

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Cabinet
held on Monday, 8th September, 2008
in the Council Chamber, Municipal Buildings, Earle Street, Crewe

PRESENT

Councillor W Fitzgerald (Chairman)

Councillors D Brickhill, D Brown, P Findlow, F Keegan, A Knowles, J Macrae,
P Mason and B Silvester

Apologies

Councillors R Domleo

Also Present: Councillors B Dykes, Mrs L Smetham and R Westwood.

49 APOLOGIES

Apologies for absence were received from Councillor R Domleo.

50 DECLARATIONS OF INTEREST

Minute 53 (Key Decision CE15 - School Funding 2009/11)

Minute 54 (Key Decision CE16 - Establishment of the Schools Forum for Cheshire East)

Minute 55 (Adults with Learning Disabilities Pooled Budget Agreement)

Minute 56 (Responsibilities for Local Authorities in Relation to Post 16 and 19 Education and Training)

Minute 66 (Key Decision CE19 - Residential and Nursing Contract)

Councillors D Brickhill, P Findlow and P Mason declared personal interests in these items by virtue of being Members of Cheshire County Council. In accordance with the Constitution they remained in the meeting during consideration of these items.

51 PUBLIC QUESTION TIME/OPEN SESSION

Hilary Cartwright and Lynda Bigmore submitted questions in respect of waste disposal and waste treatment, and the Cheshire Waste Contract. Councillor David Brickhill responded to these questions and confirmed that a written copy of his responses would be provided.

52 MINUTES

RESOLVED

The Minutes of the meeting held on 12 August were approved as a correct record.

53 KEY DECISION CE15 - SCHOOL FUNDING 2009/10 TO 2010/11

(Councillors D Brickhill, P Findlow and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to a report of the People Block Lead Officer on various aspects of school and local authority funding. The report also sought approval to work in respect of the school funding formula and the Scheme for Financing Schools.

RESOLVED

For the reasons set out in the report: -

That authorization be given for work to be undertaken on

(i) the school funding formula for the authority. The proposed formula needs to be agreed during January 2009 and will be used to issue school budgets in 2009-10.

(ii) the Scheme for Financing Schools that sets the financial regulations under which schools spend their budget shares. The Scheme needs to be approved by the Schools Forum during early 2009 and should be issued to schools before 1 April 2009.

54 KEY DECISION CE16 - ESTABLISHMENT OF THE SCHOOLS FORUM FOR CHESHIRE EAST

(Councillors D Brickhill, P Findlow and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to a report of the People Block Lead Officer on the size and composition of the Cheshire East Schools Forum, and on its proposed terms of reference. The Cabinet considered that the suggested size of the Forum was too large and it was therefore agreed that it should be reduced from a total of 31 to 27; this would still allow for proper representation from the various sectors, with 8 primary representatives and 8 secondary representatives for the Schools Group (4 headteachers and 4 governors for each) and that the Forum would be of a more manageable size.

RESOLVED

For the reasons set out and as now reported: -

1. That approval be given to the size and composition of the Cheshire East Schools Forum as now amended and to the proposed terms of reference.
2. That authorization be given to the setting in hand of arrangements to elect the members of the schools group and to seek nominations from relevant bodies for members of the non schools group.

55 ADULTS WITH LEARNING DISABILITIES POOLED BUDGET AGREEMENT

(Councillors D Brickhill, P Findlow and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to a report of the Cheshire East People Workstream on extending the pooled budget agreement for adults with learning disabilities until 31 March 2010.

RESOLVED

For the reasons set out in the report: -

That approval be given to extend the Adults with Learning Disabilities pooled budget agreement until 31 March 2010 subject to the terms of an agreement to be approved by the County Solicitor and Monitoring Officer.

56 RESPONSIBILITIES FOR LOCAL AUTHORITIES IN RELATION TO POST 16 AND 19 EDUCATION AND TRAINING

(Councillors D Brickhill, P Findlow and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to a report of the County Manager, Inclusion and Education, in respect of the transfer of commissioning and funding for all 16 – 19 education and training. With regard to the establishment of a Project Board it was agreed that the Portfolio Holder be delegated to make the necessary arrangements.

RESOLVED

For the reasons set out in the report: -

1. That delegated authority be given to the Portfolio Holder (Children and Family Services) to set up a Project Board with representation and active engagement from all of the relevant teams, and to identify an appropriate Project Lead, in consultation with the Shadow Council for Cheshire West and Chester, and the County Council.
2. That an analysis be undertaken of the Travel-to-Learn patterns in order to be able to contribute to regional discussions and agree sub-regional groupings once further criteria are known.
3. That there be engagement through the Project Board, with regional Learning and Skills Council teams to shadow the Learning and Skills Council Business Cycle over the next 18 months.
4. That through the Project Board, discussions take place with the local Learning and Skills Council to secure some semi-formal arrangements for closer working on this work.

57 WORKING WITH THE THIRD SECTOR - A PARTNERSHIP FRAMEWORK FOR CHESHIRE EAST COUNCIL

Consideration was given to a draft framework to guide and govern the Council's future partnership relationship with the third sector in East Cheshire, as detailed in the report of the People Block Lead Officer.

RESOLVED

For the reasons set out in the report: -

That the principles and direction of the Framework (Appendix 1) be endorsed and the current level of investment (without inflation uplift) be retained in organisations in the sector in 2009/10. In addition, further work from officers be commissioned during the Autumn/Spring to negotiate a new Compact Agreement, develop commissioning policy, asset transfer proposals and a Volunteering Strategy, in partnership with the Third Sector, for consideration by the Council.

58 CONSOLIDATED (INTERIM) SUSTAINABLE COMMUNITY STRATEGY FOR CHESHIRE EAST

Consideration was given to the report of the Partnerships Workstream, Performance and Capacity Block, on a Consolidated Sustainable Community Strategy for Cheshire East, for use as an interim document.

RESOLVED

For the reasons set out in the report: -

That Council be recommended to receive the Consolidated Sustainable Community Strategy for Cheshire East (Appendix 1) as an interim document and to agree its use as the basis for corporate and financial planning prior to vesting day.

59 CLIMATE CHANGE

Consideration was given to a report of the Cheshire East Climate Change Group, building on recommendations arising from the Members Induction Day in June 2008, on how Cheshire East can take forward Climate Change.

RESOLVED

For the reasons set out in the report: -

1. That approval be given to the Nottingham Declaration on Climate Change being signed.
2. That information on Climate Change implications be included in Cabinet reports as soon as practicable.

60 CORPORATE IDENTITY/BRANDING DEVELOPMENT

Consideration was given to a report by the Communications and Marketing Group on the recent public and staff feedback on the shortlist of three designs for the new brand for Cheshire East Council. Members were now invited to select which of the three options they would like to be implemented as the new brand for the Council.

RESOLVED

For the reasons set out in the report: -

That approval be given to option 3, a refinement of the original Wheatsheaf design into a 2 colour format for ease of implementation, as the new brand for Cheshire East Council.

61 PROGRAMME BOARD LEADERSHIP ROLE

Consideration was given to a report of the Interim Monitoring officer on the revised Officer arrangements for supporting the Cheshire East Council upon the Chief Executive taking up her post. The Cabinet expressed its thanks to the Joint Implementation Team for all its work so far.

RESOLVED

For the reasons set out in the report: -

1. That approval be given to formally disestablish the Implementation Team established in accordance with Regulation 21 of the Cheshire (Structural Changes) Order 2008 with effect from 06 October 2008.
2. That the Implementation Team be authorised to continue for the time being from 06 October 2008 under the leadership of the Chief Executive of Cheshire East Council, pending the Chief Executive reviewing the officer arrangements necessary to support Cheshire East Council and to ensure ongoing consultation and co-operation with the County Council and the East Cheshire Councils.
3. That the Chief Executive be given authority during that review to add to, reduce or change the composition of the Implementation Team.

62 SECTION 24 APPLICATIONS FOR CONSENT

Consideration was given to a report of the Interim Monitoring Officer and the Interim Chief Financial Officer on Section 24 Applications for Consent received since the last meeting.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

63 PROGRESS REPORT

Consideration was given to a report by the Leader of the Council updating Members on the programme, drawing attention to progress made against key milestones and highlighting the steps to be taken over the coming months.

RESOLVED

For the reasons set out in the report: -

That the report and the activities to be undertaken in September and October be noted.

64 FREE SWIMMING AND CAPITAL MODERNISATION PROGRAMME - FUNDING TO LOCAL AUTHORITIES

In accordance with Section 100B(4)(b) of the Local Government Act 1972, and because of the necessity of making a decision on this matter which needed to be communicated to the Department for Culture Media and Sport by 15 September 2008, the Chairman agreed to allow consideration of this report as an urgent item of business.

Consideration was given to a report of the People Block Lead Officer on the implications of the Governments Free Swimming and Capital Modernisation funding offer for Cheshire East Council.

RESOLVED

For the reasons set out in the report: -

Cabinet confirmed that Cheshire East Council wishes to participate in the Government's Free Swimming Programme for the over 60's and express an interest only for the remainder of the programme, and to respond accordingly to the Department of Culture, Media and Sport by the deadline of 15th September 2008.

65 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 Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

(Paragraph 3 concerns information relating to the financial or business affairs of any particular person (including the authority holding that information)).

66 KEY DECISION CE19 - RESIDENTIAL AND NURSING CONTRACT (PARAGRAPH 3)

(Councillors D Brickhill, P Findlow and P Mason had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to a report of the People Block Lead Officer on the contract for residential and nursing care for adults and older people.

RESOLVED

For the reasons set out in the report: -

That agreement be given to the contract rates and pricing mechanism under the extended contract.