

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Tuesday, 22nd June, 2021 at Macclesfield Leisure Centre, Priory
Lane, Macclesfield, SK10 4AF

PRESENT

Councillor S Pochin (Mayor/Chair)

Councillor D Marren (Deputy Mayor/Vice Chair)

Councillors S Pochin, D Marren, Q Abel, J Barber, M Beanland, M Benson, L Braithwaite, J Bratherton, D Brown, C Browne, J Buckley, C Bulman, B Burkhill, S Carter, J Clowes, S Corcoran, L Crane, A Critchley, S Davies, T Dean, D Edwardes, S Edgar, B Evans, H Faddes, A Farrall, JP Findlow, K Flavell, R Fletcher, A Gage, S Gardiner, L Gilbert, M Goldsmith, A Gregory, P Groves, S Handley, A Harewood, G Hayes, S Hogben, S Holland, M Houston, M Hunter, A Kolker, C Leach, I Macfarlane, N Mannion, A Martin, R Moreton, B Murphy, D Murphy, C Naismith, J Nicholas, K Parkinson, J Parry, B Puddicombe, P Redstone, J Rhodes, M Sewart, M Simon, L Smetham, A Stott, R Vernon, L Wardlaw, M Warren, J Weatherill, P Williams, J Wray and N Wylie

12 APOLOGIES FOR ABSENCE

Apologies were received from Councillors M Addison, S Akers Smith, M Asquith, R Bailey, S Brookfield, P Butterill, T Fox, D Jefferay, L Jeuda, A Moran, L Roberts, J Saunders, J Smith and L Smith.

13 DECLARATIONS OF INTEREST

Item 10: Recommendation from Corporate Policy Committee - Member Allowances. Councillor S Gardiner declared that he was on the same community group as one of the Independent Remuneration Panel members and had not been aware they were a member of the Independent Remuneration Panel until the meeting of Corporate Policy Committee and that he had not discussed the matter with them.

14 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 4 May 2021 be approved as a correct record.

15 **MAYOR'S ANNOUNCEMENTS**

The Mayor, in summary

- 1 referred to the recent death of Honorary Freeman and Honorary Alderman David Brickhill. Members stood for a minute's silence in tribute and in recognition of David Brickhill's service to local government for over 40 years.
- 2 welcomed Councillor Connor Naismith to his first Council meeting as the recently elected representative for the Crewe West Ward.
- 3 announced that the charities she would be supporting whilst Mayor were the Cheshire Youth Federation and Hopes and Beams.
- 4 reminded Members that she had written to them asking for nominations of those in their wards who had "gone the extra mile" during the Covid pandemic ,in supporting their communities, and that when safe to do so, would be hosting a series of small receptions to thank them.
- 5 asked those present at the meeting to ensure that they observe the measures put in place so that the meeting could take place safely, and to bear in mind that the longer the meeting went on, the greater the risk was created for those present.

16 **PUBLIC SPEAKING TIME/OPEN SESSION**

Matt Bradley and Robert Halsall spoke in relation to a noise complaint regarding a neighbour who kept roosters, and asked several questions relating to an abatement order and the Council's procedures in relation to their complaints. Cllr M Warren, Chair of Environment and Communities agreed to provide a written response to their questions.

The Head of Democratic Services and Governance read out statements and questions on behalf of the following and stated that written responses would be provided:

- Congleton Town Councillor Robert Douglas requested the Council to pledge not to use glyphosate on children's grassy play areas, around trees and street furniture.
- Parish Councillor Les Horne, on behalf of Minshull Vernon Parish Council, asked the Council to listen to residents and withdraw the proposals to abolish Minshull Vernon Parish Council.
- Craig Lambie asked what plans the Council had for public EV charging points in Sandbach and other Towns.

17 LEADER'S AND DEPUTY LEADER'S ANNOUNCEMENTS

The Leader of the Council, in summary:

- 1 thanked all for attending the meeting and stated he wished it had not been necessary to hold the meeting. All the group leaders had signed a letter asking for the legislation allowing remote meetings to be extended, but this had not happened, and so Members had to meet physically.
- 2 reported that there had been a rapid rise in the covid infections rates in Cheshire East at 131 per 100,000, which was up from less than 20 per 100,000 a few weeks ago. Cheshire East had been placed in an enhanced resources area. The Leader asked that all take care and follow the hands, face, space, and fresh air guidance.
- 3 reminded Members that it was Armed Forces Day on 26 June and referred to the UK scheme for local employed staff, such as interpreters supporting the armed forces in Afghanistan, who had risked their lives providing and now feared reprisal and asked the Members support those who choose to relocate to the UK. A report relating to this was being prepared and would be brought to the Environment and Communities Committee in due course.

The Deputy Leader, in summary:

- 1 reported that the Council had responded to the Government's call for evidence on remote meetings.
- 2 stated that he had visited the public realm work in Castle Street, Macclesfield, wholly funded by the Council, and had been pleased to learn the contractors had been particularly sensitive to the needs of existing businesses. As a result of this, local businesses had been supportive of the project. The contractors had also been trying-out electric powered plant equipment.
- 3 reported that the Government had updated its national performance league tables for business grants and Cheshire East was in the top 25 local authorities for the number of payments made and monies distributed to businesses.
- 4 reminded that the closing date for application for the restart grant was 30 June 2021. It was anticipated that the Council would receive £3.4m of discretionary grant funding once the government had accepted the evidence that all the additional restrictions grant money had been allocated.
- 5 confirmed that the Council had bid for funding to support the regeneration of Macclesfield Town Centre, specifically the Council

owned market, the old Sunday School and enhancing the Town Hall square area.

- 6 highlighted that consultation on a new on-demand transport services in the south of the borough had been launched.

18 **RECOMMENDATION TO COUNCIL: SUPPLEMENTARY REVENUE ESTIMATE**

Consideration was given to the request to approve expenditure relating to the receipt of nine government grants.

The grants related to the Towns Fund; Levelling Up Fund; Covid Support Grant; Holiday Activity Fund; Domestic Abuse Grant; Transport Grant; Future High Streets Fund; Wellbeing for Education Grant; and Staying Put Grant. The decisions were treated as Supplementary Capital or Revenue Estimates as funding associated with these grants would support an increase in the Council's approved budget for 2021/22.

RESOLVED: That Council approves

- 1 delegation of authority to the Executive Director – Place to approve Supplementary Capital and Revenue Estimates up to the value of the Towns Fund grant award, and further delegates authority to incur expenditure in line with the conditions of the Fund.
- 2 delegation of authority to the Executive Director – Place to approve a Supplementary Revenue Estimate up to the value of the Levelling Up Fund, and further delegates the authority to incur expenditure in line with the conditions of the Fund
- 3 a Supplementary Revenue Estimate for £1,088,510 and delegates authority to the Executive Director – Children's Services to incur expenditure in line with the conditions of the Covid Support Fund and Holiday Activity Fund.
- 4 a Supplementary Revenue Estimate for £647,000 and delegates authority to the Executive Director – Children's Services, to incur expenditure in line with the conditions of the Domestic Abuse Fund.
- 5 a Supplementary Revenue Estimate for £615,003.50 and delegates authority to the Executive Director – Children's Services to accept further funding from the Additional Dedicated Home to School and College Transport Grant and to incur expenditure in line with the conditions of the Grant.
- 6 a Supplementary Capital Estimate of £14,148,128 and to note that Resolution 53 (3 b-e) from Cabinet of 10 November 2020 delegated authority to the Executive Director Place, in consultation with

others, to accept the grant, approve budgets and take all necessary actions to implement the proposals.

- 7 a Supplementary Revenue Estimate for £48,163 and delegates authority to the Executive Director – Children’s Services, to incur expenditure in line with the conditions of the Wellbeing for Education Grant.
- 8 a Supplementary Revenue Estimate for £112,982 and delegates authority to the Executive Director – Children’s Services, to incur expenditure in line with the conditions of the Staying Put Grant.

19 **RECOMMENDATION FROM CORPORATE POLICY COMMITTEE:
PROPOSED SENIOR MANAGEMENT RESTRUCTURE**

The Corporate Policy Committee at its meeting on 8 June had considered the Proposed Senior Management Structure and made recommendations to Council.

The recommendations of the Corporate Policy Committee were moved and seconded, debated and put to the vote.

It was proposed that Recommendation 4 be amended to say “delegate all *consequential* constitutional changes...” This amendment was accepted by the mover and seconder of the recommendations.

RESOLVED: That Council

- 1 approve the adoption of the Senior Management Structure at Appendix 1 to the report;
- 2 approve the deletion of the Executive Director People and the Strategic Director Adult Social Care and Health roles and the creation of 2 new posts: the Executive Director of Children’s Services and the Executive Director of Adults, Health and Integration (Appendix 2 to the report) which include the statutory responsibilities of the Director of Children’s Services and Director of Adults Social Services;
- 3 approve the salaries in respect of the Executive Director of Children’s Services and the Executive Director of Adults, Health and Integration which will be in excess of £100,000 (up to £136,313 / Grade CX2); and
- 4 delegate all consequential constitutional changes, including the scheme of delegation, to the Monitoring Officer.

20 CONSTITUTION UPDATE

Consideration was given to proposed editorial and consequential changes to the Constitution, and to the approval sought by the Director of Governance and Compliance, for those constitutional changes to be made, which were reserved to full Council.

It was reported that in Recommendation 2.1.2 of the report, a word had been omitted. Recommendation 2.1,2 of the report should read “Require the Monitoring Officer to take all the necessary steps...”

The recommendations, together with the above amendment, were moved and seconded. During the debate two amendments were proposed.

Amendment 1

“That the recommendation of the Corporate Policy Committee (8th June 2021), limiting membership of this sub-committee to just SIX members (2:2:2) is rejected.

That the Constitution Working Group reflects the make-up of the wider elected member body and as such provides a committee that retains EIGHT members, recognising all major political groups on a 3:2:2:1 basis.

That the recommendations of the Constitution Working Group are reported to the parent committee (as agreed and recorded at their meetings), without subsequent and unauthorised alteration.”

The amendment was moved, seconded, and debated. The amendment was put to the vote and declared lost.

Amendment 2

“That paragraphs 1.21 and 1.24 be removed from the Council procedure rules.”

The amendment was moved and seconded. The mover and seconder of the substantive recommendations to Council, accepted this amendment and therefore the amendment became part of the substantive motion.

RESOLVED: That Council

- 1 agrees the revised text of the constitution as set out in the appendix Chapters 1, 2 and 3, with the addition of the removal of paragraphs 1.21 and 1.24 from the Council Procedural Rules; and
- 2 authorises the Monitoring Officer to take all necessary steps to update Chapter 5, Member Allowances as soon as reasonably practicable following approval of the allowance scheme.

21 **RECOMMENDATION FROM CORPORATE POLICY COMMITTEE:
MEMBER ALLOWANCES**

The Corporate Policy Committee at its meeting on 8 June had considered a report of the Independent Remuneration Panel, and the recommendations of a Working Group appointed to consider these recommendations and had made recommendations to Council.

The recommendations of the Corporate Policy Committee were moved and seconded.

During debate an amendment was proposed:

“That the recommendations of the Independent Remuneration Panel be adopted to take effect from the start of the 2021/22 municipal year, as stated in the Independent Remuneration Panel Report subject to the following:

1. *There be no uplifting of the basic allowance in 2021/22*
2. *In future years, starting 2022/23, member allowances continue to be uprated in line with the NJC officers pay award.*
3. *the following allowances be continued as recommended 2021/22 but be reviewed for 2022/23:*
 - a) *the Scrutiny Committee Chair’s Allowance, which should be reviewed in the light of the workload of that committee and that this be reported back to Council in November as part of the Constitution Review; and*
 - b) *the civic allowances for the Mayor and Deputy Mayor.*
4. *That the Independent Remuneration Panel meet again in early 2022 to review its recommendations in the light of the Council’s experience of the new arrangements. (IRP Report page 265, para 5.11).”*

The amendment was moved, seconded, and debated. The amendment was put to the vote and declared lost.

The substantive recommendations were put to the vote and declared carried.

RESOLVED:

That the recommendations of the Independent Remuneration Panel be adopted to take effect from the start of the 2021/22 municipal year subject to the following:

- 1 there be no uprating of the basic allowance in 2021/22;

- 2 in future years, starting in 2022/23, member allowances continue to be uprated in line with the NJC officers pay award;
- 3 the allowance for vice-chairs of service committees be increased to £6,000;
- 4 the whips allowances be replaced with a group administrator allowance paid at £3,825 to the administrator of any group with at least 10 members and £1,766 to the administrator of any group with at least 4 members but fewer than 10;
- 5 no allowance be paid for opposition spokespersons;
- 6 the following allowances be continued as recommended for 2021/22 but be reviewed for 2022/23:
 - a. the Scrutiny Committee chair's allowance, which should be reviewed in the light of the workload of that committee and this be reported back to Council in November as part of the constitution review; and
 - b. the civic allowances for the Mayor and Deputy Mayor.

22 **COMMUNITY GOVERNANCE REVIEW OF TOWN AND PARISH COUNCIL GOVERNANCE**

Consideration was given to the report which sought direction and clarification from Council in respect of the Community Governance Review, following a meeting of the Constitution Committee on 6 April 2021.

The Monitoring Officer addressed the meeting to explain that following the change in the Council's governance arrangements, the Constitution Committee no longer existed, and it fell to a Statutory Officer to introduce the report to Council. Two options for consultation were being presented to Council - Option 1 being the recommendation of the Constitution Committee, and Option 2 the recommendation of the Community Governance Review Sub Committee, for decision to ensure that an appropriate course of action was followed for the Review. It was confirmed that after any consultation the matter would be brought back to Council for debate and decision.

It was moved and seconded that Option 2 – *“Agree the recommendation of the Community Governance Review Sub Committee on 26 February 2021, as recommended to the Constitution Committee”* be the for the format of the consultation.

Following debate, the recommendation was put to the vote and declared carried.

RESOLVED:

That the recommendations of the Community Governance Review Sub Committee on 26 February 2021 be the format of consultation for the Community Governance Review.

23 NOTICES OF MOTION

Consideration was given to the following Notice of Motion, which had been submitted in accordance with paragraph 1.33 of the Council Procedural Rules.

Right to Food

Proposed by Councillor A Critchley and Seconded by Councillor S Handley

We are seeing a crisis of food poverty born out of the political choices and systemic failings created over the past four decades, which have now reached a tipping point for so many in our communities. The figures are devastating for one of the richest nations in the world and highlight the inequality of the UK in 2020.

The Trussell Trust reports a soaring 81% increase in emergency food parcels from food banks in its network during the last two weeks of March 2020 compared with the same period in 2019, including a 122% rise in parcels given to children as the coronavirus pandemic continued to unfold.

This Council notes the consistent high rates of poverty across our Borough and Cheshire as a whole. We recognise the growing concern amongst our health and care professionals of the current situation and the likely exacerbation of poverty figures through the impact of the Covid19 pandemic and economic uncertainty as we progress through 2021.

The National Food Strategy is the first independent review of England's entire food system for 75 years. Its purpose is to set out a vision for the kind of food system we should be building for the future, and a plan for how to achieve that vision. It is headed by Henry Dimbleby and next reports to Government at some time this year.

The Right To Food campaign is arguing that the 11 million people in food poverty should be central to this strategy.

Enshrining the 'Right To Food' into law would clarify Government obligations on food poverty and would introduce legal avenues to hold Government bodies accountable for violations.

This Council calls for the 'Right To Food' to be incorporated into the 'National Food Strategy'. We ask the Chief Executive, Lorraine O'Donnell to write to Henry Dimbleby to further this request.

RESOLVED:

That the Motion be referred to the Adults and Health Committee.

24 QUESTIONS

Cllr A Gage referred to the recent upgrade to a children's maze in Willaston and the residents desire to name it after the late Cllr Maurice Jones and asked the Leader if he would fast track this proposal as the request had been made over a year ago. Cllr S Corcoran agreed to provide a written response.

Cllr A Farrall referred to the lifting of the national eviction embargo and asked what the effect of this would be in Cheshire East and what more could the Council do to help homelessness and rough sleepers into secure housing. Cllr N Mannion, Chair of Economy and Growth Committee, responded that there had not yet been a significant increase in evictions since the lifting of the ban and that the Council had put in place measure in anticipation and agreed to provide a detailed written response.

Cllr R Vernon asked the Leader of the Council what he believed should occur regarding a Member, who he said had risked the health and wellbeing of those present by stating in public that they would attend the meeting despite a supposed positive test for Covid-19 and that they would not resign as not harm had been done. The Monitoring Officer stated that as the councillor was not present and was not able to respond, the question was best put to that individual councillor rather than being discussed in the chamber, in their absence.

Cllr K Parkinson referred to the results of the transport and car parking review and asked when they would be published. Councillor Parkinson also asked for discussions to take place with Trafford Borough Council on the provision of a cross-border bus service. Cllr C Browne, Chair of Highways and Transport Committee, responded to the effect that the matter was due to come before the Highways and Transport Committee on 19 July 2021. A written response would be provided in relation to the cross-border bus and promoting the Lymm Shopper.

The meeting commenced at 11.00 am and concluded at 3.11 pm

Councillor S Pochin
MAYOR/CHAIR