

New Delivery Vehicles and Environment Overview and Scrutiny Committee

Agenda

Date: Thursday, 8th January, 2015
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Whipping Declarations**

To provide an opportunity for Members to declare the existence of a party whip in relation to any item on the agenda.

For requests for further information

Contact: Katie Small

Tel: 01270 686465

E-Mail: katie.small@cheshireeast.gov.uk with any apologies

4. **Public Speaking**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers.

Note: In order for officers to undertake any background research, it would be helpful if members of the public contacted the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting to provide brief details of the matter to be covered.

5. **Minutes of the Meeting held on 4 December 2014** (Pages 1 - 4)

To approve the minutes of the meeting as a correct record

6. **Developing the Environmental Services Hub**

To receive a presentation on developing the Environmental Services hub

7. **Planning Support Company**

To receive a presentation updating Members on the Planning Support Company.

8. **Assessment of Waste Collection compliance with new legislation (TEEP)**

To give consideration to the assessment report – to follow

9. **Forward Plan** (Pages 5 - 16)

To note the current forward plan, identify any new items, and to determine whether any further examination of new issues is appropriate.

10. **Work Programme** (Pages 17 - 22)

To give consideration to the work programme

CHESHIRE EAST COUNCIL**Minutes of a meeting of the New Delivery Vehicles and Environment
Overview and Scrutiny Committee**

held on Thursday, 4th December, 2014 at The Silk Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor W Livesley (Chairman)

Councillor K Edwards (Vice-Chairman)

Councillors H Davenport, R Fletcher and M Hardy

29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G Barton and A Martin

30 DECLARATIONS OF INTEREST

There were no declarations of interest

31 WHIPPING DECLARATIONS

There were no whipping declarations

32 PUBLIC SPEAKING

There were no members of the public present wishing to speak

33 MINUTES OF THE MEETING HELD ON 6 NOVEMBER 2014

Consideration was given to the minutes of the meeting held on 6 November 2014

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

34 PLANNING SUPPORT COMPANY - UPDATE

Consideration was given to a presentation by I Bunn and D Laycock on the progress made on the Building and Planning Support ASDV. The presentation outlined:

- The services in the scope – Building Control, Local Land Charges, Planning Support and Street Naming and Numbering.
- The budget

- Staff – 47.6 FTE
- Planned timeline
- Key drivers
- Market share – Building Control
- Valuing the opportunity
- Issues to resolve
- Possible options
- Next steps

It was suggested that the proposals would be submitted to Cabinet in January 2014 and the company would start trading from 1 April 2014.

It was agreed that technically and financially there was a case for establishing the company as if the Council continued to do nothing it would lose the market share, money and staff, however there were still legal issues to be addressed.

With regard to valuing the opportunity, it was suggested that the new company would mitigate loss to deliver cumulative surplus over 5 years of £90k. Members questioned the evidence to support this and agreed that Councillors K Edwards and M Hardy meet with finance officers to analyse the evidence. The findings from that meeting would be reported to all Members of the Committee.

RESOLVED

1. That the presentation be received
2. That Councillors K Edwards and M Hardy meet with the finance officers to examine the financial evidence supporting the proposal.

35 2015/16 PRE BUDGET REPORT

The Committee considered a report of the Chief Operating Officer on the pre-budget report.

The Budget setting process for 2015/16 had followed a four stage process of:

- Set parameters
- Gather evidence and develop proposals
- Consult and refine
- Approve

The Council was currently in the consult and refine stage, and this Committee was therefore being consulted on the areas of the budget which fell within the remit of the Committee.

RESOLVED

That the report be received

36 VULNERABLE AND OLDER PERSONS HANDYPERSON SERVICE

Consideration was given to a Cabinet report requesting permission to transfer the existing Vulnerable and Older persons' Handypersons Service and to enter into contractual arrangements with Orbitas. It was noted that Orbitas had the ability to operate commercially and innovatively, reducing operating costs and increasing income by aligning skill sets, infrastructure and technical expertise with the electrical service and any new service development opportunities. The estimated aggregated contract value was £700,000 over a five year timeframe.

It was noted that a procurement exercise carried out in April 2014 concluded that value for money could not be secured through delivery by a private sector or community sector organisation and was not affordable within the Councils 3 year business plan.

RESOLVED

That Cabinet be recommended to:

1. Authorise officers to enter into contractual arrangements with Orbitas Bereavement Services Ltd in order for them to act as an agent of the Council in the delivery of the Vulnerable and Older Persons' Handyperson Service for a term of five years.
2. Transfer staff currently employed by the Council in the delivery of the Vulnerable and Older Persons' Handyperson Service to Orbitas Bereavement Services Ltd in accordance with TUPE regulations.

37 FORWARD PLAN

Consideration was given to the areas of the forward plan which fall within the remit of the Committee.

RESOLVED

That the forward plan be noted.

38 WORK PROGRAMME

Consideration was given to the work programme. L Butcher reported that due to the Bentley expansion in Crewe, there would be a need for the Council to exit Pymms Lane through a phased approach. The Committee may wish to be involved in securing an alternative location for the depot.

RESOLVED

That the work programme be approved

The meeting commenced at 2.00 pm and concluded at 3.35 pm

Councillor W Livesley (Chairman)



FORWARD PLAN TO 30 APRIL 2015

This Plan sets out the key decisions which the Executive expect to take over the four month period indicated above. The Plan is rolled forward every month. Key decisions are defined in the Councils Constitution as:-

“an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising one or more wards or electoral divisions in the area of the local authority.

For the purpose of the above, savings or expenditure are “significant” if they are equal to or greater than £500,000.”

Reports relevant to key decisions, and any listed background documents, may be viewed at any of the Councils Offices/Information Centres 5 days before the decision is to be made. Copies of, or extracts from these documents, may be obtained on the payment of a reasonable fee from the following address:-

Democratic Services Team
Cheshire East Council ,
c/o Westfields, Middlewich Road, Sandbach Cheshire CW11 1HZ
Telephone: 01270 686472

However, it is not possible to make available for viewing or to supply copies of reports or documents, the publication of which is restricted due to confidentiality of the information contained.

A record of the decision for each key decision is published within 6 days of it having been made. This is open for public inspection on the Council's Website, at Council Information Centres and Council Offices.

This Forward Plan also provides notice that the Cabinet may decide to take a decision in private. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, 28 days notice must be given of any decisions to be made in private by the Cabinet, with provision for the public to make representations as to why they should be made in public. In these cases Members of the Council and the public may make representations in writing to the Democratic Services Team Manager using the contact details below. A further notice of intention to hold the meeting in private must then be published 5 clear days before the meeting setting out any representations received about why the meeting should be held in public with a response from the Leader and the Cabinet.

The list of decisions in this Forward Plan indicates whether a decision is to be taken in private, with the reason category for that decision being taken in private being drawn from the list overleaf:

1. Information relating to an individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including to authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority
5. Information in respect of which a claim to legal and professional privilege could be maintained in legal proceedings
6. Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

If you would like to make representations about any decision to be conducted in private at a meeting then please email

Paul Mountford, Democratic Services Officer paul.mountford@cheshitreeeast.gov.uk

Such representations must be received at least 10 clear working days before the date of the Cabinet or Portfolio Holder meeting concerned.

Where it has not been possible to meet the 28 day rule for publication of notice of a key decision or intention to meet in private the relevant notices will be published as soon as possible in accordance with the requirements of the Constitution.

The law and the Council's Constitution provides for urgent key decisions to be made. Any decision made in this way will be published for these in the same way.

Forward Plan to 30 April 2015

Key Decision and Private Non-Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-32 Procurement of Security Contract at Crewe Business Park	Approval to re-tender and award a three year security contract to provide security services at Crewe Business Park, and grant a lease agreement to the successful bidder to occupy the Business Park's security office.	Cabinet	9 Dec 2014		Steve Plack	No
CE 14/15-34 Handyperson and Minor Adaptations Service	To authorise officers to take all necessary actions to transfer the existing Handyperson and Minor Adaptations Service to Orbitas Limited, and put in place contractual arrangements for Orbitas Limited to act as the Council's agent in the delivery of this service.	Cabinet	9 Dec 2014		Karen Whitehead	No
CE 14/15-35 Macclesfield Heritage and Culture Strategy	To approve the adoption of the Heritage and Culture Strategy for Macclesfield town centre and to endorse the management and delivery arrangements set out in the report.	Cabinet	9 Dec 2014		Brendan Flanagan	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-39 A34 Alderley Edge and Nether Alderley By-pass Compulsory Purchase Order	<p>The Cheshire County Council (A34 Alderley Edge and Nether Alderley By-pass) Compulsory Purchase Order was made in 2004 and subsequently confirmed by the Secretary of State.</p> <p>The report will seek authority for officers to take all necessary steps to implement the proposal to formally agree and pay the eligible sum in full and final settlement for the land acquisition, plus statutory interest and professional costs to the claimants for land compulsorily acquired off Brook Lane to enable the construction of the A34 By-pass.</p>	Cabinet Member for Finance	15 Dec 2014			Yes - paras 1, 2 & 3

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-11 Homelessness Strategy 2014-17	<p>To authorise the officers to begin a six week consultation phase with the public and professionals, internally, externally and in all sectors (including voluntary and third sector), on the proposed Homeless Strategy, commencing at the end of July 2014. The consultation will be authorised by the Portfolio Holder for Housing and Jobs on 28th July 2014.</p> <p>Subject to the outcome of the consultation, Cabinet on 14th October 2014 will be asked to approve the Homeless Strategy for adoption.</p>	Cabinet	6 Jan 2015			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE14/15-19 Building and Planning Support Consultancy ASDV	To seek approval to go with the preferred option for the delivery of the Building & Planning Support services as outlined in the report and authorise officers to take all necessary actions to implement the proposal, including the commencement of the Oracle Build.	Cabinet	6 Jan 2015			

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-26 Congleton Link Road - Updated Position and Refinements to Preferred Route	<p>To agree modifications and refinements to the published preferred route for Congleton Link Road and linking spur roads to Radnor Park and Congleton Business Park.</p> <p>Approve that the necessary steps are taken to protect the updated preferred route from future development including introducing the necessary modifications to the submission draft of the Local Plan Core Strategy at the earliest opportunity.</p> <p>To note that the revised route will not significantly affect the cost of the scheme.</p> <p>To note that the proposed boundaries of the 'strategic locations' as set out in the submission draft of the Core Strategy will be allocated in the local plan.</p> <p>To update members on project timescales.</p> <p>To authorise officers to continue on the development of the scheme on the same basis as the current preferred route.</p>	Cabinet	6 Jan 2015		Paul Griffiths	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-29 Crewe Town Centre Regeneration Delivery Framework	To consider recommendations on a regeneration framework for Crewe town centre.	Cabinet	6 Jan 2015		Jez Goodman	No
CE 14/15-36 Alderley Park Development Framework	To endorse and approve the proposed Regeneration Framework for Alderley Park.	Cabinet	6 Jan 2015			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-41 Congleton Lifestyle Offer	<p>To note the outcome of assessments and consultation to date and approval to:</p> <ol style="list-style-type: none"> 1. Progress the modernisation of the existing leisure facilities by undertaking all required consultation, supporting assessments and studies to develop a detailed design; and 2. Delegate all necessary powers to the Executive Director for Strategic Commissioning to undertake procurement of a delivery partner and progress the scheme to a submission of a planning application. 	Cabinet	3 Mar 2015			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-1 Medium Term Financial Strategy 2015-18	To recommend Council to approve the Medium Term Financial Strategy for 2015-18, incorporating the Council's priorities, budget, policy proposals and capital programme.	Cabinet	3 Feb 2015		Alex Thompson	No
CE14/15-18 Cheshire Homechoice - Allocation Policy Review	<p>To approve the final version of the Cheshire Homechoice Policy for adoption and authorise officers to take all necessary steps to implement the revised Housing Allocation Policy.</p> <p>Cheshire Homechoice is the Choice Based Lettings Partnership between Cheshire East Council and Registered Providers who allocate Social Housing in Cheshire East.</p>	Cabinet	3 Feb 2015		Karen Carsberg	

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-28 Commissioning of 5-19 Healthy Child Programme (School Health Service)	To authorise officers to take all necessary actions to follow the procurement process re: the commissioning of 5-19 years Healthy Child Programme (School Health Process), including delegated authority to Portfolio Holders, the Director of Public Health and the Executive Director of Strategic Commissioning to award and conclude the contractual documentation with the successful tenderer.	Cabinet	3 Feb 2015		Jane Branson	No
CE 14/15-37 Cheshire East Council Energy Framework	To endorse and approve the proposed Energy Framework for Cheshire East.	Cabinet	3 Feb 2015			No
CE 14/15-45 School Funding Formula 2015-16	To authorise officers to implement the 2015-16 Schools Funding Formula.	Cabinet	3 Feb 2015		Fintan Bradley, Head of Strategy, Planning and Organisation	No
CE 14/15-33 Strategic Asset Management Plan	To accept the new Strategic Asset Management Plan and authorise the officers to take all necessary actions to implement it.	Cabinet	3 Mar 2015		Julian Cobley	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-44 Energy Procurement - Corporate Buildings, Street Lighting and Schools	To seek agreement to use the procurement method recommended. To appoint West Mercia Energy as the preferred provider.	Cabinet	3 Mar 2015			No
CE 14/15-43 Digital Customer Services	To authorise officers to take all necessary actions to implement the future 'digital by design' operating model for customer contact.	Cabinet	31 Mar 2015		Paul Bayley	No
CE 14/15-38 Cheshire East Housing Strategy 2016-2021	Initially to authorise officers to release a draft version of the Strategy for public consultation. Subject to the consultation response, ratify the Strategy and authorise officers to implement all initiatives and actions contained therein.	Cabinet	28 Apr 2015		Karen Carsberg	No
CE 14/15-42 Cheshire East Indoor Facility and Playing Pitch Strategies	To adopt both the Indoor Facility and the Playing Pitch Strategies in support of the Council's Local Plan.	Cabinet	28 Apr 2015		Mark Wheelton	No

CHESHIRE EAST COUNCIL

REPORT TO: NEW DELIVERY VEHICLES AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting:	8 January 2015
Report of:	Head of Corporate Resources and Governance
Subject/Title:	Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2014/2015 Work Programme listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

That the 2014/2015 work programme be reviewed.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Carbon reduction - Health

- 6.1 Not known at this stage.

7.0 Financial Implications

- 7.1 Not known at this stage.

8.0 Legal Implications

- 8.1 None.

9.0 Risk Management

9.1 There are no identifiable risks.

10.0 Background and Options

10.1 Members are asked to review the schedule attached to this report, and if appropriate, add new items or delete items that no longer require any scrutiny activity. When selecting potential topics, Members should have regard to the Council's new three year plan and also to the general criteria listed below, which should be applied to all potential items when considering whether any Scrutiny activity is appropriate.

The following questions should be asked in respect of each potential work programme item:

- Does the issue fall within a corporate priority;
- Is the issue of key interest to the public;
- Does the matter relate to a poor or declining performing service for which there is no obvious explanation;
- Is there a pattern of budgetary overspends;
- Is it a matter raised by external audit management letters and or audit reports?
- Is there a high level of dissatisfaction with the service;

10.2 If during the assessment process any of the following emerge, then the topic should be rejected:

- The topic is already being addressed elsewhere
- The matter is subjudice
- Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Scrutiny Officer
Tel No: 01270 686465
Email: katie.small@cheshireeast.gov.uk

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New Delivery Vehicles and Environment Overview and Scrutiny Committee

Upcoming Meetings	Date: 8/01/2015 Time: 2.00pm Venue: Westfields, Sandbach	Date: 5/02/2015 Time: 2.00pm Venue: Macclesfield Town Hall	Date: 5/03/2015 Time: 2.00pm Venue: Westfields, Sandbach	
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Item	Notes	Lead Officer/ Portfolio Holder	Action to be Taken	Key Dates/Deadlines
Planning Support Company	Further to the meeting held in December, to receive an update and feedback from Meeting re: Finance issues	I Bunn/C Simpson Councillor D Stockton	presentation	8 January 2015
Developing the Environmental Services Hub	To receive a presentation	L Butcher D Topping	presentation	8 January 2015
Assessment of Waste Collection compliance with new legislation (TEEP)		A Dunstone D Topping	Report	8 January 2015
Monitoring ASDV's	To scrutinise the performance of ASDV's. Quarterly reports for ANSA and Orbitas	Councillor D Topping	Monitoring ASDV's	5 February 2015
Speed Limit Review (20mph near schools, 40mph in rural areas and consistent speed limits on other roads)	Possible Task and Finish	Councillor D Topping	Task and finish	5 March 2015
Flood Risk	Under the Flood and Water Management Act 2010, its	P Reeves Cllr D Topping	report	5 March 2015

New Delivery Vehicles and Environment Overview and Scrutiny Committee

	associated Regulations and expectations of the Pitt Review it is intended that the Council's scrutiny procedure should review work by public sector bodies and essential service providers in order to manage flood risk. Also, that there should be an annual summary of actions taken locally to manage flood risk in order to meet the regulations and to implement the appropriate recommendations of the Pitt Review.			
The Role of Parking Services	To develop the role of parking services.	S Cordon Councillor D Topping	To give consideration to the options for the service.	TBC

Possible Future items

Street lighting

Transport Company – Shadow Board

Option appraisals for new companies