

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 11th September, 2018 at Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

### **PRESENT**

Councillor Rachel Bailey (Chairman)  
Councillor L Wardlaw (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes and J Saunders

### **Councillors in Attendance**

Councillors Rhoda Bailey, G Baxendale, S Corcoran, S Edgar, D Flude,  
M Grant, S Hogben, D Mahon, B Roberts and G Williams

### **Officers in Attendance**

Kath O'Dwyer, Acting Chief Executive  
Frank Jordan, Executive Director of Place/Acting Deputy Chief Executive  
Mark Palethorpe, Acting Executive Director of People  
Dan Dickinson, Acting Director of Legal Services/Monitoring Officer  
Alex Thompson, Head of Finance and Performance  
Sara Barker, Head of Strategic HR  
Paul Mountford, Executive Democratic Services Officer

### **Apologies**

Councillors J P Findlow and D Stockton

Before proceeding to the business of the meeting, the Leader took the opportunity to remind everyone that the Pride Event was being held at Tatton Park this coming Sunday. She also thanked those officers, members of the public and councillors who had attended the recent Cheshire East Reflects event at Tatton Park which commemorated the First World War.

### **31 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

Ted Wall referred to the cost of a recent employment tribunal and the cost of the disciplinary committee process, set against what he saw as a significant rise in council tax. The Leader and other members of the Cabinet responded by referring to the need for the Council to protect and enhance services to older and vulnerable people in the Borough and to ensure that arrangements were in place to maintain high standards of conduct among members and officers and to ensure openness and fairness in dealing with such matters. All local authorities were obliged to

ensure that such arrangements were in place and there was a cost to providing them.

Sue Helliwell, speaking as an Alsager resident, asked a number of questions relating to the Cheshire East Local Plan Site Allocations and Development Policies Document Alsager Settlement Report August 2018. She also asked if the Council would ensure that the three public car parks in Alsager remained free of charge. The Portfolio Holder for Housing, Planning and Regeneration undertook to provide a written response.

Debbie Jamison, representing Knutsford Residents in Over Ward (KROW), referred to a decision deferred by Cabinet last year on the disposal of playing field land in North Downs, Longridge, Knutsford. She asked for confirmation that the Portfolio Holder would be offering a meeting to KROW and Knutsford Town Council. She also suggested that any disposal of the land should be made through the planning process by way of a planning application and not through the disposal process advertised which would relinquish the designation of the land. The Leader indicated that she had already met Knutsford Town Council to discuss the matter. The Portfolio Holder for Housing, Planning and Regeneration confirmed that a meeting to consider the disposal of the land had been arranged for 5<sup>th</sup> October 2018. The meeting would be held in public and all interested parties would have adequate opportunity to speak before the Portfolio Holder took a decision at the meeting.

### **33 QUESTIONS TO CABINET MEMBERS**

Councillor B Roberts referred to a seriously disabled person in his ward who was being transported out of the Borough to receive respite care, the journey sometimes taking two hours. The parents of the individual felt that the journey time was having a detrimental effect on the individual's progress and wellbeing. The Portfolio Holder for Adult Social Care and Integration asked Councillor Roberts to provide the details to the Acting Executive Director of People so that the matter could be investigated as a safeguarding issue.

Councillor D Flude referred to a briefing note that members had received that day which provided an update on HS2. There were a number of specific matters which were not addressed in the briefing note and she briefly outlined what these were. She asked for a further briefing on the matters or a written response. The Leader's understanding was that the details in question were on the HS2 website. However, she asked Councillor Flude to provide the questions to the Executive Director of Place so that a response could be made.

Councillor S Hogben referred to the Boundary Commission for England's review of parliamentary constituencies, the report on which had just been published. He questioned whether the electorate figures quoted for certain Crewe wards were correct and asked if the Council could draw this to the attention of the Boundary Commission. The Leader responded that the

Director of Legal Services would consider what action the Council could take in the matter and that Councillor Hogben would be informed of the outcome.

Councillor S Corcoran referred to the harm caused to the health of children by poor air quality and to the proposed extension of the air quality management area on Middlewich Road Sandbach. He asked if the Council would be installing a real time kerbside monitor in Middlewich Road in order to monitor the effect of slow moving traffic on school children. The Portfolio Holder for Housing, Planning and Regeneration undertook to provide a written response.

Councillor M Grant referred to a conversation with the Portfolio Holder for Adult Social Care and Integration last week and asked if enquiries could be made regarding the company Direct Health Care as it did not appear to be registered with the Care Quality Commission. The Portfolio Holder responded that as a result of their conversation, she had already asked officers to investigate. [Note: at the end of the Cabinet meeting, the Portfolio Holder was able to provide an update, confirming that Direct Health Care were in fact registered with the Care Quality Commission but had recently been taken over by another care provider and had not yet had an inspection under the new owner. The new owner was called Accord. She undertook to inform Councillor Grant who had already left the meeting.]

#### **34 MINUTES OF PREVIOUS MEETING**

##### **RESOLVED**

That the minutes of the meeting held on 10<sup>th</sup> July 2018 be approved as a correct record subject to the inclusion of Councillor D Flude as having been present at the meeting.

#### **35 SEND REFORMS TASK AND FINISH GROUP - FINAL REPORT**

Cabinet considered the final report of the SEND Reforms Task and Finish Group. The Group had been appointed to scrutinise the implementation of the reforms relating to special educational need and disability introduced by the Children and Families Act 2014.

Councillor D Flude spoke on this matter as Chairman of the Task and Finish Group. Councillor Rhoda Bailey also spoke on the matter as Chairman of the Children and Families Overview and Scrutiny Committee. Both she and the Leader thanked Councillor Flude for her work as Chairman of the Task and Finish Group.

##### **RESOLVED**

That

1. Cabinet receives the Task and Finish Groups report;
2. Cabinet notes the following recommendations in the report:
  - (a) That the shortfall in provision, particularly for those with moderate learning difficulties and autism be addressed.
  - (b) That all schools be encouraged to welcome children with SEND.
  - (c) That working relationships between partners and the sharing of information continue to be improved, particularly in the production of EHCPs.
  - (d) That EHCPs be produced as a word document to enable all partners to amend them.
  - (e) That EHCPs avoid jargon, be written in plain English and celebrate what the child can do.
  - (f) That further training and support be given to all partners to ensure that referrals are complete and of a suitable quality.
  - (g) That systems need to be implemented and support provided to ensure parents are kept fully up to date on the production of an EHCP.
  - (h) That the Multi-Agency Moderation Panel and its processes be reviewed.
  - (i) That a Cheshire East accredited Educational Psychologist system be introduced to deal with and accept private reports.
  - (j) That a review of the specialist support services be reviewed to ensure that they are fit for purpose.
  - (k) That a review of the tribunal service be undertaken.
  - (l) That a further Task and Finish Group be established to investigate the local offer for 16 – 25 year olds.
  - (m) That Cheshire East explore an equipment store to be used by all schools.
  - (n) That early years providers be supported with the right knowledge, training and resources to identify children with SEN and apply for an EHCP.
  - (o) That further work be undertaken to promote personal budgets and a policy be introduced.

- (p) That the Schools Forum be requested to investigate whether or not the allocation of funding with an EHCP and additional hours per child is adequate.
  - (q) That the Schools Forum be requested to review the distribution and methodology of funding.
3. the Portfolio Holder for Children and Families report to a future meeting of Cabinet with a formal response to each recommendation and that response be submitted to the Children and Families Overview and Scrutiny Committee.

### **36 GARDEN VILLAGE AT HANDFORTH - DELIVERY STRATEGY**

Cabinet considered a report seeking approval to expedite development at The Garden Village at Handforth, a scheme to deliver 1500 homes, employment land, extra care housing, a primary school, village centre, green space and sustainable transport infrastructure. The report sought authority for the land assembly, acceptance of grant funding and other actions required to deliver the scheme.

#### **RESOLVED**

That Cabinet

1. delegates authority to the Executive Director of Place to agree the terms and conditions of commercial, infrastructure delivery, collaboration and equalisation agreements between Cheshire East Council and the other principal landowners in consultation with the S151 Officer and the Director of Legal Services, and authorises the Executive Director of Place to take all appropriate action to enter into said Agreements;
2. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Housing, Planning and Regeneration and the Director of Legal Services, to take all necessary actions to secure the acquisition and/or appropriation of land and/or new rights to enable the construction of infrastructure (in line with the Allocation, the SPD, Masterplan & future planning approvals) and the delivery of all other planning objectives sought from the development of TGV including, where required, by use of Compulsory Purchase Order (CPO);
3. delegates authority to the Executive Director of Place to agree the Terms and Conditions of the Grant offer from Homes England, in consultation with the S151 Officer and the Director of Legal Services, and authorises the Executive Director of Place to take all necessary actions to enter into an appropriate agreement;
4. delegates authority to the Executive Director of Place to take all actions necessary to procure the required strategic infrastructure, utilities and

groundworks as set out in the Grant offer from Homes England, the Local Plan Allocation and summarised in this report;

5. authorises the Executive Director of Place, in consultation with the S151 Officer and Director of Legal Services, to enter into a contract with the winning tenderer for the construction of the required infrastructure at the appropriate time and within the approved budget;
6. delegates authority to the Executive Director of Place to approve the Land Disposal Strategy and to take all actions necessary to dispose of Council owned land in order to bring forward development consistent with the SPD, Masterplan and planning approvals; and
7. delegates authority to the Executive Director of Place to take all actions necessary to establish or appoint a management regime, to take responsibility for the long term maintenance and enhancement of The Garden Village.

### **37 DRAFT PROPOSED LOCAL AND SUB-REGIONAL ARRANGEMENTS FOR CHESHIRE EAST IN RELATION TO THE TRANSITION FROM LOCAL SAFEGUARDING CHILDREN'S BOARDS TO SAFEGUARDING PARTNERS**

Cabinet considered a report setting out proposed changes for Cheshire East's Local Safeguarding Children Board, which aimed to improve the effectiveness and efficiency of the safeguarding system whilst ensuring that good practice and working together at local level between agencies was maintained and enhanced further.

Councillor Rhoda Bailey spoke on this matter as Chairman of the Children and Families Overview and Scrutiny Committee.

#### **RESOLVED**

That Cabinet

1. Endorses the work undertaken to date across the four local authority areas (Cheshire East, Cheshire West and Chester, Halton and Warrington) to develop a model which enhances the current sub-regional approach to safeguarding children;
2. endorses the recommendations to ensure that robust arrangements remain in place at a local level to quality assure and scrutinise strategy, policy and practice and adherence to statutory guidance and multi-agency best practice to safeguard children and young people in Cheshire East; and
3. agree that existing funding arrangements should remain in place for an agreed minimum period (2020-21) whilst funding is reviewed,

recognising that this would require the agreement of all existing funding partners across current LSCB arrangements.

### **38 EUROPEAN SOCIAL FUND SUB-REGIONAL BID FOR INTENSIVE SUPPORTED EMPLOYMENT PROVISION**

Cabinet considered a report seeking authority to submit an application for funding for intensive supported employment provision. A specific grant of £5.4m was available from the Department of Work and Pensions and the Cheshire and Warrington LEP. The report sought permission for the Public Sector Transformation Team, hosted by Cheshire East Council, to bid for the available resources on behalf of the three Councils and partners in the sub-region through a direct call from the LEP. The report also outlined the work that had taken place to date across the Cheshire and Warrington Sub-Region to gain support for a sub regional bid.

Cabinet was advised that the figure of approximately £1.7M matched in-kind resource referred to in paragraph 6.2.1 of the report should have read £1.8M but that this did not impact upon the recommendations in the report.

#### **RESOLVED**

That Cabinet

1. agrees the bid application for the funding, and delegates authority to the Executive Director People to accept the grant and manage the programme should the Council be successful; and
2. supports the sub-regional proposal for a bid submission via direct call under Lots 1.2 and 1.4, as set out in the report, in line with the proposed timeline for bid submissions subject to appropriate Supplementary Revenue Estimate when required.

### **39 PUBLIC HEALTH ENGLAND: INNOVATION FUND FOR CHILDREN OF ALCOHOL DEPENDENT PARENTS**

Cabinet considered a report seeking approval to submit a bid to the Public Health England Innovation fund for Children of Alcohol Dependent Parents. If the bid were successful, a total of £561,000 would be awarded to the Council from November 2018 to March 2021.

#### **RESOLVED**

That Cabinet

1. approves the submission of a bid to the Public Health England: Innovation fund for children of alcohol dependent parents;
2. approves the revenue funding of £561,000 to be transferred to the Council as the accountable body if the bid is successful; and

3. authorises Officers to submit funding bids for the remaining financial year, and to return to Members if bids are successful.

Note: at this point, the Chairman vacated the chair and left the meeting.

Councillor L Wardlaw, Vice-Chairman, in the chair

**40 RE-PROCUREMENT OF FOOD CONTRACTS FOR FRESH PRODUCE AND MULTI-TEMPERATURE FOOD (I.E. FROZEN AND GROCERY PRODUCTS)**

Cabinet considered a report seeking authority to progress the re-tendering processes for the re-procurement of Food Contracts for Fresh Produce and Multi-temperature Food. Drawing on other successful contractual models, it was proposed that the delivery region would be split into lots to enable smaller suitably-qualified businesses to tender for these provisions, thus supporting the local economy.

**RESOLVED**

That Cabinet

1. approves the request to progress the re-tendering processes in line with EU compliant procedures; and
2. delegates authority to the Director of People, in consultation with the Portfolio Holder for Children and Families, to award contracts to the highest scoring bidders by lot following evaluations.

**41 TREASURY MANAGEMENT ANNUAL REPORT 2017/18**

Cabinet considered the Treasury Management Annual Report for 2017/18 which detailed the performance of the Council's treasury management operation.

Councillor G Baxendale, as Chairman of the Audit and Governance Committee, welcomed the report.

**RESOLVED**

That the Treasury Management Annual Report for 2017/18 as set out in Appendix A to the report be received.

The meeting commenced at 2.00 pm and concluded at 3.48 pm

Councillor Rachel Bailey (Chairman)