

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 5th February, 2019 at Committee Suite 1, 2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor L Wardlaw (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes, J Saunders and D Stockton

Councillors in attendance

Councillors Rhoda Bailey, S Corcoran, S Edgar, R Fletcher, D Flude, G Hayes, S Hogben, L Jeuda, B Moran, M Simon, B Walmsley and G Williams

Officers in Attendance

Kath O'Dwyer, Acting Chief Executive
Frank Jordan, Executive Director of Place/Acting Deputy Chief Executive
Mark Palethorpe, Acting Executive Director of People
Mark Taylor, Interim Executive Director of Corporate Services
Dan Dickinson, Acting Director of Legal Services/Monitoring Officer
Alex Thompson, Acting S151 Officer
Sara Barker, Head of Strategic HR
Paul Mountford, Executive Democratic Services Officer

Apologies

Councillor J P Findlow

The Chairman welcomed everyone to the meeting, and in particular David Hermitt, Chairman of the Schools Forum, and Martin Casserley, a Head Teacher and member of the Forum. In view of their presence at the meeting, the Chairman, with the agreement of Cabinet and visiting members, indicated that the item on Schools Funding Formula would be brought forward as the first substantive item of business.

83 DECLARATIONS OF INTEREST

Councillor D Flude declared a non-pecuniary interest in the item on Schools Funding Formula as Vice-Chairman of the Schools Forum.

84 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell asked if the Council could look into a one ticket issue for all operators of buses leaving Leighton Hospital. The Portfolio Holder for Environment responded that the prospects for a multi-operator ticket in Cheshire East had been improved considerably through Transport for the North's smart ticketing Initiative which aimed to have smart card tickets that were acceptable on over 175 different bus companies across the

north, including all the main operators in Cheshire East. These tickets were due to be rolled out to local bus services over the next two years.

Michael Unett wished to speak in relation to the report on Schools Funding Formula. The Leader indicated that she would invite Mr Unett to speak when the item was under consideration.

85 QUESTIONS TO CABINET MEMBERS

Councillor R Fletcher had raised a question at the December meeting regarding car parks in Alsager and inconsistencies in conditions of service in Alsager from other areas of the Borough. He indicated that he was still awaiting a reply. The Chairman assured Councillor Fletcher that his question was still logged and under consideration. At the Leader's invitation, the Executive Director Place added that the matter was being looked at in detail with a view to providing a precise answer as soon as possible.

Councillor S Hogben asked about the facility to report environmental services and highways issues via the "Fix My Street" app, and why this no longer redirected to the appropriate Cheshire East Council website. He also asked whether there should be some communication around this to make it clear to those wishing to use the facility. The Portfolio Holder for Environment stated that the Council's own website for reporting issues was a more efficient and effective way of reporting highways and other matters. The Leader noted the concern around the need for communication and agreed to take this away for further consideration.

Councillor D Flude referred to the insanitary and untidy condition of the car park under the old library building in Crewe. There had also been reports of cars being vandalised. She asked whether there were any plans to provide CCTV surveillance at the car park, and whether consideration had been given to a reduction in the parking charges at this car park in recognition of the issues with the car park. The Leader indicated that a written response would be provided.

Councillor B Moran asked a number of detailed questions relating to housing land supply and housing need in Cheshire East. The Portfolio Holder for Housing, Planning and Regeneration answered each question in detail.

86 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 15th January 2019 be approved as a correct record.

87 **SCHOOLS FUNDING FORMULA FOR 2019/20**

Cabinet considered a report on the schools funding formula for 2019/20.

The report set out the process to determine the schools funding formula and followed detailed consideration of the matter by the Schools Forum in December 2018.

At the invitation of the Chairman, David Hermitt, Chairman of the Schools Forum, spoke in support of the recommendations in the report. He also urged the Council to support those organisations that were working to improve the national funding available for Cheshire East schools.

Michael Unett referred to the loss of funding for a number of schools in Alsager as an example of what was happening to schools across the Borough. He urged the Council to lobby for fair funding for Cheshire East schools.

In response, the Portfolio Holder for Children and Families indicated that the Council was lobbying Members of Parliament for Cheshire East who were tabling the issue of funding for schools for debate in Parliament as well as arranging to meet Ministers. She undertook to send a detailed response to Mr Unett in relation to the funding of schools in Alsager. She also thanked the Schools Forum for supporting the proposals in the report.

The Leader added that the Council would continue to lobby and press for improved funding for Cheshire East Schools.

RESOLVED

That Cabinet approves

1. the use of the local formula Cheshire East which delivers the minimum per pupil funding level of £3,500 for primary schools and £4,800 to secondary schools;
2. the use of -1.5% as the minimum funding guarantee percentage. Meaning that no school can lose more than 1.5% per annum, excluding pupil number changes;
3. the transfer of 0.5% of funding from the schools block to the high needs block to manage expenditure pressures in that area and fund projects to achieve sustainability; and
4. the continuation of the current early years hourly funding rates into 2019/20. The average rate for 3 and 4 year olds is £4.09 per hour and the rate for 2 year olds is £5.02 per hour.

88 **THIRD QUARTER REVIEW OF PERFORMANCE 2018/19**

Cabinet considered a report on the third quarter review of performance for 2018/19.

The report outlined how the Council was managing resources to provide value for money services during the 2018/19 financial year. Annex 1 to the report set out details of how the Council was performing in 2018/19.

Councillor M Simon, Chairman of the Corporate Overview and Scrutiny Committee, reported the Committee's comments and recommendations on the report as appended to these minutes.

RESOLVED

That Cabinet

1. notes the contents of the report and each appendix; and
2. recommends that Council approve:
 - (a) fully funded supplementary capital estimates above £1,000,000 in accordance with Financial Procedure Rules as detailed in Appendix 8 to the report; and
 - (b) a supplementary revenue estimate of £1,450,638 relating to Adult Social Care Winter Funding as detailed in Appendix 11.

89 **MEDIUM TERM FINANCIAL STRATEGY 2019-22**

Cabinet considered a report presenting the Medium Term Financial Strategy for Cheshire East Council for the years 2019/20 to 2021/22.

The report set out how the Council would approach the financial challenges over the medium term and forecast a balanced budget for 2019/20.

The resolutions that Cabinet was requested to recommend to Council were set out at Appendix A. The Medium Term Financial Strategy (MTFS) Report (containing the Budget) for the period 2019/20 to 2021/22 was set out at Appendix C.

Councillor M Simon, Chairman of the Corporate Overview and Scrutiny Committee, reported the Committee's comments and recommendations on the report as appended to these minutes.

RESOLVED

That Cabinet

1. recommends to Council the items at Appendix A to the report; and
2. notes:
 - (a) the summary results of the Budget Consultation, attached at Appendix B, and the Budget Engagement exercise undertaken by the Council, as set out in Appendix C, Annex 2;
 - (b) the comments of the Council's Acting Section 151 Officer, contained within the MTFs Report, regarding the robustness of estimates and level of reserves held by the Council based on these budget proposals (Appendix C, Comment from the Acting Section 151 Officer); and
 - (c) that the Council's Finance Procedure Rules provide a control framework to support decisions should any changes in spending requirements be identified, and for specific spending over certain limits (Appendix C).

90 ADOPTION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)

Cabinet considered a report on the adoption of the Community Infrastructure Levy.

The recommendations were based on the main findings of the independent examiner appointed to review the Council's CIL draft Charging Schedule.

RESOLVED

That Cabinet

1. endorses the Community Infrastructure Levy Charging Schedule attached as Appendix 1 to the report, including the identified charging rates and zones; and
2. recommends to Council that the Community Infrastructure Levy be adopted with an implementation date of 1st March 2019.

91 MACCLESFIELD LOCAL DEVELOPMENT ORDER

Cabinet considered a report on the adoption of the Macclesfield Local Development Order the purpose of which was to support regeneration and the delivery of housing in Macclesfield.

At the Chairman's invitation, the Director of Planning and Environment advised that the Local Development Order would not remove the checks and balances that controlled the quality of development. It would simply streamline the planning process by removing the need for developers to submit a planning application for the area covered by the Order. Any

development proposals would be considered in relation to the requirements of the Order. There would also continue to be engagement with local communities on proposed developments.

RESOLVED

That the Macclesfield Local Development Order attached at Appendix A to the report be adopted for a period of 5 years with effect from the 13th February 2019 and the Statement of Reasons at Appendix B be published.

92 PROPOSED EXPANSION OF ELWORTH CHURCH OF ENGLAND PRIMARY SCHOOL

Cabinet considered a report on the proposed expansion of Elworth Church of England Primary School.

An analysis of the latest pupil forecasts had identified the need to provide an extra 105 school places. The Head Teacher and Governing Body of the school were fully supportive of the proposed increase.

RESOLVED

That Cabinet

1. approves the proposed expansion of Elworth Church of England Primary School from 1.5 form entry (315 pupil places) to 2 form entry (420 pupil places) for implementation in September 2020, having given due consideration to the response to the statutory public notice; and
2. delegates authority to the Executive Director People to enter into a construction contract for additional places at Elworth Church of England Primary School.

93 0-19 HEALTHY CHILD PROGRAMME

Cabinet considered a report on the re-commissioning of the 0-19 Healthy Child Programme. The existing contract was due to expire on 30th September 2020. The programme aimed to ensure that every child had the good start they needed to lay the foundations of a healthy life.

RESOLVED

That Cabinet

1. approves the commissioning of a 0-19 Healthy Child Programme; and
2. delegates authority to the Executive Director of People, in consultation with the Portfolio Holder for Children and Families and the Portfolio Holder for Health, to award the 0-19 Healthy Child Programme contract to the successful supplier or suppliers.

94 RE-COMMISSIONING OF INTEGRATED LIFESTYLE SERVICES

Cabinet considered a report on the re-commissioning of integrated lifestyle services. These services aimed to improve the long term health of the people of Cheshire East whilst also reducing health inequality.

RESOLVED

That Cabinet

1. approves that a new procurement exercise be undertaken for the provision of lifestyle services in Cheshire East, funded at circa £1,264,038 a year; and
2. delegates authority to the Executive Director of People to award lifestyle-related contracts for a period of 3 years (with options to extend for up to a further 2 years).

95 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 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

96 PROVISION OF CATERING SERVICES AT TATTON PARK

Cabinet considered a report on the provision of catering services at Tatton Park.

RESOLVED

That Cabinet

1. approves the award of a contract to Tatton Park Enterprises Ltd for an initial period of 3 years, with an option to extend for a further 2 years; and
2. delegates authority to the Executive Director Place to take all necessary steps to negotiate, agree and conclude the terms of a contract with Tatton Park Enterprises Ltd.

The meeting commenced at 2.00 pm and concluded at 4.05 pm

Councillor Rachel Bailey (Chairman)

Corporate Overview and Scrutiny Committee – 4 February 2019
Comments for Cabinet meeting on 5 February 2019

1. Quarter 3 Performance Review

RESOLVED –

- (a) That the report be received and noted;
- (b) That the thanks of the Committee be extended to Alex Thompson for the detailed report which was much appreciated by Members of the Committee;
- (c) That Alex Thompson, contributing officers and Portfolio holders be thanked for their attendance and contributions;
- (d) That where appropriate, information be provided in the form of charts or graphs to assist members to comprehend and assimilate the information more easily;
- (e) That Corporate Leadership Team be requested consider producing a shorter report specifically for Overview and Scrutiny Committee in future which gives more prominence to those matters which require the Council to improve performance.

2 Medium Term Financial Strategy 2019-22

RESOLVED –

- (a) That the report be received and noted;
- (b) That the Alex Thompson, contributing officers and portfolio holders be thanked for their attendance and contributions;
- (c) That the following comments be submitted to Cabinet:
 - The committee acknowledges the unprecedented pressures on the Council and notes the planned actions to produce a balanced budget;
 - The Committee notes the increased investment in Corporate Services and supports this approach;
 - The Cabinet considers producing a communication stream to explain to the general public the difference between its statutory responsibilities i.e. those for which services which have to be provided by law and non statutory i.e. those services which are at the discretion of the Council; this might provide a better steer on appropriate feedback into consultation process.
 - That Cabinet might wish to focus further discussions on the popular themes highlighted by the public in the consultation i.e.:
 - The Little bus and transport in particular resulting in isolation in rural areas;

- Car parking charges and strategy.
- (d) That Environment and Regeneration Overview and Scrutiny Committee be invited to investigate matters raised within the report concerning climate change.