

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Wednesday, 27th April, 2022 in the Macclesfield Leisure Centre,
Priory Lane, Macclesfield, SK10 4AF

PRESENT

Councillor S Pochin (Mayor/Chair)

Councillor D Marren (Deputy Mayor/Vice Chair)

Councillors Q Abel, S Akers Smith, L Anderson, M Asquith, J Barber, M Benson, L Braithwaite, J Bratherton, S Brookfield, D Brown, C Browne, J Buckley, C Bulman, B Burkhill, P Butterill, S Carter, J Clowes, S Corcoran, L Crane, S Davies, T Dean, S Edgar, D Edwardes, 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, S Hogben, S Holland, M Houston, M Hunter, D Jefferay, L Jeuda, A Kolker, C Leach, I Macfarlane, N Mannion, A Moran, R Moreton, B Murphy, D Murphy, J Nicholas, K Parkinson, B Puddicombe, P Redstone, J Rhodes, L Roberts, M Sewart, L Smetham, J Smith, L Smith, D Stockton, A Stott, M Warren, J Weatherill, P Williams and J Wray

76 APOLOGIES FOR ABSENCE

Apologies were received from Councillors M Addison, R Bailey, M Beanland, G Hayes, B Evans, A Martin, C Naismith, J Parry, J Saunders, M Simon, L Wardlaw and N Wylie.

Apologies for absence had been offered by Councillors R Bailey and J Parry due to their agreed attendance as the Council's representatives at the meeting of the Cheshire Fire Authority. The Mayor thanked them for this.

77 DECLARATIONS OF INTEREST

The Mayor reminded members of the dispensation within the Cheshire East Member Code of Conduct which allowed them to take part and vote on Community Governance Review matters in which they had disclosable pecuniary and prejudicial interests without having to declare an interest. Legal advice on the matter had been circulated to Members prior to the meeting and attached to the minutes is a list of Cheshire East Borough Councillors to whom this advice applied as they were also Town or Parish Councillors.

In the interest of openness, the following declarations of interest were made:

Councillor S Carter declared he was an unpaid director of The Green in the Corner, a community interest company, which had been a recipient of the covid emergency grants referenced in the report for Item 10.

Councillor S Akers Smith declared she was the cycling and walking champion and had been working with town and parish councils to look at connectivity around the borough.

78 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 24 February 2022 be approved as a correct record.

79 MAYOR'S ANNOUNCEMENTS

The Mayor, in summary

- 1 reported that on 11 March 2022 she had organised a vigil in Crewe, on behalf of the Council to show solidarity with the people of Ukraine. The Mayor thanked all those who had attended.
- 2 reported that 62 Ukraine refugees were now living with sponsors in Cheshire East and that a further 316 had applied for visas. A total of 130 sponsors had registered to offer a place in their homes to the refugees. The Council was putting together welcome packs, carrying out safeguarding checks to ensure accommodation was appropriate, and liaising with schools to make available school places, and with the NHS for health referrals. The Fire Service had been installing free fire alarms, where necessary, in the sponsors' accommodation, and voluntary groups had been collecting donations.
- 3 referred to the bid for the Great British Railways HQ to be in Crewe, for which the shortlist would be announced in May, and reported that the Council had launched a media campaign and encouraged all to register their support by visiting the website <http://www.gbrcrewe.co.uk> and use the hashtag #HeartOfRail on social media.

80 PUBLIC SPEAKING TIME/OPEN SESSION

Councillor Ken Edwards, on behalf of Bollington Town Council and Bollington Civic Society, expressed his disappointment that the Community Governance Review report did not recommend the Town Council's proposal that the boundary between Bollington and Rainow be amended to include the settlement at Ingersley Vale within Bollington. He asked that the matter be reviewed as part of the next Cheshire East ward boundary review.

Councillor Vic Brown, on behalf of Hulme Walfield and Somerford Booths Parish Council spoke in support of the proposals for Hulme Walfield and Somerford Booths joint parish and stated that the recommendations contained a clear and well justified community case for the retention of the present arrangements at least until the completion of the planned development of around 1000 houses over the next 5-7 years.

Councillor Linda Buchanan, on behalf of Shavington-cum-Gresty Parish Council, spoke in support of the recommendations proposed by the community governance review as it reflected the identity of the parish and community. She thanked all those who had been involved in the community governance review for listening to local residents.

Councillor Andy Lindsay, Chair of Brereton Parish Council, expressed his council's support for the proposals for Brereton, including the retention of Bluebell Green and Dunkirk Farm within the parish of Brereton.

Councillor Geoff Bell, Chair of Somerford Parish Council, expressed his council's support for the recommendations of the community governance review. The parish council had had sight of the proposals from Congleton Town Council that the boundary should be reconsidered and were opposed to this as no consultation had been carried out with residents in the parish on these proposals.

David McGifford, Chief Officer of Congleton Town Council, expressed the Town Council's view that the Town's boundary should be extended to the new link road, in line with the Local Plan Settlement Boundary and Congleton Link Road Business Plan, and asked that the Council revert back to the proposals in the draft governance consultation plan.

Councillor Brian Bath, on behalf of Holmes Chapel Parish Council, stated that the parish council had publicly expressed their shock and dismay on the recommendations of the community governance review. He stated that there had been no discussion or debate on the issues raised. He felt that it was unacceptable that the majority of consultation had been done on-line and had not received formal responses or allowed opportunity for constructive debate with officers from Cheshire East Council. He stated that the boundary of Holmes Chapel should include the adjoining new residential developments. He asked that the Council reject the recommendations and request an independent review of all the facts.

81 **RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
COMMUNITY GOVERNANCE REVIEW OF TOWN AND PARISH
COUNCIL GOVERNANCE**

Consideration was given to the report on the Community Governance Review of Town and Parish Council Governance, which had been considered by the Community Governance Review Sub Committee on 4 April 2022 and the Corporate Policy Committee on 14 April 2022.

The recommendations from the Corporate Policy Committee were moved and seconded and, during consideration of the matter, a motion without notice was proposed and seconded:-

“That where a speaker has spoken at the Community Governance Review Sub Committee, Corporate Policy Committee or Council in opposition to the proposals in the agenda pack, these be referred back to the Community Governance Review Sub Committee for further consideration.”

The Mayor adjourned the meeting for five minutes to allow consideration of the matter by the Monitoring Officer.

Following the adjournment, the Monitoring Officer confirmed that this was a valid motion to refer the matter to the sub-committee.

The Monitoring Officer advised that if the matter was referred back to the Community Governance Review Sub Committee it would have impact on the debate at the Council meeting. The whole review would have to be adjourned as the matter had to be concluded as a whole and not in separate parts. The matter would then have to come back to a future Council meeting and the delay could have consequential impact on things such as council tax, voters’ registration and the elections in 2023.

The motion without notice was debated and put to the vote and declared lost.

An amendment was moved and seconded:-

“Congleton Town boundary to revert back to the boundary changes that were proposed in the draft Community Governance Review Plan that was consulted upon in October 2021. The original plan was to extend the Congleton Town Boundary to the new Congleton Link Road which would incorporate the new housing and business development which are natural extensions to the Current town boundary.”

The amendment was debated and then put to the vote and declared lost.

Council then considered the substantive motion to approve the recommendations of the Corporate Policy Committee.

RESOLVED:

That Council resolve that the recommendations made in the review of Community Governance, contained in Appendices 1, 2 and 3 to the report, will ensure that

- A. the proposed community governance arrangements reflect the identities and interests of the community in the Borough of Cheshire East; and

- B. the proposed community governance arrangements are effective and convenient

and that Council resolve, by order, to give effect to the recommendations.

82 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: FIRST ANNUAL REVIEW OF THE COMMITTEE SYSTEM

Consideration was given to the recommendations of the Corporate Policy Committee, which had met on 14 April 2021, in relation to the First Annual Review of the Committee System.

RESOLVED: That Council

- 1 note the comparative data and successful operation of the committee system to date, as set out in Appendix 1 to the report.
- 2 agree the revisions to the Constitution, as set out in Appendices 2 to 4 to the report.
- 3 agree the future work to be undertaken, as set out in Part 3 of the report.
- 4 require a further review annual review report be made to the meeting scheduled to be held in July 2023.

83 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: PROGRESS ON GOVERNANCE FOR THE INTEGRATED CARE SYSTEM

Consideration was given to the recommendations from the Corporate Policy Committee in relation to the governance for the Integrated Care System.

It was proposed that under Section 75 of the Health and Care Act 2006 a committee be established, with the NHS Cheshire Clinical Commissioning Group, from 1 April 2022 to oversee and manage the Section 75 Better Care Fund Agreement and Plan.

The Integrated Care System arrangements continued to be developed and a number of issues were still to be resolved. It was important for the Council to monitor and review emerging details of governance arrangements, particularly those that related to scrutiny, which would be undertaken by the Adults and Health Committee and the Scrutiny Committee. These arrangements needed to be considered carefully by Members, including those on the Constitution Working Group, and by full Council in order to ensure that the Constitution was updated. This needed to be a responsive process and could not wait until the next annual review of the committee system in July 2023.

RESOLVED: That Council

- 1 establish with NHS Cheshire Clinical Commissioning Group, a Committee under Section 75 of the Health and Care Act 2006 from 1 April 2022, as set out in Section 13 of the report, to oversee and manage the Section 75 Better Care Fund Agreement and Plan.
- 2 delegate authority to the Executive Director Adults, Health and Integration, in consultation with the Director of Governance and Compliance, to agree and finalise the Terms of Reference of the Section 75 Committee.
- 3 appoint the Executive Director Adults, Health and Integration (or their nominated representative) to the S75 Committee.
- 4 delegate authority to making any consequential amendments to the Constitution to the Director of Governance and Compliance.

84 **RECOMMENDATIONS FROM AUDIT AND GOVERNANCE COMMITTEE: APPOINTMENTS**

The Audit and Governance Committee, at its meeting on 10 March 2022, had considered a report on the appointment of co-opted independent members to the Committee, and had recommended that Council appoint Mr Ron Jones as an independent member to the Audit and Governance Committee for a period of 4 years and appoint Ms Margaret Rathbone and Ms Margaret Smith to service as Independent Persons under the Localism Act 2011 for a period of 4 years.

RESOLVED: That

- 1 Mr Ron Jones be appointed as an independent member to the Audit and Governance Committee for a period of 4 years.
- 2 Ms Margaret Rathbone and Ms Margaret Smith be appointed to serve as Independent Persons under the Localism Act for a period of 4 years.

85 **RECOMMENDATION FROM FINANCE SUB COMMITTEE: ALIGNING THE MEDIUM-TERM FINANCIAL STRATEGY TO THE COMMITTEE STRUCTURE**

The Finance Sub Committee, at its meeting on 2 March 2022, had considered a report on the allocation of the approved budget to each of the service committees, and had made recommendations to full Council to approve supplementary revenue estimates over £1,000,000 which related to the Household Support Fund and the Business Rate Compensation Grant, as detailed in Appendix B Table C to the report,

RESOLVED:

That, in accordance with the Financial Procedure Rules, the supplementary revenue estimates over £1,000,000, as detailed in Appendix B Table C, be approved.

86 RECOMMENDATION FROM HIGHWAYS AND TRANSPORT COMMITTEE: POTHOLE FUND GRANT

The Highways and Transport Committee, at its meeting on 13 April 2022 , had considered a report on the capital and revenue budgets available for the highways service for 2022/23, and had made a recommendation to full Council to approve a supplementary capital estimate of £5.799m, which related to the Pothole Fund Grant, as detailed in paragraph 6.6.2 of the report.

RESOLVED:

That the supplementary capital estimate for the Pothole grant fund of £5.799m be approved.

87 REPORTING OF URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

Council received a schedule of urgent decisions taken by the Chief Executive on behalf of the Council, which were reported for information in accordance with the Council procedural rules.

RESOLVED:

That the schedule of urgent decisions be noted.

The meeting commenced at 11.00 am and concluded at 2.42 pm

Councillor S Pochin
Chair/Mayor