

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 29th September, 2015 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Jones (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors A Arnold, Rachel Bailey, J Clowes, J P Findlow, L Gilbert,
P Groves and D Stockton

Members in Attendance

Councillors Rhoda Bailey, G Baxendale, S Corcoran, T Dean, S Edgar,
I Faseyi, R Fletcher, D Flude, S Gardner, M Grant, G Hayes, R Menlove,
A Moran, B Moran, S Pochin, J Saunders, M Warren and G Williams

Officers in Attendance

Mike Suarez, P Bates, Heather Grimbaldston, Anita Bradley, Brenda Smith,
Kath O'Dwyer, Stephanie Cordon, J Cobley and Julie Zientek

Apologies

There were no apologies for absence.

The Leader reported on his recent visit to China and remarked on the scale of opportunity. The Leader also reported that there would be a cross-party review of transparency. In addition, consideration would be given to the introduction of the government's policy of apprentices being 1% of all staff.

Kath O'Dwyer, Director of Children's Services, was welcomed to her first meeting, and commiserations were extended to Councillor R Fletcher on the recent loss of his wife.

30 DECLARATIONS OF INTEREST

In relation to item 7 (Treasury Management Annual Report 2014/15), Councillor J P Findlow declared a non-pecuniary interest as an LGA-nominated, non-remunerated member of the LAMIT Board.

In relation to item 8 (Agency Worker Contract Procurement), Councillor D Brown declared that he was a CoSocius shareholder.

31 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

32 QUESTIONS TO CABINET MEMBERS

Councillor D Flude welcomed Councillor J P Findlow's declaration of interest and requested the Monitoring Officer to ensure that the interests of all Councillors were declared and recorded on the Council's website.

Councillor S Corcoran referred to a moped rider who had falsely claimed that a pothole had caused him to fall off his moped and had sued Halton Brough Council for compensation. The rider had been successfully prosecuted for contempt of court, and Councillor Corcoran asked what action Cheshire East Council had taken against claimants who made false claims. The Leader undertook to provide a written reply to the question.

Councillor M Warren referred to the regeneration of Macclesfield and commented that the media release had lacked detail. The Leader responded that a briefing would be held for local Members

Councillor G Williams referred to a building on the outskirts of Congleton that was unsightly and in a dangerous condition. The Leader replied that a delegated decision would be taken to use the Council's powers to issue an urgent works notice on the owners of Bosman's Mill. Surveys had been carried out that revealed that the building's condition was worse than expected. Urgent works were required to halt the decline and protect the public.

Councillor A Moran asked why the Chinese had been asked to invest in HS2, rather than building it ourselves. Councillor M Grant asked if the Chinese would own HS2 if they built it. The Leader replied that whether they would be carrying out the works via local companies or getting a return from an investment, it would still mean, in his view, that ownership would always be in the hands of the people.

33 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 21st July 2015 be approved as a correct record, subject to the first paragraph of Minute 21 being amended to read: 'Cabinet noted the report on the Anti-Social Behaviour Crime and Policing Act 2014, which had been considered by the Cabinet Member for Communities at a meeting on 20 July 2015.'

34 FIRST QUARTER REVIEW OF PERFORMANCE 2015/16

Cabinet considered a report on the first quarter review of performance 2015/16, including supplementary capital estimates and virements.

The report set out the Council's financial and non-financial performance at the first quarter stage of 2015/16 and highlighted the latest progress

towards achieving the Council's Residents First Outcomes as described in the Council's three year plan 2013 to 2016. The first quarter review showed how the Council was continuing to build on the positions achieved in the last two years, which demonstrated that the overall financial health, performance, resilience and value for money at Cheshire East Council was strong.

Annex 1 to the report set out further details and was structured into three sections:

- Section 1 - Summary of Council Performance
- Section 2 - Financial Stability
- Section 3 - Workforce Development

RESOLVED

That

1. Cabinet notes the report on the 2015/16 first quarter review of performance in relation to the following issues:
 - the summary of performance against the Council's 5 Residents First Outcomes (Section 1 of the report);
 - the projected service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);
 - the delivery of the overall capital programme (Section 2, paragraphs 170 to 179 and Appendix 4);
 - fully funded supplementary capital estimates and virements up to £250,000 approved in accordance with Finance Procedure Rules (Appendix 5);
 - changes to Capital Budgets made in accordance with the Finance Procedure Rules (Appendix 8);
 - treasury management investments and performance (Appendix 9);
 - management of invoiced debt (Appendix 11);
 - use of earmarked reserves (Appendix 12); and
 - update on workforce development and staffing (Section 3).
2. Cabinet approves:
 - fully funded supplementary capital estimates and virements above £250,000 in accordance with Finance Procedure Rules (Appendix 6); and
 - supplementary revenue estimates to be funded by additional specific grant (Appendix 10).
3. Cabinet recommends that Council approve:
 - fully funded supplementary capital estimates and virements above £1,000,000 in accordance with Finance Procedure Rules (Appendix 7); and

- the establishment of a new earmarked reserve for Early Intervention Initiatives by a transfer of £0.5m from general balances (Section 2, paragraph 197)

35 TREASURY MANAGEMENT ANNUAL REPORT 2014/15

Cabinet considered the Treasury Management Annual report for 2014/15.

The Annual Report was detailed in Appendix A and covered:

- The Council's capital expenditure and financing during the year;
- The impact of this activity on the Council's underlying Capital Financing Requirement (CFR);
- The Treasury position at 31st March 2015;
- Economic factors;
- Detailed investment and debt activity; and
- Reporting of the required prudential and treasury indicators.

RESOLVED

That the Treasury Management Annual Report for 2014/15 as detailed in Appendix A to the report be noted.

36 AGENCY WORKER CONTRACT PROCUREMENT

Cabinet considered a report on arrangements for the retendering of the agency worker contract on a collaborative basis with Cheshire West and Chester Council, ANSA and CoSocius.

Sourcing agency workers through a single managed service provider ensured value for money, that procurement processes were compliant and streamlined, invoices were consolidated in one bill to the Council, appropriate governance and control was in place and there was active management of the contract and total spend.

It was anticipated that the award of the contract would be made in December 2015 to enable a smooth transition and the new contract to commence on 1st April 2016.

RESOLVED

That delegated authority be granted to the Portfolio Holder for Performance and the Chief Operating Officer to award the contract following a competitive tender exercise and to take all necessary actions to implement the new contract.

37 RECYCLING OF FOOD WASTE THROUGH ANAEROBIC DIGESTION

Cabinet considered a report on the development of a dry anaerobic digestion plant.

The development of a Dry Anaerobic Digestion (AD) plant would allow the cost-effective recycling of food waste collected in the existing garden waste bin. Food waste recycling through Anaerobic Digestion would increase recycling rates, reduce landfill costs and reduce the environmental impacts of landfill, including greenhouse gas emissions. Dry AD processing could create an income stream through the sale of energy, either to the grid or directly to an industrial energy user, and provide a saleable compost which could be used to improve soil as a by-product of the process. A Dry AD facility could cover the processing costs of dealing with food and garden waste which were estimated to amount to a £31million saving over the lifetime of the plant.

The procedure proposed in the report was expected to result in the delivery a Dry AD plant on a specified site by December 2017.

RESOLVED

That

1. delegated authority be granted to the Portfolio Holder and Chief Operating Officer to carry out market engagement, undertake a procurement process to identify and appoint a joint venture partner, the intention being to enter into a contract with the preferred bidder, who will, on the basis of a detailed business case, finance, design, build and operate the facility whilst continuing to explore all other options; and
2. further Cabinet approval be sought to enter into a contract with the preferred bidder following either a competitive dialogue or competitive procedure with negotiation procurement route.

38 INTEGRATED LIFESTYLE AND WELLNESS SUPPORT SYSTEM

Cabinet considered a report on a short and medium term approach to securing integrated lifestyle and wellness support services for the residents of Cheshire East.

the report presented a programme of targeted early and universal interventions aimed at supporting residents to change their lifestyle. The focus of the programme was on reducing the impact of premature death and disability for children, families and communities. The programme would deliver support to change behaviour including smoking, nutrition, diet, physical activity and positive sexual health choices.

Further details were set out in the report.

RESOLVED

That

1. the report, setting out the short and medium term approach to securing an integrated lifestyle and wellness support service for local residents, be noted;
2. the programme be developed collaboratively with the 'community hubs' team and the Directors of Adults, Children's services and Communities. For both phase 1 and phase 2, the procurement process and the decision making panels to include full representation from the communities involved as well as the Directors of Adults, Children and Communities (or their nominated representatives);
3. delegated authority be granted to the Portfolio Holder for Adults, Health and Leisure and the Portfolio Holder for Children and Families, and the Director of Public Health, and to the Chief Operating Officer to:
 - a. undertake the award of grant funding for Phase 1

and
 - b. undertake the procurement and award of contracts to successful providers under Phase 2 for the integrated lifestyle and wellness support service.

39 PETER MASON LEISURE CENTRE REDEVELOPMENT UPDATE

Cabinet considered a progress report on the redevelopment of the leisure centre in Congleton.

Members were asked to note the change in name of the leisure centre, which would now be known as the Peter Mason Leisure Centre.

The report sought approval of the appropriate works to assess the viability of refurbishing the existing swimming pool in order to achieve best value for money and maximise both the wet and dry leisure offer for Congleton. Cabinet would receive a further report by December on the outcome of the work outlined in the report, which would form the basis of the proposal for the redevelopment of the leisure centre.

RESOLVED

That Cabinet

1. Cabinet notes the renaming of the facility to 'Peter Mason Leisure Centre' and that the appropriate signage is being arranged;

2. Cabinet approves the appropriate works to assess the viability of refurbishing the existing swimming pool in order to achieve best value for money, and to maximise both the wet and dry leisure offer for Congleton;
3. Cabinet notes that a further report will be received by December 2015 on the outcome of the work outlined in paragraph 2.2 of the report (primarily a full pool condition survey) and to form the proposal for the redevelopment of the Peter Mason Leisure Centre;
4. Cabinet notes
 - a. the progress in terms of the 'work packages' currently being undertaken and the timeliness for their completion during the month of October 2015;
 - b. that this will then inform the programme for the full feasibility and options appraisal as outlined in paragraph 2.3 of the report.
 - c. that a range of works and surveys are currently being undertaken in support of a future planning application, including:
 - Ground surveys (desktop and intrusive)
 - Flood risk assessment and Sustainable Urban Drainage System (SUDS)
 - Topographical survey
 - Existing measured building survey
 - Ecological habitat survey (bats etc.)
 - Up to date asbestos survey of existing building
 - Up to date conditions survey of existing building
 - Transport assessment and travel plan (Jacobs)
5. Cabinet notes that it will be asked to endorse the most effective financial model identified and the detailed business case.

40 CREWE TOWN CENTRE ROYAL ARCADE REDEVELOPMENT SCHEME

Cabinet considered a report on the procurement of a development partner for the redevelopment of all or part of the Royal Arcade site in Crewe Town Centre, and the process to be followed.

It was evident that Crewe town centre was under-performing and there was a strong appetite for a major new development scheme in the town centre. Having considered the alternative delivery options referred to in paragraph 3.2 and detailed in Appendix 1 of the report, the recommended approach was to procure a development partner through an OJEU-compliant process to deliver a leisure-led, mixed-use redevelopment scheme. Further details were set out in the report.

RESOLVED

That Cabinet

1. approves the procurement of a development partner for the redevelopment of all or part of the Royal Arcade site, authorising officers to take all necessary actions to facilitate and secure the identification of a preferred development partner, including the use of existing budgets; the procurement process to comply with the Public Contract Regulations 2015 (the Regulations);
2. delegates authority to the Portfolio Holder for Regeneration and Assets, in consultation with the Portfolio Holder for Finance and Assets, the Executive Director for Economic Growth and Prosperity, Chief Operating Officer and Head of Legal Services to determine the mechanism for selection of a preferred development partner and scheme, to commence this process and to continue this through to the identification of a preferred development partner;
3. requests that a final decision on the appointment of a development partner and scheme be brought back to Cabinet prior to any contractual commitments being made; and
4. endorses the creation of a new Stakeholder Panel to support and promote the regeneration of Crewe town centre, including the appointment an independent Chairman.

41 COUNCIL SUPPORT FOR CHESHIRE NEIGHBOURS CREDIT UNION

Cabinet considered a report on future financial support for the Cheshire Neighbours Credit Union.

In 2014, the Cabinet had agreed to provide financial support to the Credit Union in the sum of 60,000 in order to ensure its financial sustainability. Significant support of a practical nature had also been provided as detailed in the report.

The Jobs, Regeneration and Assets Overview and Scrutiny Committee had recently considered a report on the ongoing needs of the Credit Union, and had asked that further consideration be given to how the Council might support the Credit Union in its continued operation. The Cabinet report proposed that further financial support in the sum of £60,000 be paid to the Credit Union, subject to appropriate conditions, which would seek to ensure the Credit Union's financial stability into the future and improvements in its business operations.

RESOLVED

That Cabinet agrees the payment of £60,000 to Cheshire Neighbours Credit Union, subject to specific conditions as determined by the Chief

Operating Officer in consultation with the Leader and the Portfolio Holder for Finance and Assets in respect of the use of the money, the ongoing financial stability of the Credit Union, and its continued business operations, such conditions to include those which will seek to ensure:

- a. Broader use of the Credit Union by Cheshire East Council staff and its partners;
- b. The strengthening of the Credit Union Board, by the introduction of those with legal and accountancy experience, and the involvement of Cheshire East Council officer support where appropriate;
- c. That work commences without delay in order to secure appropriate collaboration of the Cheshire East Neighbour's Credit Union, with other Credit Union(s) as appropriate.
- d. That no further financial support is provided to the Credit Union; the £60,000 being provided in 2015/16 to ensure financial sustainability - and if this is not possible, the CNCU to support residents to make alternative arrangements.
- e. That regular performance management information be provided on progress on all of the above.

42 POLICY FOR THE SUPPORT TO INFRASTRUCTURE ORGANISATIONS FOR 2015/16

Cabinet considered a policy for support to infrastructure organisations to assist the voluntary, community and faith sector and town and parish councils to develop and thrive. The report outlined a recommended approach to providing support from year 2016/17.

RESOLVED

That the policy for the support to infrastructure organisations as set out in the report be approved and adopted and the funding grants to the organisations listed in paragraph 4.3 of the report be approved.

The meeting commenced at 2.00 pm and concluded at 3.20 pm

Councillor M Jones (Chairman)