

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 30th April, 2012 in Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor W Fitzgerald (Chairman)

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

Councillors in attendance:

Rhoda Bailey, L Brown, S Corcoran, K Edwards, I Faseyi, R Fletcher,
S Gardiner, P Groves, S Hogben, F Keegan, A Kolker, B Livesley, D Mahon,
A Moran, P Nurse, P Raynes and S Wilkinson.

Officers in attendance:

John Nicholson – Strategic Director, Places and Organisational Capacity;
Caroline Elwood – Borough Solicitor; Lisa Quinn – Director of Finance and
Business Services; Lorraine Butcher – Strategic Director of Children, Families
and Adults; and Paul Bradshaw – Head of HR and Organisational Capacity.

143 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D Brown and R Domleo.

144 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

145 **PUBLIC SPEAKING TIME/OPEN SESSION**

Alex Scott, Diocese of Shrewsbury Education Service, spoke in respect of agenda item 5 (Home to School Transport – Response to Scrutiny Review) and posed a number of questions including whether or not the Authority intended to carry out a further equality impact assessment following adoption of the scheme, how had the sustainable transport grant been spent to date and how would it be allocated in the future, and the effect the introduction of the policy with effect from September 2012 would have upon families who had based their decision on the existing transport policy; he considered that there had been a failure to regard statutory guidance and that this could result in the potential for action being taken.

Rachel White, a parent of pupils at Sir Thomas Moore, Crewe, spoke on the same subject. Referring to the report of the Scrutiny Task and Finish Group she said she was not aware of their consultations and also that she

was very concerned at the effect on children of the changes that would result from the adoption of the revised policy. In addition the alternative money saving measures mentioned in the minority Task and Finish Group report had not been fully investigated.

Charlotte Peters Rock, Knutsford Area for Knutsford Action (KAFKA), asked for a full review to be carried out regarding the current provision of social care for the elderly in Knutsford, particularly in the period since the temporary closure of Bexton Court.

146 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 2 April 2012 be approved as a correct record.

147 **KEY DECISION - HOME TO SCHOOL TRANSPORT - RESPONSE TO SCRUTINY REVIEW**

In accordance with rule 13.1 of the Scrutiny Procedure Rules, the Chairman of the Children and Families Scrutiny Committee has been consulted and has agreed to waive the call-in provisions in relation to this decision on the grounds that any delay, caused by the call-in process, would be likely to seriously prejudice the Council's or the public's interest in this matter.

The Call In process would also significantly limit the Councils ability to support schools and colleges to find suitable alternatives for September 2012. Secondly, it would significantly prejudice the public's ability to seek alternatives in terms of transport and alternative schools should they wish to change schools. Thirdly, taking into consideration that the savings resulting from the withdrawal of entitlement on the grounds of religion/faith in 2012/13 are being redirected to provide one-off funding to the affected educational establishments, any delay would prejudice the ability of those establishments to make the necessary alternative arrangements for September 2012.

Consideration was given the recommendations of the joint scrutiny Task and Finish Group, and to the recommendations of the minority report, following a review of the home to school transport policy. Following initial consideration of the matter by the Cabinet in July 2011 a joint Task and Finish Group had been established to review the potential impacts of changes on children with special educational needs, and for children currently entitled to support under the Council's denominational and post 16 transport policies.

The Portfolio Holder for Children and Family Services gave a detailed resume of the position leading to the recommendations now being

considered, including reference to the scrutiny review, the need to act equitably to the parents of pupils at both faith and non faith schools, and of the measures being put in place to provide support for young people wishing to remain in education beyond the statutory school age.

Cabinet was informed that since the report had been circulated recommendation (2) had been amended to include the wording *“this money is to be ringfenced accordingly”* at the end of the first sentence.

A number of visiting Councillors spoke on the matter and there was a wide ranging debate during which the points covered included welcoming the arrangements to be made for post 16 transport, concern that the finance available for post 16 transport would not be enough to cover their costs for a whole year; concern at the introduction of the revised policy with effect from September 2012 and the effect this could have on any parents who had made a decision regarding their child’s school based on the terms of the existing transport policy, the reliability of the figures on which the calculations had been based, and that alternative money saving measures had not been fully investigated.

In considering the recommendations now made it was requested that the additional wording regarding ringfencing should be added to recommendation (3) as well as to (2); the Portfolio Holder agreed that this could be done.

The Chairman thanked all those members who had been involved with the scrutiny review for their work and effort in carrying out an excellent review, and also all those members of the public who had attended meetings to speak on the matter. Having taken full account of the recommendations of the task group, consultation responses and of the overall the financial position it was

RESOLVED

1. That free transport will no longer be provided for children attending denominational schools through parental choice on the grounds of a parent’s religion/faith; withdrawal of which to take place for all students – whether current recipients or future applicants – from September 2012. Exceptions are to be provided for secondary-school age children from low income families attending a choice of their 3 nearest qualifying schools between 2 and 6 miles from home, or up to a maximum of 15 miles to the nearest school preferred by reason of a parent’s religion or belief, in accordance with statutory responsibilities.
2. That the savings resulting from the withdrawal of entitlement on grounds of religion/faith in 2012/13 be redirected to provide one-off funding to the affected educational establishments; this money is to be ringfenced accordingly. Each establishment will have freedom over how it uses this one-off funding to support alternative travel

options to students. It is estimated that such savings will be of the order of £150,000, which will be distributed on an equitable basis to relevant establishments.

3. That a reduced devolved grant – £375,000 a year (equating to approximately 50% of current net expenditure) - be offered to all Sixth Forms and Further Education Colleges accepting Cheshire East resident students for post 16 mainstream transport subsidies and for this money is to be ringfenced accordingly. Each Sixth Form or College will determine the basis of support to each student taking account both the needs of the students and the establishments themselves. The respective grants to be awarded on the basis of the 2011/12 data and the efficacy of this to be reviewed yearly.
4. That the Council, in full partnership and consultation with parents, carers and special schools, look at alternatives around SEN transport to improve outcomes by promoting a positive culture of independence for children, young people and families. In addition, the Council will undertake further reviews of provision such as where transport is provided by way of the Education and Inspections Act (2006) and social care transport needs.

148 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

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

149 **MANAGING WORKFORCE CHANGE**

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

RESOLVED

That Cabinet supports the decision of the Corporate Management Team to release the employees whose roles are listed as 1 to 28 in Appendix A under the arrangements agreed in relation to voluntary severance provisions for employees in the Council.

The meeting commenced at 2.00 pm and concluded at 3.05 pm

W Fitzgerald (Chairman)