting, he wanted such information to be published on the website and he was considering a mechanism for doing this.

Fiona Wilson from Macclesfield Town Council asked if Cheshire East Council would confirm its support for the Play Street initiative and bring forward policies to enable the introduction of Play Streets in Cheshire East. The Portfolio Holder for Children and Families welcomed the question and undertook to consider the matter and send a written reply.

Caroline Whitney, Chief Executive of Community & Voluntary Services, welcomed the changes to the Council's Early Help and Asset-based Community Development Grants policy which she described as a much more open grants scheme than previously. The Leader thanked her for her comments.

### **38 QUESTIONS TO CABINET MEMBERS**

Councillor S Akers Smith asked if the Council would adopt a Borough-wide enforcement policy to address the parking of vehicles on pavements. The Portfolio Holder for Highways and Waste and the Portfolio Holder for Planning replied that they would consider the proposal.

Councillor M Beanland referred to a series of questions he had submitted to the Council concerning the recent flooding at Poynton. He understood that the questions would be considered at a forthcoming scrutiny meeting. He also referred to the cancellation of the flood debriefing to which the Town Clerk of Poynton had been invited. He also asked for an assurance that Cheshire East Council was contacting local residents affected by the flooding and providing practical assistance. At the Leader's request, the Executive Director Place confirmed that the debriefing would still take place and that a new date would be set. The Portfolio Holder for Highways and waste commented that he was not aware that any residents affected by the flooding had not yet been contacted. The Leader added that a report on the recent flooding would be considered at a meeting of the Environment and Regeneration Overview and Scrutiny Committee on 16<sup>th</sup> September, and Councillor Beanland's questions would be addressed at that meeting.

Councillor David Brown referred to the close working relationship between the Council and Bentley and asked if a decision had been taken not to renew the contract with Bentley for the civic car. The Leader replied that Cheshire East Council would continue to have a close relationship with Bentley. Decisions regarding the future role and function of the mayoralty would be a matter for the Constitution Committee.

## **39 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 6<sup>th</sup> August 2019 be approved as a correct record.

## **40 ENVIRONMENTAL STRATEGY**

Cabinet considered a report on the draft Environmental Strategy for 2019-24. The Strategy aimed to make Cheshire East Council carbon neutral by 2025, reduce pollution, improve air quality, increase the availability and use of sustainable transport and conserve and enhance the natural environment.

### **RESOLVED**

That Cabinet

1. approves the draft Environmental Strategy for public consultation;
2. authorises the Executive Director Place, in consultation with the Portfolio Holder for Environment and Regeneration, to undertake public consultation on the draft Environmental Strategy; and
3. notes that, following the outcome of the consultation and any resultant changes, the Strategy would be presented to Cabinet for adoption.

## **41 EARLY HELP AND ASSET BASED COMMUNITY DEVELOPMENT GRANTS POLICY 2019-22**

Cabinet considered a report on a revised Early Help and Asset-Based Community Development Grants Policy for 2019-22.

### **RESOLVED**

That Cabinet

1. approves the revised 'Policy for the Allocation of Early Help and Asset Based Community Development Grants Scheme' set out in Appendix 1 to the report; and
2. delegates authority to the People Executive Director People to make decisions on grant applications for funding up to the budgeted £200k pa value, and any in-year minor policy changes for the 'Early Help and Asset Based Community Development Grants Scheme'.

#### **42 IMPROVED BETTER CARE FUND 2019/20**

Cabinet considered a report on the proposed expenditure for the grant funding received by the Council in 2019/20 through the Improved Better Care Fund.

##### **RESOLVED**

That Cabinet

1. endorses the iBCF schemes (1-7) and associated expenditure as outlined in paragraphs 5.5-5.22 of the report; and
2. notes the risk to future funding as outlined in the report.

#### **43 PROCUREMENT OF MAJOR HOUSING ADAPTATIONS WORKS**

Cabinet considered a report on the procurement of major housing adaptation works on behalf of disabled residents.

##### **RESOLVED**

That Cabinet

1. approves the procurement and establishment of a Framework to commission major housing adaptations works on behalf of vulnerable residents; and
2. delegates authority to the Executive Director Place in consultation with the Portfolio Holder for Environment and Regeneration to award and enter into a Framework Agreement with three suppliers who meet the procurement criteria and requirements of the Framework.

#### **44 COMMISSIONING OF COMMUNITY EQUIPMENT SERVICES**

Cabinet considered a report on the procurement of a contract for community equipment services.

##### **RESOLVED**

That Cabinet

1. endorses the proposal contained in the report and delegates authority to the Executive Director People to enter into a Memorandum of Understanding and S75 Agreement with South Cheshire Clinical Commissioning Group, Eastern Cheshire Clinical Commissioning Group, Vale Royal Clinical Commissioning Group, West Cheshire Clinical Commissioning Group (or any organisation(s) that succeed them) and Cheshire West and Chester Council to establish an aligned budget and underpin governance of a jointly-provided service and to

determine the final terms of the Memorandum of Understanding and Section 75 Agreement following negotiations;

2. approves the procurement of a contract for Community Equipment Services following completion of a consultation process and informed by a review of the findings; and
3. delegates authority to the Executive Director People to award a contract to a supplier of Community Equipment Services.

**45 NORTH WEST SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) FLEXIBLE PURCHASING SYSTEM**

Cabinet considered a report on a proposal for the Cheshire East Council to be the lead organisation in establishing a bespoke North West SEND flexible purchasing system for the future procurement of Special Educational Needs and Disabilities provision for children and young people across the North West.

**RESOLVED**

That Cabinet

1. approves the development of a North West SEND Flexible Purchasing System by Cheshire East Council on behalf of North West local authorities for SEND Provision for children and young people; and
2. delegates authority to award contracts to providers to enter the purchasing system to the Executive Director People.

**46 RE-COMMISSION OF SUPPORTED ACCOMMODATION / INDEPENDENT LIVING FOR CARED FOR CHILDREN**

Cabinet considered a report on the procurement of a Supported Accommodation and Independent Living service for cared for children and care leavers.

**RESOLVED**

That Cabinet

1. approves the procurement of a Supported Accommodation and Independent Living service for cared for children and care leavers; and
2. delegates authority to the Executive Director People, to award the Supported Accommodation and Independent Living contracts.

#### **47 MANAGED PROVISION FOR CONSULTANCY**

Cabinet considered a report on the awarding of a contract for the provision of consultancy services.

##### **RESOLVED**

That Cabinet delegates authority to the Executive Director Corporate Services, in consultation with the Portfolio Holder for Finance, ICT and Communication, to award a call-off contract under the NEPO framework agreement to Bloom Procurement Services Ltd for a period of 4 years with 2 x 24 month options to extend.

#### **48 AGENCY WORKER CONTRACT PROCUREMENT**

Cabinet considered a report on the procurement of a contract for the supply of temporary agency staff.

##### **RESOLVED**

That Cabinet delegates authority to the Executive Director Corporate Services in consultation with the Portfolio Holder for Public Health and Corporate Services to award and implement a new contract for the supply of temporary agency staff following a tender exercise.

#### **49 REVISED STATEMENT OF LICENSING POLICY**

Cabinet considered a report on a revised Statement of Licensing Policy.

##### **RESOLVED**

That Cabinet

1. notes the changes to the draft revised Statement of Licensing Policy as set out in Appendix 1 to the report; and
2. recommends the draft revised Statement of Licensing Policy to Council for adoption.

#### **50 POYNTON RELIEF ROAD, FINAL APPROVAL TO UNDERWRITE FUNDING GAP, APPOINT WINNING CONTRACTOR AND SUBMIT FINAL BUSINESS CASE**

Cabinet considered a report which sought approval to submit the final funding application to the Department of Transport to release funding towards the construction of the Poynton Relief Road. The report also sought approval to award a contract to deliver the scheme, and sought confirmation of the Council's previous commitment to underwrite any shortfall in funding.

The appendices to the report contained detailed information relating to the awarding of a contract. The appendices contained commercially sensitive information and would be considered in Part 2 of the meeting.

## **RESOLVED**

That Cabinet

1. delegates authority to the Council's S151 Officer to sign off and submit the submission of the Scheme Final Business Case to the Department for Transport, seeking a contribution of £16.4M towards the total Scheme cost;
2. delegates authority to the Council's S151 Officer to sign off and submit the submission of the Scheme Final Business Case to the LEP seeking a contribution of £5.6M towards the total Scheme cost;
3. notes the underwriting of the developer contributions and Asset sales to the Scheme of up to £9.7M in the event that the anticipated developer contributions and Asset sales are not realised; and
4. authorises the Executive Director of Place in consultation with the Deputy Leader to undertake all necessary preparatory works in advance of the final funding decision including the advance vesting of land within the Compulsory Purchase Order, at risk, in order to ensure that the Council is positioned to deliver the scheme if a favourable funding decision is received.

## **51 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 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.

## **52 POYNTON RELIEF ROAD, FINAL APPROVAL TO UNDERWRITE FUNDING GAP, APPOINT WINNING CONTRACTOR AND SUBMIT FINAL BUSINESS CASE**

Cabinet considered the Appendices to the report on this matter.

Members of the Council had been given an opportunity to attend a briefing with officers at 11.30 am on the day of the Cabinet meeting to consider and comment on the Appendices.

**RESOLVED**

That Contractor C as referred to in the Appendices to the report be awarded the contract to deliver the A523 Poynton Relief Road project.

The meeting commenced at 1.00 pm and concluded at 2.30 pm

Councillor S Corcoran (Chairman)