

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Thursday, 17th July, 2008
at the Capesthorne Room - Town Hall, Macclesfield

PRESENT

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

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

Visiting Councillors present – Councillors Lesley Smetham and David Neilson

21 APOLOGIES

No apologies were received.

22 DECLARATIONS OF INTEREST

Minute 25 (Transforming Learning Communities)

Councillors David Brickhill, Paul Findlow and Peter Mason declared personal interests in this item by virtue of being Members of Cheshire County Council.

In accordance with the Constitution they remained in the meeting during consideration of this item.

Minute 26 (Office Accommodation for the New Council)

Councillors David Brown and Roland Domleo declared personal interests in this item by virtue of being Members of Congleton Borough Council. In accordance with the Constitution they remained in the meeting during consideration of this item.

Minute 33 (Waste Disposal and Waste Treatment PFI Contract)

Councillors David Brickhill, Paul Findlow and Peter Mason declared personal interests in this item by virtue of being Members of Cheshire County Council.

In accordance with the Constitution they remained in the meeting during consideration of this item.

23 PUBLIC QUESTION TIME/OPEN SESSION

Transforming Learning Communities

Questions were submitted on proposals for Bollington St Johns CE Primary School provision in Bollington. Councillor Paul Findlow responded and confirmed that a written copy of his response would be provided.

Waste Disposal and Waste Treatment PFI Contract

Brian Cartwright the Chairman of CHAIN (Cheshire Against Incineration) and Liam Byrne each submitted questions on this subject. In addition a further question was raised by Mr Byrne regarding the reason for this item being considered in the exempt section of the agenda. The Chairman confirmed that the reasons for the report being considered as an exempt item were set out in the agenda. Councillor David Brickhill responded to the other questions and confirmed that a written copy of his response would be provided.

24 MINUTES

RESOLVED

The minutes of the meeting held on 16 June 2008 were approved as a correct record.

25 KEY DECISION CE02 - TRANSFORMING LEARNING COMMUNITIES

(Councillors David Brickhill, Paul Findlow and Peter 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 Cheshire County Council's Director of Children's Services detailing a number of high profile important issues relating to the Transforming Learning Communities review of Macclesfield.

The Cabinet was informed that since the report had been prepared the decision sought by the Portfolio Holder had been amended to take account of representations received from the local community. A copy of the amended decision sought was circulated.

RESOLVED

For the reasons set out in the report and as now reported: -

The shadow Cheshire East Council Cabinet offers the following advice to the County Council's Children's Services Executive:

(i) Macclesfield TLC

- a) The Council warmly welcomes the proposed establishment of a new joint Church School to serve Macclesfield. It supports, therefore, the proposed closure of St Barnabas CE Primary School and St Edward's Catholic Primary School, and the establishment of a new joint Church School on the St Edward's site.

- b) The Council notes with regret the situation relating to Ash Grove Primary School and supports the County Council's proposal to enter into formal statutory consultation on the proposed closure of the school.
- c) The Council notes the situation in Bollington, but urges the County Council not to proceed with the statutory consultation on the proposed closure of Bollington St John's CE Primary School at this time. Cheshire East Council asks the County Council to invite the Governing Bodies of Bollington Cross CE Primary School and Bollington St John's CE Primary School to enter into a hard Federation, with a single Governing Body and Headteacher. It asks the County Council to support the Governing Bodies in considering Federation, which would prudently be achieved at the earliest opportunity. Thereafter, the Governing Body of the Federated schools should be asked to bring forward robust proposals to address the pressing need to reduce surplus accommodation at the Federated schools, with a view to reducing the level of surplus school places to an appropriate level. It is acknowledged that a failure to respond positively and swiftly to this invitation may result in the need for the proposed closure to be given further consideration.

(ii) **Alsager, Sandbach, Congleton and Holmes Chapel TLC Review**

Cheshire East Council endorses the action taken by the County Council to launch the TLC Review of the area and to engage in the informal consultation on possible options. It asks that the County Council should present the outcome of informal consultation to the Cabinet of the Shadow Authority at the earliest opportunity, so that the Cabinet is able to offer formative advice in determining the substance of any proposals for further consideration and how the review should proceed further.

(iii) **Primary Strategy for Change-Primary Capital Programme**

Cheshire East Council formally adopts the Strategy produced for Cheshire East by the County Council and expresses its gratitude for the work undertaken.

In accordance with Rule 13 of the Council's Scrutiny Procedure Rules and as the Chairman of the Scrutiny Committee had agreed that this decision should be treated as urgent, the call-in procedure does not apply to this decision.

(Councillors David Brown and Roland Domleo had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during consideration of this item.)

Consideration was given to a report of the Lead Officer on Infrastructure and Facilities. The report included information on the options for the location and nature of the Cheshire East administrative headquarters and the wider provision of office accommodation for the new Council.

RESOLVED

For the reasons set out in the report: -

1. The location of the Administrative Headquarters of Cheshire East Council be confirmed as Westfields, Sandbach and Congleton Borough Council be requested to ensure that the adjacent site is safeguarded for potential future use by the Council if required.
2. The physical provision of that office should follow the minimalist concept outlined in the report, incorporating only the key corporate functions listed in Appendix 2.
3. The Council's approach to the overall provision of office accommodation for both Members and Officers should be based on the full exploitation of new ways of working enabled by modern technology, making the most efficient use possible of office accommodation and reducing the need for excessive staff travel.
4. The Council should maintain a full presence in the existing offices in the principal communities of East Cheshire so as to maximise its accessibility to the public and sustain the positive economic effects of such presence.

27 CULTURE AND VALUES - TRANSITION AND BEYOND

Consideration was given to a report prepared by the Human Resources Joint Transition Project on a set of common transitional values to guide the period up to vesting day. The report also included options for a set of core organisational values for Cheshire East as an important step towards building a positive high performance culture for the new Council.

RESOLVED

For the reasons set out in the report: -

1. That support be given to the common transitional values proposed in paragraph 8.4 of the report and to the adoption of these by the Blocks and Joint Transition Projects supporting Cheshire East as outlined in paragraph 8.5.

2. That approval be given to the draft core values options of ASPIRE for the new Authority, outlined in Paragraph 7.2 of the report, with a view to wider consultation.

28 SECTION 24 APPLICATIONS FOR CONSENT

Consideration was given to a joint report of the Interim Monitoring Officer and the Interim Chief Finance Officer on Section 24 Specific Consents issued under delegated powers since the last meeting. It was reported that one delegated delegated had been made in respect of the sale of land and buildings at Oakdean Court, Wilmslow.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

29 DISAGGREGATION OF SPECIFIC GRANTS AND FORMULA GRANT

Consideration was given to a report of the Interim Chief Finance Officer. The report detailed the Specific Grants that had been allocated by various Government Departments and other funding bodies to Cheshire County Council for 2009/10 and 2010/11 and that were now required to be disaggregated. The report set out the mechanism for this and how it would be implemented for Cheshire East Council and Cheshire West and Chester Council. The same information was given in respect of the Formula Grant allocated by the Department for Communities and Local Government.

RESOLVED

For the reasons set out in the report: -

1. That the mechanism for the disaggregation of the Cheshire County Council Specific Grants for 2009/10 and 2010/11 be noted and approval given to the proposals for the implementation of this mechanism for Cheshire East Council as detailed in Section 5.0.
2. That the agreement of the split of the revenue and capital Specific Grants be delegated for approval to the Portfolio Holder Resources in consultation with the Leader and the other Performance & Capacity Portfolio Holders as detailed in Section 5.6.
3. That the mechanism for the disaggregation of the Cheshire County Council Formula Grant for 2009/10 and 2010/11 be noted and approval given to the proposals for the implementation of this mechanism for Cheshire East Council as detailed in Section 6.0.

4. That the agreement of the split of the Formula Grant be delegated for approval to the Portfolio Holder Resources in consultation with the Leader and the other Performance & Capacity Portfolio Holders as detailed in Section 6.7.

30 CORPORATE IDENTITY/BRAND DEVELOPMENT

Consideration was given to a report of the Joint Implementation Team on the progress being made on the production of a new logo/brand for Cheshire East Council. Of the designs put forward for shortlisting the Cabinet expressed a preference for Hills and Water, the Wheat Sheaf and the Rising Sun.

RESOLVED

For the reasons set out in the report and as now given: -

That the design concepts depicting:

- (i) Hills and Water,
- (ii) the Wheat Sheaf and
- (iii) the Rising Sun

be selected for staff and public consultation with an invitation for 'creative input' prior to a final decision being made by Members.

31 PROGRESS REPORT

Consideration was given to a report of the Policy Support Team on progress made against key milestones, and highlighting the next steps for the coming months.

RESOLVED

For the reasons set out in the report: -

1. That the progress during June, detailed in Appendix 1, be noted.
2. That the revised milestones listed at the end of Appendix 1, be acknowledged.
3. That the activities to be undertaken throughout July and August, detailed in appendix 2, be noted.

32 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 involved the likely

disclosure of exempt information as defined in Paragraphs 3 and 4 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). Paragraph 4 concerns information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.)

33 KEY DECISION CE04 - WASTE DISPOSAL AND WASTE TREATMENT PFI CONTRACT (PARAGRAPH 3)

(Councillors David Brickhill, Paul Findlow and Peter 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 by the County Waste and Planning Manager for the People Block which highlighted a number of key waste disposal issues and recommending a way forward.

RESOLVED

For the reasons set out in the report: -

That with minor amendments the recommendation be approved.

34 SEVERANCE PROVISIONS (PARAGRAPH 4)

Consideration was given to a report prepared by the Human Resources Joint Transition Project on arrangements in relation to severance provisions and the use of discretions within it for non teaching employees in the new Council.

RESOLVED

For the reasons set out in the report: -

That Council be recommended to approve the recommendations contained in the report.

35 SENIOR MANAGEMENT STRUCTURE/ORGANISATIONAL DESIGN (PARAGRAPH 4)

Consideration was given to a report by the Cheshire County Council Lead Officer on the top level management structure and organisational design of the Cheshire East Council.

RESOLVED

For the reasons set out in the report: -

That the recommendations in the report be approved and that the Joint Implementation Team be requested to develop the principles in Appendix 2.

The meeting commenced at 10.00 am and concluded at 12.00 noon

CHAIRMAN