

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 31st October, 2011 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor R Domleo (Vice-Chairman)

Councillors Rachel Bailey, D Brown, H Gaddum, J Macrae, P Mason,
R Menlove and M Jones.

Councillors in attendance:

Rhoda Bailey, G Baxendale, J Clowes, P Groves, J Jackson, P Nurse, P
Raynes, B Silvester and A Thwaite.

Officers in attendance:

Chief Executive; Director of Finance and Business Services; Head of Human
Resources and Organisational Development; Legal Team Leader (Places,
Regulatory and Compliance); Strategic Director (Children, Families and
Adults); and Strategic Director Places.

69 APOLOGIES FOR ABSENCE

There were no apologies for absence.

70 DECLARATIONS OF INTEREST

Councillor D Brown declared a personal interest in agenda item 6 (Outside
Organisations Appointments – Amendments and Additions) by virtue of
being a Member of the board of Plus Dane (Cheshire) Housing Ltd.

71 PUBLIC SPEAKING TIME/OPEN SESSION

Charlotte Peters Rock requested a formal response to a question she had
raised at the meeting of the Council on 13 October. In addition she
reported that Knutsford Area for Knutsford Action was petitioning the
public to 'Save our Stanley Centre' but she had been informed by a
Librarian at Knutsford Library that it was not possible to leave a copy of the
petition there for signing by members of the public; she asked to be
informed of the Council's position on this matter as she considered it to be
against her democratic rights.

Judie Collins asked for information on the current position regarding the
EmPower card as she was having difficulty in ascertaining who to contact.
In addition she referred to the temporary closure of the Tatton Ward
approximately a year ago, and the need for appropriate public transport to

be provided to enable visitors to travel to patients who were now further afield. She reported that at that time she had been advised that a transport plan would be put in place and she enquired as to its current status.

Councillor Domleo, the Portfolio Holder for Adult Services Health and Wellbeing, said that he would arrange for responses to be sent to the points made.

72 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 3 October 2011 be approved as a correct record.

73 RISK MANAGEMENT UPDATE

Consideration was given to the report of the Strategic Director (Places and Organisational Capacity) which included a summary of the management of the key corporate risks. It was intended that the Cabinet would receive an annual risk report, to provide an update on all identified key risks, with Portfolio Holders being updated regularly on the management of risks relating to their specific area. Particular attention was drawn to how key risks were evaluated, managed and reviewed.

RESOLVED

That the report be noted.

74 OUTSIDE ORGANISATIONS APPOINTMENTS - AMENDMENTS AND ADDITIONS

(Councillor D Brown had declared a personal interest in this item.)

At its meeting on 6 June 2011 the Cabinet had appointed representatives to a range of outside organisations. Since that time, however, the need for a number of changes had arisen and these were now considered.

RESOLVED

1. That Councillor Barry Moran be confirmed as the Council's representative on the Board of Governors for Sandbach School.
2. That the Federation of Burial and Cremation Authorities be added to the Council's approved list of outside organisations as a Category 1 (Cabinet appointed) organisation and that Councillor David Marren be its nominee for a position on its Executive Committee.

3. That the change in the make-up of the Board of Plus Dane (Cheshire) Housing Ltd to include an additional tenant Board member and an additional independent Board Member, previously approved by the Chief Executive, be noted.

75 ADDITIONAL ITEM OF URGENT BUSINESS - LINKS

At the commencement of the meeting the Chairman had announced that there would be an additional item of business to consider concerning a Notice of Motion submitted to Council on 13 October concerning LINK (Local Involvement Network). Under normal circumstances the Motion would be presented to Cabinet with a full report but, in accordance with Section 100B (4) (b) of the Local Government Act 1972, he was of the opinion that the item should be considered at this meeting as a matter of urgency due to the time sensitive nature of the funding position.

It was reported that the current contract with LINKs was due to end in March 2012 but that permission would be sought to extend this until October 2012 as the Council was committed to sustaining the provision of LINKs functions to assure its transition to Local Health Watch.

LINKs current functions were due to be retained within the new provision of Local Health Watch, and additional responsibilities would be added, the proposed financial arrangements for which were reported. Total budget figures had not yet been received from Central Government and funding for the transition period could not, therefore, be confirmed at this stage. Officer support for the transition was to be provided by the Council. The Health and Social Care Bill still remained to be finalised and until it was the role of Health Watch, funding, and also the TUPE position of the staff, could not be fully assessed. The Council would have responsibility for developing local service specification for Local Health Watch taking account of guidance and local views.

Cabinet received an assurance that progress would continue to be reported to the Health and Wellbeing Scrutiny Committee, and to the Shadow Health and Wellbeing Board. In addition work would be carried out with LINKs to provide a wider briefing for Members and other interested parties.

RESOLVED

1. That the report and the proposed actions of the Council be noted.
2. That Cheshire East MPs and the Secretary of State of Health be urged to confirm and clarify that funding for LINKs will be available

at the earliest opportunity to enable transition arrangements to be planned and a smooth handover be achieved.

76 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3, 4 or 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

77 KEY DECISION 19 CONNEXIONS CHESHIRE AND WARRINGTON

Consideration was given to the report of the Strategic Director Children, Families and Adults.

RESOLVED

1. That agreement be given not to exercise the option to extend the contract for a further year from April 2012.
2. That the TUPE rights be acknowledged of employees assigned to the elements of the service currently delivered by Cheshire and Warrington Connexions Company for Cheshire East Council which the Council will start to deliver as a result of the decision not to exercise the option to extend the contract for a further year.
3. That agreement be given to the funding of specific Cheshire East liabilities and pension costs associated with the closure of the Company.
4. That support be given to the development of a new Youth Support Strategy for young people in Cheshire East.
5. That twelve months formal notice of withdrawal be served in accordance with the Articles of Association and Members agreement to terminate the Councils membership of the Company.

78 MANAGING WORKFORCE CHANGE

Consideration was given to the report of the Head of Human Resources and Organisational Development.

RESOLVED

That Cabinet notes the employees listed in Appendix A of the report, whose voluntary severance was approved by the Procurement, Assets and Shared Services Portfolio Holder under the terms of his delegated powers, in response to an urgent request from management.

79 KEY DECISION 16 CONGLETON TOWN CENTRE BRIDESTONES EXTENSION SCHEME

Consideration was given to the report of the Strategic Director Places and Organisational Capacity.

RESOLVED

1. That authorisation be given to advertise the Council's intention to dispose of the open space within the Development Area.
2. Subject to no objection being received in respect of the above, approval be given to the disposal of the Council's legal interest in land located off Princess Street, Congleton to Scarborough Development Group (Congleton) (SDG) Ltd on terms and conditions to be determined by the Director of Finance, the Strategic Director Places & Organisational Capacity, and the Borough Solicitor in consultation with the Portfolio Holder for Prosperity.
3. That approval be given to temporarily revoke the Parking Order for the Fairground Car Park.
4. That approval be given to permanently revoke the Parking Order for the Princess Street Car Park.
5. That approval be given to facilitate new operating arrangements, as set out in this report, for the new market.
6. That approval be given to sign off the S177 agreement, which facilitates the construction of elements of the scheme over Princess Street.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

W Fitzgerald (Chairman)