

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 14th July, 2009 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor B Silvester (Vice-Chairman)

Councillors R Domleo, D Brickhill, D Brown, P Findlow, F Keegan, J Macrae
and P Mason

Councillors in attendance:

Councillors Rhoda Bailey, G Baxendale, D Bebbington, S Bentley, R
Cartlidge, D Flude, M Hollins, D Hough, O Hunter, S Jones, A Moran, B
Moran, A Richardson, C Thorley, A Thwaite, G Walton, J Weatherill and R
Westwood.

Officers in attendance:

Chief Executive, Borough Treasurer, Democratic Services Manager, Head of
HR and Organisational Development, Head of Policy and Performance, Head
of Regeneration, Legal Services Manager and Strategic Director People.

48 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A Knowles.

49 DECLARATIONS OF INTEREST

Minute 56 (Key Decision 09/10-19 Crewe Masterplanning)

Councillor R Cartlidge, declared a personal interest in this item by virtue of
being a Ward Councillor and being employed by First Engineering Ltd. In
accordance with the Constitution he remained in the meeting during
consideration of this item.

Minute 66 (Economic Development Priorities and Partnership Arrangements)

Councillors D Brown and J Macrae each declared a personal interest in
this item by virtue of being Directors of the organisation concerned. In
accordance with the Constitution they remained in the meeting during
consideration of this item.

Minute 68 (Economic Development Priorities and Partnership Arrangements)

Councillors D Brown and J Macrae each declared a personal interest in
this item by virtue of being Directors of the organisation concerned. In
accordance with the Constitution they remained in the meeting during
consideration of this item.

Councillor B Moran declared a personal and prejudicial interest by virtue of being a Director of the organisation concerned. In accordance with the Constitution he left the meeting during consideration of this item.

50 PUBLIC SPEAKING TIME/OPEN SESSION

Mr B Evans made a statement in respect of the public speaking arrangements.

Mr W Goodall asked a question on behalf of Sandbach Town Council in respect of the car park strategy and the application of uniform car park charges across Cheshire East.

Note: Details of the questions and responses are available from the Council's Democratic Services team.

51 MINUTES OF PREVIOUS MEETING

RESOLVED

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

52 KEY DECISION 09/10-02 BROKEN CROSS COMMUNITY SCHOOL CHANGE IN AGE RANGE

Consideration was given to a change in the age range at this School from 4-11 to 3-11, with effect from 1 September 2009, so as to allow the continuing operation of the maintained nursery unit.

The Portfolio Holder for Children and Family Services reported that initially the local Ward Members for Broken Cross had been consulted on this change but that this had now been extended to those for Macclesfield West as the School fell within that Ward. No objections had been raised.

RESOLVED

For the reasons set out in the report :-

1. That approval be given to the proposal to change the age range of Broken Cross Community School from 4-11 to 3-11 and to re-establish the maintained nursery unit with effect from 1 September 2009.
2. That approval be given to a permanent budget virement of £34,265 to the Individual Schools Budget from the Early Years Budget.

53 KEY DECISION 09/10-14 FREE EARLY YEARS EDUCATION AND CHILDCARE PILOT FOR TWO YEAR OLDS

Consideration was given to arrangements for the provision of free early years education and childcare to the most disadvantaged two year olds in Cheshire East from 1 September 2009.

RESOLVED

For the reasons set out in the report: -

That approval be given to the arrangements for the provision of free early years education and childcare to the most disadvantaged two year olds in Cheshire East from 1 September 2009.

54 KEY DECISION 09/10-15 EXTENSION OF FREE EARLY YEARS EDUCATION AND CHILDCARE FOR THREE AND FOUR YEAR OLDS

Approval was sought to proceed with arrangements for the delivery of the early years extended flexible free entitlement to 25% of the most disadvantaged three and four year olds in Cheshire East, from 1 September 2009.

RESOLVED

For the reasons set out in the report: -

That approval be given to proceed with arrangements for the delivery of the early years extended flexible free entitlement to 25% of the most disadvantaged three and four year olds in Cheshire East, from 1 September 2009.

55 KEY DECISION 09/10-16 TRANSFORMATION APPROACH

Consideration was given to a guiding transformational framework and integrated programme management approach for the transformation of services within Cheshire East Council, in order to achieve the sustainable improvement and efficiency savings associated with becoming a flagship authority.

RESOLVED

For the reasons set out in the report: -

That approval be given to the Transformation Framework (Appendix 1 to the report), to the outline Transformation Programme (Appendix 2 to the report), and to the next steps outlined in Section 17 of the report.

56 KEY DECISION 09/10-19 CREWE MASTERPLANNING

(Councillor R Cartlidge had declared a personal interest in this item. In accordance with the Constitution he remained in the meeting during its consideration.)

Consideration was given to the current position regarding the regeneration of Crewe, and to a proposed masterplanning process to be led by Cheshire East Council. The outcome of the work would be the development of a high level vision for Crewe and a business case for major public sector investment.

RESOLVED

For the reasons set out in the report: -

That approval be given to the overall approach to masterplanning in Crewe, and to underwrite £125,000 from balances to support the project if required.

57 KEY DECISION 09/10-20 LYCEUM SQUARE, CREWE

Approval was sought to enter into a contract with the North West Development Agency to deliver the refurbishment of Lyceum Square which was considered to be a key component of the wider regeneration of Crewe town centre.

RESOLVED

For the reasons set out in the report: -

That approval be given to enter into a contract with the North West Development Agency for up to £1.1 million to deliver the refurbishment of Lyceum Square, Crewe, subject to the approval of external funding by the Development Agency on the basis that the project complements the wider generation aspirations for Crewe.

58 BUSINESS AND FINANCIAL PLANNING 2010 - 2013 INCORPORATING KEY DECISION 09/10-04 CAPITAL STRATEGY

Consideration was given to the approach to corporate, business and financial planning for 2010 and beyond. The report included proposals to develop a Medium Term Financial Strategy, a budget planning process, and requested approval of the Capital Strategy for 2010-2013.

The Portfolio Holder for Finance informed the Cabinet that at its meeting on 13 July 2009 the Corporate Scrutiny Committee had considered the Medium Term Financial Strategy and its recommendations had been circulated to the Cabinet Members. It was confirmed that these had been noted and would be taken into account.

RESOLVED

For the reasons set out in the report: -

1. That the Medium Term Financial Strategy for 2010–13 be approved, and specifically that
 - a) the issues raised in the review of last year, set out in Appendix A to the report, be noted;
 - b) the financial process, set out in Appendix B to the report, be operated for a three year period and reviewed annually;
 - c) a four stage process be operated for budget setting for the Revenue Budget and the Dedicated Schools Grant, set out in Appendix B to the report;
 - d) the key planning assumptions, set out in Appendix C to the report, be agreed as the basis for scenario planning;
 - e) the current financial scenario treatment of the funding gap and allocation to departments, set out in Appendix D to the report, be agreed;
 - f) the issues raised in Appendix E to the report (Suggested Improvements to the Process) be approved;
 - g) the budget setting timetable for 2010-2013, set out in Appendix G to the report, be approved.

2. That approval be given to the Capital Strategy 2009-13, set out in Appendix F to the report.

59 CALL IN OF KEY DECISION 09/10-10 CAR PARKING CONTROL AND CHARGING IN THE AREA OF THE FORMER BOROUGH OF CONGLETON

At its meeting on 8 July 2009 the Environment and Prosperity Scrutiny Committee had considered the call in of this decision, made by the Cabinet at its meeting on 16 June 2009. The resolution of the Cabinet at that meeting was that : -

(1) Subject to the Borough Solicitor taking action to remove any legal impediments regarding the affected landholdings, the list of car parks to be subject to control and charging be approved;

(2) the scale of parking charges and the controlled hours which are proposed as 8am to 6pm Monday to Saturday be approved;

(3) the Borough Solicitor, or his nominated officer, be authorised to advertise the intention to make an off-street car parking order in respect of car parks in the former Congleton Borough (as set out in the report) pursuant to the Road Traffic Regulation Act 1984. Following advertisement, the proposal be subject to the statutory 21 day consultation period during which objections may be submitted, any such objections to be considered by the Cabinet at a subsequent meeting; and

(4) in the event of there being no objections to the proposed order received within the consultation period, the Borough Solicitor or any officer nominated by him be authorised to take all necessary actions to make the order.

Cabinet considered the advice put forward by the Environment and Prosperity Scrutiny Committee and also that contained in an update report prepared by the Strategic Director (Places) which provided a commentary on that advice, an appendix listing a revised schedule of car parks in the former Congleton Borough area, and an appendix detailing the proposed harmonised tariffs in tariff bands.

Cabinet resolved to confirm its decision of 16 June subject to amendments.

RESOLVED

1. That the Cabinet decision of 16 June 2009 be confirmed as amended by the following:
 - a) That the consultation period be extended from 21 to 35 days.
 - b) That the revised list of car parks, shown in Appendix 1 to the update report be approved.
 - c) That approval be given to the approach to the harmonisation of tariffs and the tariff bands in Appendix 2 of the update report but that it be noted that these would not be introduced until 2010/2011, and that these would form part of the budget consultation process.
2. That it be noted that the consultation to be initiated at this stage would not include Scotch Common, Sandbach, due to legal impediments that had not been removed, and that any proposals for those car parks would be consulted upon if and when such impediments were removed.

60 **JOINTNESS BETWEEN THE COUNCIL AND THE PRIMARY CARE TRUST**

Consideration was given work carried out to promote greater jointness between Cheshire East Council and the Central and Eastern Cheshire Primary Care Trust, and to a programme of further work.

RESOLVED

For the reasons set out in the report: -

1. That the Council should seek to achieve greater jointness between itself and Central and Eastern Cheshire Primary Care Trust and other players within the local NHS, where such jointness seems likely to be in the best interests of Cheshire East people.

2. That the Strategic Director (People) be authorised to negotiate with relevant NHS partners about the agenda of Jointness which is set out in Appendix 1 to the report.
3. That the Strategic Director (People) be required to report to the Health and Adult Social Care Scrutiny Committee on the progress of those negotiations, and to bring before the Cabinet any matters requiring significant decisions.

Councillor R Domleo left the meeting after consideration of this item and did not return.

61 LIFELONG LEARNING/ADULT AND COMMUNITY LEARNING GRANT

Cabinet was requested to approve a Supplementary Revenue Estimate for £814.823 to be fully funded by Adult Learning Grant from the Learning and Skills Council. It was noted that this was a regular grant received by the Local Authority but that it had not been included when settling the Cheshire East Children's Budget.

RESOLVED

For the reasons set out in the report: -

That approval be given to accept funds from the Learning and Skills Council, available up to 31 July 2010.

62 RISK MANAGEMENT AND BUSINESS CONTINUITY STRATEGIES

Consideration was given to the Risk Management and Business Continuity Strategies; this included a suggested framework and summarised roles and responsibilities.

The Portfolio Holder for Performance and Capacity reported that following consideration of a suggestion made by the Governance and Constitution Committee it was now proposed that he be included as a member of the Corporate Risk Management Group.

RESOLVED

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

1. That the Risk Management and Business Continuity Strategies, including the content of the appendices to the report, be approved.
2. That the Portfolio Holder for Performance and Capacity be included as a member of the Corporate Risk Management Group.

63 TOWN TWINNING ARRANGEMENTS

Consideration was given to the twinning arrangements of the four demised councils now within Cheshire East Council, and to the options available to the new authority on how it might approach twinning in the future.

The Portfolio Holder for Performance and Capacity reported that since the agenda had been circulated further consideration had been given to the request for grant assistance from Macclesfield Male Voice Choir and it was now proposed that he determine the request.

RESOLVED

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

1. That the Portfolio Holder for Performance and Capacity after appropriate consultation be requested to advise Cabinet further as to: -

- whether to administer all twinning directly by Council officers or through a twinning association(s) to which financial support is given;
- whether new twinning links appropriate to the size and profile of the Council should be developed and mechanisms for that ; and
- whether the continuation of existing international and twinning links should be supported by the Council in the future.

2. That the request for a grant from Macclesfield Male Voice Choir be determined by the Portfolio Holder for Performance and Capacity.

64 OUTSIDE ORGANISATIONS - NORTH WEST EMPLOYERS ORGANISATION

Consideration was given to Member representation on the North West Employers Organisation. In order to accord with the constitutional requirements of that organisation it was necessary to change the number of representatives from three to one.

RESOLVED

For the reasons set out in the report: -

That Councillor F Keegan be confirmed as the Council's representative on the North West Employers Organisation, and that this appointment supersede those that made by the Cabinet at its meeting on 3 March 2009.

65 PUBLIC AND MEMBER QUESTIONS AND STATEMENTS AT MEETINGS

Consideration was given to reviewing the arrangements for public and Member questions and speaking at meetings. Cabinet was requested to

make its recommendations to the Governance and Constitution Committee which would then consider what constitutional change recommendations it might wish to make to Council.

RESOLVED

For the reasons set out in the report: -

That the Governance and Constitution Committee be informed that the views of the Cabinet in relation to Public and member questions are as follows:

1. That the existing Planning and Licensing Protocols which override the member and public speaking and questioning provisions that apply to other committees, should be retained;
2. That the facility to allow questions by Members of the Public at meetings of Overview and Scrutiny Committees should be removed, but a period of 15 minutes be provided at the beginning of meetings to allow members of the Public to make a statement(s) on any matter that falls within the remit of the relevant committee, subject to individual speakers being restricted to 5 minutes each;
3. That whilst acknowledging that Planning and Licensing Committees have separate arrangements in place for public involvement, in all other cases, members of the Public should provide 3 clear working days notice, in writing, if they wish to ask a question at any other decision making meeting, in order for an informed answer to be given, but they should not be required to give notice of intention to make use of public speaking provision (although as a matter of courtesy, a period of 24 hours notice should be encouraged);
4. That members of the Council should, in accordance with the current rules, be required to provide 3 clear working days notice in writing if they wish to ask a question at a full Council meeting or Cabinet in order for an informed answer to be given;
5. That the existing provisions of the constitution relating to the way in which questions may be answered be preserved.

66 ECONOMIC DEVELOPMENT PRIORITIES AND PARTNERSHIP ARRANGEMENTS

(Councillors D Brown and J Macrae had each declared a personal interest in this item. In accordance with the Constitution they remained in the meeting during its consideration.)

Consideration was given to developing a comprehensive economic strategy for Cheshire East. The report detailed the proposed approach to developing the strategy, and to its delivery arrangements.

RESOLVED

For the reasons set out in the report: -

That approval be given to the development of an Economic Development Strategy for Cheshire East as set out in the report.

67 EXCLUSION OF THE PRESS AND PUBLIC

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 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.

68 ECONOMIC DEVELOPMENT PRIORITIES AND PARTNERSHIP ARRANGEMENTS

Councillors D Brown and J Macrae had declared personal interests in this item. In accordance with the Constitution they remained in the meeting during its consideration. Councillor B Moran had declared a personal and prejudicial interest. In accordance with the Constitution he left the meeting during its consideration.)

The report considered earlier on the agenda (Minute 65 refers) outlined a proposed approach to developing a comprehensive economic development strategy for Cheshire East. Consideration was now given to how the Council would deliver economic development and tourism activities across Cheshire East.

RESOLVED

For the reasons set out in the report: -

That approval be given to the recommendations set out in the report.

69 FUTURE USE OF COUNTY HALL

Consideration was given to the future use of County Hall. Following the circulation of the agenda the outstanding information awaited had been received and circulated to the Cabinet.

RESOLVED

1. That Members agree in principle that there may be merit in the sale of County Hall. However, considerable further effort needs to be made in order to satisfy them that their obligation under Section 123 of the Local Government Act 1972 will be met if the current offer is accepted.
2. In order to progress the sale Members consider that it may be necessary to market the property, in accordance with an approved development brief, in order to be satisfied in relation to their legal obligations under Section 123. In order to assist Members officers are asked to secure detailed advice about the timing of a sale.

The meeting commenced at 2.00 pm and concluded at 4.50 pm

W Fitzgerald (Chairman)