

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 11th April, 2017 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor Rachel Bailey (Chairman)  
Councillor D Brown (Vice-Chairman)

Councillors P Bates, J Clowes, L Durham, J P Findlow and D Stockton

## **Members in Attendance**

Councillors C Andrew, Rhoda Bailey, S Edgar, D Flude, M Grant, G Hayes, N Mannion, A Moran, M Parsons, J Saunders, M Warren and G Williams

## **Officers in Attendance**

Kath O'Dwyer, Mark Palethorpe, Nigel Moorhouse, Andrew Ross, Mark Wheelton, Ralph Kemp, Suzanne Antrobus, Lucia Scally and Paul Mountford

## **Apologies**

Councillors A Arnold and P Groves

## 117 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

## 118 **PUBLIC SPEAKING TIME/OPEN SESSION**

The Chairman welcomed Will Bloor, the Head of Sandbach School, and Sarah Burns, Head Teacher of Sandbach School. Will had taken part in a demonstration in Sandbach against the Government's proposals for schools funding in Cheshire East, and had been invited to address the Cabinet. Will spoke about how the opportunities provided by the school had changed his life and turned him into a confident young man. He stressed the importance of fairer funding for schools in Cheshire East and the need for schools to provide a fully rounded education and not just adequate training. In this respect, he felt that the Government's education policy in Cheshire East was fundamentally wrong. He thanked Cabinet for giving him the opportunity to speak at the meeting on behalf of the children of Cheshire East.

The Leader commented that she and others had met the Minister for Education in early January to discuss the issue of school funding. The consultation period had now ended and the outcome was awaited. With the permission of Will Bloor and Sarah Burns, she would write again to the Minister to say that Will had attended today's Cabinet meeting and had

spoken eloquently on fairer funding and the value of a rounded education. The Deputy Leader suggested that a copy of Will's speech could be appended to the letter.

Sue Helliwell referred to local authorities' responsibilities towards town centres as set out in the NPPF and asked if the Council would resurface the car park behind the parade of shops in Sandbach Road South, Alsager. The Deputy Leader and Portfolio Holder for Highways and Infrastructure responded that the maintenance of Council-owned/managed Car Parks was based on an Asset Management approach which sought to ensure the right treatment at the right time. Whilst Fairview Car Park was not currently scheduled for re-surfacing, the Council would keep the car park surface in a safe and serviceable condition. The car park would be monitored on a six-monthly basis and Sue Helliwell would be notified of any proposed works.

Cllr Jonathan Parry, Middlewich Town Council, commented that in five years the proposed Middlewich bypass had gone from a 'shovel ready' project to one that was now requiring significant additional investment and a fresh process of consultation and planning. He asked what contingencies there were to ensure that the road would be in place by 2020 if the request to the government was unsuccessful. He also asked if a weight limit would be introduced on Lewin Street in conjunction with the bypass opening to ensure the use of the new bypass. The Deputy Leader and Portfolio Holder for Highways and Infrastructure said that he would respond under consideration of the agenda item and would provide the questioner with a written copy of his response.

There were a number of other speakers who wished to speak in relation to specific items on the agenda and the Chairman agreed to allow them to speak when the items were considered.

## 119      **QUESTIONS TO CABINET MEMBERS**

Councillor N Mannion asked for an update on the Council's pilot schemes in Crewe and Macclesfield in relation to the problem of verge parking. He also referred to a Local Government Association proposal that the powers of the London Boroughs in relation to dangerous and anti-social parking should be extended to the highway network outside Greater London. He asked for the Portfolio Holder's views on the matter. The Deputy Leader and Portfolio Holder for Highways and Infrastructure responded that the highways and parking team were currently examining suitable sites for the pilot schemes and were considering alternative solutions for addressing verge parking. He also welcomed the proposal by the LGA and was prepared to consider incorporating appropriate measures into the Council's policies. He undertook to give a further update at the next Cabinet meeting.

Councillor D Flude asked for confirmation that discussions were taking place between Cheshire East Council and the Police and Fire Services

about new stations in Crewe. The Portfolio Holder for Communities and Health confirmed that discussions had taken place with the Police regarding Crewe, but not the Fire Service.

Councillor Flude also asked a question on behalf of Councillor L Jeuda who had been unable to attend the meeting. It concerned a report by Independent Age which found that seven of the eight worst local authorities for care home quality in England were in the north-west. She asked the Portfolio Holder to comment on the position in Cheshire East. The Portfolio Holder for Adult Care and Integration responded that Cheshire East was one of the better performing authorities in the north-west. She was awaiting the authority specific report by Independent Age and would study it carefully. She undertook to give an update to a future meeting.

## 120 **MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 14<sup>th</sup> March 2017 be approved as a correct record.

In relation to Minute 109 and a question raised by Councillor N Mannion regarding the Council's policy on the use of its land for hunting, the Portfolio Holder for Adult Care and Integration reported that the Council did have a policy on hunting and did not support hunting on its land. She undertook to let Councillor Mannion know where he could find the Council's policy.

## 121 **CHILD SEXUAL EXPLOITATION (CSE) TASK AND FINISH GROUP**

Cabinet considered the report of the Child Sexual Exploitation Task and Finish Group, its findings, conclusions and recommendations.

Councillor Rhoda Bailey, Chairman of the Task and Finish Group, spoke in relation to the report. She also acknowledged the contribution of the Group's former chairman, the late Councillor Phil Hoyland.

### **RESOLVED**

That

1. the Task and Finish Group's report be received; and
2. a response be made to the Task and Finish Group's recommendations as set out in the report.

122

## **SYRIAN VULNERABLE PERSON RELOCATION AND UNACCOMPANIED ASYLUM SEEKING CHILDREN UPDATE**

Cabinet considered an update report on the work carried out by the Council and its partners to welcome refugee families under the Syrian Vulnerable Person Relocation (SPVR) programme and the Unaccompanied Asylum Seeking Children (UASC) programme. The Council had agreed in September 2016 to welcome up to five refugee families to Cheshire East and this had been achieved.

At the Chairman's invitation, the Reverend Helen Byrne and Judith Mayer of Refugees Welcome outlined the work they had done in partnership with the Council and others with regard to the refugee families in Cheshire East. They felt that the partnership had worked well and thanked those Council officers who had been involved. They asked that the Council leave its doors open to the possibility of welcoming more families in due course but for now thanked the Council for enabling the programme to become a reality.

### **RESOLVED**

That

1. the contents of the report be noted and the actions that have already taken place regarding UASC and SVPR be endorsed;
2. further requests of assistance from either the Home Office or the NW Strategic Migration Partnership be responded to appropriately, having due regard to the wider demands on services, the allocation of resources and the overall regional picture, by the respective officer leads: the Strategic Director of Adult Social Care and Health and the Director of Children's Social Care for UASC in conjunction with the Cabinet Members for Communities and Health and Children and Families; and
3. the work of partners, especially the faith community and local providers of UASC support, be recognised and appreciated by the Council.

123

## **CONNECTING COMMUNITIES - CONNECTED TO VOLUNTARY, COMMUNITY AND FAITH SECTOR**

Cabinet considered a report on how the Council planned to connect with the Voluntary, Community and Faith sector across Cheshire East. The aim was to ensure that the VCF sector had a voice and could influence what the Council did, and to support the sector to work with the Council to deliver services and activities to vulnerable and deprived communities.

At the Chairman's invitation, Roger Millns of Audlem and District Community Action, who was present with three colleagues, outlined the work of the charitable trust in providing welfare support and social activity

for older people who may be vulnerable or socially isolated. He stressed the importance of having an effective commissioning framework in place for the VCF sector.

## **RESOLVED**

That Cabinet

1. notes that following a competitive process, a contract for VCF Infrastructure support has been awarded to Cheshire East Council for Voluntary Service (CVS) for a term of three years commencing on 1 April 2017;
2. agrees to the development of a VCF Commissioning Framework which will be formalised following consultation and will be presented to Cabinet for final approval prior to implementation in September 2017;
3. agrees to the VCF Commissioning framework being embedded into the delivery of commissioning frameworks across the Council;
4. agrees to the promotion of the benefits of volunteering and the VCF sector and the recognition of the value it plays in building resilient communities; and
5. commits to working with the VCF sector and listening to their views about the needs of communities, especially protected characteristics to influence service provision.

## 124 **MIDDLEWICH EASTERN BYPASS**

Cabinet considered the Outline Business Case for Middlewich Eastern Bypass for submission to the Department for Transport.

In response to the question asked by Middlewich Town Councillor Jonathan Parry during public speaking time, the Deputy Leader and Portfolio Holder for Highways and Infrastructure commented that due to a continued lack of progress with the scheme the Council had taken control of the delivery of the bypass in 2015 and had since undertaken an intense programme of works, making significant progress. The approach had been supported by a successful bid for DfT funding. The outline business case demonstrated that the new scheme represented high value for money. With regard to Lewin Street, the Portfolio Holder was prepared to consider a weight restriction when the bypass was open.

## **RESOLVED**

That Cabinet

1. notes and endorses the submission of the Outline Business Case for Middlewich Eastern Bypass to the Department for Transport;

2. agrees that the Outline Business Case demonstrates that the proposed scheme (Preferred Option) fulfils the strategic objectives of the bypass, and that these can reasonably be considered to be affordable, achievable and value-for-money at this stage of project development;
3. authorises the Executive Director of Place, in consultation with the Portfolio Holder for Highways & Infrastructure, to make all necessary arrangements for the preparation of a Planning Application for the preferred route option, it being anticipated that this application will be submitted to the Planning Authority towards the end of 2017;
4. authorises the Executive Director of Place, in consultation with the Chief Operating Officer (Section 151 officer) and the Portfolio Holder for Highways & Infrastructure, to agree a funding strategy for the project, especially the local funding contributions, in accordance with the funding requirements set out in the report; and
5. notes that future reports will be received on the outcome of the bid for grant funding from DfT and the submission of a planning application for the project.

125      **SYDNEY ROAD REPLACEMENT BRIDGE**

Cabinet considered a report on accommodation works required to enable the delivery of Sydney Road Replacement Bridge.

**RESOLVED**

That

1. the Executive Director of Place be authorised, in consultation with the Director of Legal Services, in advance of the determination of the planning application to:
  - (a) negotiate and approve the terms of an agreement with Scottish Power to undertake the design and delivery for the diversion of the 132KV power cable;
  - (b) negotiate and approve the terms of an agreement with statutory undertakers to divert their services to enable the construction of the replacement bridge; and
  - (c) negotiate and approve the terms of an agreement with Network Rail Infrastructure Projects (NRIP) to undertake accommodation works, advance works to include the cable diversion route and Overhead Line Equipment (OLE) modifications to enable the replacement of the bridge structure; and

2. the Director of Legal Services be authorised to execute all necessary legal documents to give effect to the above agreements.

126 **CREWE GREEN ROUNDABOUT IMPROVEMENTS - INCREASE TO FUNDING PROVISION**

Cabinet considered a report on progress with the pre-construction phase of the Crewe Green Roundabout improvements scheme and an update on the estimated scheme cost. The report sought approval to vary the budget for the scheme and to proceed with the procurement process.

**RESOLVED**

That

1. Council be recommended to approve a supplementary capital estimate of £2.5m (intended to be partially funded by the Council's award through the National Productivity Investment Fund) to meet the forecast cost of the scheme;
2. the total budget for the scheme costs (including risk) as outlined in the Project Funding Table shown at Appendix 1 be approved;
3. the Executive Director of Place be authorised, in consultation with the Portfolio Holder for Highways and Infrastructure, to enter into the construction phase of the works; and
4. the Executive Director of Place be authorised, in consultation with the Portfolio Holder for Highways and Infrastructure, to proceed with all necessary technical work, including finalising detailed design and agreement of a final target cost for the works, land assembly, investigation and conduct of diversions of statutory undertakers' apparatus to enable the highway works to be delivered.

127 **HIGHWAY SERVICE CONTRACT PROCUREMENT**

Cabinet considered a report on the proposed procurement strategy for the next Highway Services Contract.

The Deputy Leader and Portfolio Holder for Highways and Infrastructure reported that the Corporate Overview and Scrutiny Committee had considered the report at its meeting on 6<sup>th</sup> April 2017 and had resolved that the report be received and that the work undertaken so far in respect of the procurement of the new Highway Service Contract be supported.

At the Chairman's invitation, Councillor G Williams spoke about the work of the cross party member panel appointed to make recommendations to the Portfolio Holder on priorities for the contract.

## **RESOLVED**

That

1. the Strategic Aims and Contract Objectives for the next Highway Services Contract as set out in Section 4.3 and 4.4 of the report be approved;
2. the Procurement Strategy for the next Highway Service Contract be approved to include:
  - An Integrated Services Contract model.
  - A full 15 year contract period with a pre-defined mid-term break clause (Year 8) linked to the performance framework and an upper limit on individual schemes through the Contract of £5M.
  - A Competitive Procedure with Negotiation as the procurement route.
3. it be noted that all the recommendations have been informed by the cross-party Member Panel and the procurement route by Corporate Overview and Scrutiny Committee;
4. the Executive Director for Place be authorised, in consultation with the Portfolio Holder for Highways and Infrastructure, to commence the process for procuring a new Highway Services Contract for the Council, including finalising its scope;
5. it be noted that following completion of the tender process, Cabinet will be requested to approve the award of contract to the preferred bidder; and
6. Cabinet places on record its thanks to the Highways Team for their work on the several projects considered at today's meeting.

## 128 **PUBLIC SPACE PROTECTION ORDER - POYNTON SPORTS CLUB**

Cabinet considered a report on a proposed public space protection order in relation to Poynton Sports Club.

The Portfolio Holder for Communities and Health reported that two more orders for other locations were in preparation and that the process for introducing such orders in future would be brought down to six months.

## **RESOLVED**

That Cabinet

1. notes the content of the report, including the draft order and supporting evidence in relation to the application and the outcome of public consultation;

2. having considered the prohibitions of the draft order, agrees the implementation of a Public Space Protection Order (PSPO) from 1<sup>st</sup> May 2017; and
3. approves the amendments to the Council's procedure in determining the level of authority required to approve any future PSPO applications.

129        **INDOOR AND BUILT FACILITY STRATEGY & PLAYING PITCH STRATEGY 2030**

Cabinet considered a report setting out the background and strategic context to the delivery of the Cheshire East Indoor and Built Facility Strategy and the Cheshire East Playing Pitch Strategy, which would both support the Stronger Communities and Sustainable Environment elements of the Cheshire East Local Plan and be used, where appropriate, in the determination of planning applications.

At the invitation of the Chairman, Debbie Jamieson spoke in relation to the report. She supported the proposal to put the sports strategies out to consultation but went on to suggest that some actions could be taken now to ensure that the needs and opportunities identified in the report contributed to the Local Plan before it was signed off in the autumn and to ensure that developer contributions in relation to strategic sites were realised.

It was stressed that the strategies would be working documents as well as forming an essential part of the Local Plan and would be adapted over time as required.

**RESOLVED**

That

1. the Cheshire East Council Playing Pitch and Indoor and Built Facilities Strategies be approved for consultation purposes; and
2. authority be delegated to the Chief Operating Officer, in consultation with the Portfolio Holder for Communities and Health, to finalise and publish the strategies, taking account of the representations received.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

Councillor Rachel Bailey (Chairman)