

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 1st August, 2011 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor R Domleo (Vice-Chairman)

Councillors Rachel Bailey, D Brown, H Gaddum, J Macrae, P Mason and
R Menlove

Councillors in attendance:

Rhoda Bailey, D Brickhill, L Brown, J Clowes, P Findlow, D Flude, L Gilbert, P
Groves, O Hunter, D Hough, A Kolker, A Moran, L Smetham, D Stockton, G
Walton and S Wilkinson.

Officers in attendance:

Chief Executive; Borough Solicitor; Director of Finance and Business
Services; Director of Adults, Community Health and Wellbeing Services; Head
of HR and Organisational Development; Head of Corporate Improvement;
Strategic Director, Places.

28 APOLOGIES FOR ABSENCE

There were no apologies for absence.

29 DECLARATIONS OF INTEREST

There were no declarations of interest.

30 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from members of the public.

31 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 7 July 2011 be approved as a
correct record.

32 KEY DECISION 90: HOME IMPROVEMENT AGENCY REVIEW

Consideration was given to an overview of the role of home improvement
agencies, a summary of the review and its recommendations, and an
overview of a procurement exercise carried out.

RESOLVED

1. That the existing in-house Home Improvement Agency service to cover the whole Borough be developed further.
2. That it be noted that the changes to the delivery of the Home Improvement Agency services will trigger the automatic application of the TUPE regulations which will effect a transfer of a number of staff employed by the existing service providers to the Authority.

33 KEY DECISION 5: THINK LOCAL ACT PERSONAL - A NATIONAL STRATEGY FOR LOCAL IMPLEMENTATION

Consideration was given to Think Local Act Personal - A National Strategy for Local Implementation.

Putting People First was issued in November 2007 and articulated the shared ambition to put people first, through a radical reform of public services, enabling people to live their own lives as they wished, confident that services were of high quality, were safe and promoted their own individual needs for independence, well-being and dignity.

Putting People First established the collaboration between central and local government, the sector's professional leadership, providers and the regulator. It set out the shared aims and values which guided the transformation of adult social care, and recognised that the sector had to work across agendas, with users and carers, to transform people's experience of local support and services.

Cheshire East Council had pursued the key approaches in Putting People First and had been a leader in developing personalisation and preventative approaches to the delivery of effective social care in the community.

Twenty-four leading national organisations, including the Association of Directors of Adult Social Services (ADASS), umbrella bodies that represented a large number of providers from the private, independent, voluntary and community sectors, had endorsed the document.

RESOLVED

1. That the issue of TLAP be noted and CEC support for the approach contained within it be affirmed.
2. That support for a personalised approach to the delivery of publicly funded care, in line with the Council's Corporate Objective 1-*To give the people of Cheshire East more choice and control around services and resources* be reaffirmed, and the Personalisation Principles in Appendix 2 of the report be noted.

3. That it be recognized that the creation of an affordable social care system is dependent upon the development of preventative services delivered locally, most often by organizations from all sectors as well as the Council itself.
4. That it be noted that most people accessing care in its area are not funded by the Council and that there is a requirement for the Director of Adults, Community, Health and Wellbeing to identify a strategy to provide advice, information and support to the wider public including self funders and their carers, to maximize independence and minimize reliance of Council funded-care.
5. That the development of an on-line citizen portal or information gateway, with a resource directory, recognizing the investment required to maintain this initiative, with the initial capital investment funded as part of the Department of Health funded Common Assessment Framework pathfinder project and the ongoing maintenance funded within existing Adults revenue budgets, be noted and supported.

34 KEY DECISION 7: CREWE GREEN LINK ROAD PROJECT - DEPARTMENT OF TRANSPORT FUNDING BID

Consideration was given to progress made in securing Department for Transport Funding (DfT) for Crewe Green Link Road South (CGLRS).

RESOLVED

1. That the submission to the Department of Transport be agreed and that the final details of the bid be delegated to the Strategic Director Places in consultation with the Borough Solicitor, Borough Treasurer and relevant Portfolio Holders.
2. That the current expected content and funding profile of the submission to Department of Transport including the financial implications for Cheshire East, as detailed in Section 7 of the report be noted.
3. That the overall timescales and key dates for the project and the requirement for the Council to contractually commit to the Scheme and funding agreements only at the next stage of Department of Transport approval be noted. This was anticipated to be in September 2013.

35 KEY DECISION 8: RELIGIOUS EDUCATION SYLLABUS FOR CHESHIRE EAST

Consideration was given to a report on the Religious Education Agreed Syllabus for Cheshire East Council. This was a statutory requirement. The previous syllabus had been agreed by Cheshire County Council, in

2005 and had been reviewed and redrafted by a working party. The revised syllabus was agreed at the Religious Education Agreed Syllabus conference held on 25 May 2011, by the SACRE members.

At the meeting an amendment was made to the recommendation of the decision requested whereby the words 'and implement' were inserted after the words 'to agree'.

RESOLVED

That approval be given for Authorised Officers to take all necessary actions to agree and implement the Religious Education Agreed Syllabus for Cheshire East Council.

36 KEY DECISION 9: PUBLIC TRANSPORT SUPPORT CRITERIA

Consideration was given to a report outlining public transport support criteria which would guide future investment in local bus, rail and community transport services financially supported by the Council.

RESOLVED

1. That the revised public transport support criteria in Appendix 1 of the report be agreed;
2. That the implementation of the revised support criteria and withdrawal of support for "low priority" services as identified in Appendix 2 of the report, in line with the timetable outlined in Appendix 3 of the report be agreed;
3. That the comments from the Environment Scrutiny Committee be noted.

37 KEY DECISION 11: CUSTOMER SERVICES STRATEGY

Consideration was given to a report on the Customer Services Strategy. The purpose of the strategy was to outline the broad principles that would drive the development of an efficient and customer focused operating model across all Council services. These principles may reinforce decisions already taken and implemented, or they could influence service redesign and be implemented through a series of related projects.

In considering the face to face element of the strategy, a review and lessons learned from the phase 1 transfer of customer service points to libraries had been undertaken. The strategy recommended providing customer access through all remaining libraries in Cheshire East. This would increase the number of communities with local customer access and deliver a net annual saving of £240k.

At the meeting an amendment was made to the recommendation of the decision requested whereby an additional recommendation was inserted using the following words from paragraph 10.5 of the report:-

‘Customer access in Nantwich, Poynton and Sandbach could transfer from the existing arrangements to the libraries subject to further local consultation’.

RESOLVED

1. That endorsement be given to the new Customer Services Strategy and the recommendation to extend face to face customer access across all Cheshire East libraries be supported.
2. That customer access in Nantwich, Poynton and Sandbach could transfer from the existing arrangements to the libraries subject to further local consultation, be noted.

38 2010/11 FINAL OUTTURN PERFORMANCE REPORT

Consideration was given to the Council’s financial and non-financial performance at the final outturn stage of 2010/11.

RESOLVED

1. That the following financial issues, contained in Annex 1 of the report be noted and commented on as appropriate:
 - the final revenue and capital outturn positions for the Council;
 - the impact on the Council’s general reserves position as detailed in Section 2 of the report;
 - the Council’s in-year collection rates for Council Tax and Business Rates, detailed in Section 7 of the report;
 - the Council’s invoiced debt position as shown in Section 8 of the report;
 - progress on delivering the 2010-11 capital programme, detailed in Section 9 and Appendix 1 of the report;
 - Delegated Decisions approved by Directors for Supplementary Capital Estimates (SCE) and virement requests up to £100,000, as shown in Appendix 3a of the report;
 - Delegated Decisions approved by Directors in consultation with the relevant Portfolio Holder and the Portfolio Holder for Resources for Supplementary Capital Estimates and virement requests over £100,000 and up to and including £500,000 as shown in Appendix 3b of the report.
2. That the following service performance issues, contained in Annex 2 of the report, be noted and commented on as appropriate:
 - the successes achieved during 2010/11, and consider the issues raised in relation to under performance against targets and how these will be addressed.

3. That the following be approved:

- (i) a budget carry forward into 2011-12 of £160,000 for parish and council elections within Democratic Services, as previously identified at the three quarter year review (Section 3 of the report);
- (ii) the allocation of the £200,000 policy changes contingency earmarked for ICT to meet legacy authority leasing costs (Section 3 of the report);
- (iii) the revised in-year capital budget for 2010-11 as set out in Section 9 of the report, including:
 - Supplementary Capital Estimates and virement requests over £500,000 and up to and including £1.0m, as shown in Appendix 3b of the report.
 - Reductions in approved capital budgets, as shown in Appendix 3c of the report.

4. That Council be recommended to approve an SCE request in excess of £1m for Alderley Edge By Pass, as detailed in Appendix 3b of the report.

39 TREASURY MANAGEMENT ANNUAL REPORT

Consideration was given to the performance of the Council's treasury management operation, including details of the activities for 2012-2011, for Cheshire East Borough Council.

RESOLVED

That the Treasury Management Annual Report for 2010-2011, as detailed in Appendix A of the report be received.

40 BUSINESS PLANNING PROCESS 2012-2015

Consideration was given to the Council's Business Planning Process for 2012/2013 onwards. The Council had reviewed and revised the current process to integrate financial and corporate planning. This would enable a clear link to be made between what the Council wanted to achieve and the allocation of limited resources.

The outcome of the process would be the production of a Business Plan, in February 2012, to set the Council's ambitions, Budget and Council Tax.

RESOLVED

That the Business Planning Process to develop a Business Plan for 2012/2015 be agreed.

41 ANNOUNCEMENT BY THE LEADER OF THE COUNCIL

Councillor Fitzgerald announced that he would be appointing Councillor M Jones as Resources Portfolio Holder, from September 2011 and Councillor P Groves would undertake the role of Cabinet Support Member to the Resources Portfolio Holder.

42 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

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 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

43 KEY DECISION 14: TATTON PARK BUSINESS DEVELOPMENT PHASE 1

Consideration was given to the Tatton Park Business Development Phase 1.

RESOLVED

1. That Officers be permitted to, in consultation with the Portfolio Holder to complete negotiations on:
 - a) Heads of Terms for a Land lease of the attraction site (shown in attached plan, at Appendix 2 of the report) to a single venture company – a company with appropriate site rental conditions and turnover rent derived from visitor number levels.
 - b) Heads of Terms on a Loan to the single venture company including appropriate security measures and step-in rights

The above would be subject to the terms and conditions as outlined in paragraph 2.1 of the report.

2. That Officers be permitted to negotiate and complete the legal documents necessary or desirable to effect the Lease and Loan, protecting the Councils position as landlord and its position as lender on terms as approved by the Borough Solicitor and Borough Treasurer and

to obtain external legal and consultancy advice and support as required by them.

3. That Officers be permitted to commission the general infrastructure capital project and to release the Loan, in accordance with the terms of the Loan agreement.
4. That the Capital Programme from the current figure for Tatton Development be revised, in accordance with paragraph 2.4 of the report.

44 MANAGING WORKFORCE CHANGE

Consideration was given to the report of the Head of Human Resources and Organisational Development.

RESOLVED

That the decision of the Chief Executive to release the employees whose roles are listed as 1 to 15 in Appendix A of the report under the arrangements agreed in relation to voluntary severance provisions for employees in the Council be supported.

(Following discussion of this item, Councillor Fitzgerald announced that this Cabinet meeting would be the last one to be attended by the Head of Corporate Improvement, Ceri Harrison and the Director - Adults, Community, Health and Wellbeing, Phil Lloyd. On behalf of the Cabinet, he thanked both Officers for their hard work and wished them every success in the future).

The meeting commenced at 2.00 pm and concluded at 4.51 pm

Signed.....
W Fitzgerald (Chairman)