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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**  
held on Monday, 2nd April, 2012 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

### **PRESENT**

Councillor W Fitzgerald (Chairman)

Councillors Rachel Bailey, D Brown, J Clowes, M Jones, J Macrae, P Mason  
and R Menlove

### **Councillors in attendance**

Rhoda Bailey, D Flude, M Grant, P Groves, A Harewood, D Marren,  
P Raynes, L Smetham, C Thorley and S Wilkinson

### **Officers in attendance**

John Nicholson – Strategic Director, Places and Organisational Capacity  
Caroline Elwood – Borough Solicitor  
Lisa Quinn – Director of Finance and Business Services  
Lorraine Butcher – Strategic Director of Children, Families and Adults  
Paul Bradshaw – Head of HR and Organisational Development  
Barbara Dale – School Admissions and Organisation Manager  
Paul Mountford – Democratic Services Officer

### **Apologies**

Councillors R Domleo and H Gaddum

### 130      **DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

Mrs Charlotte Peters Rock spoke in relation to the four draft town centre consultation documents in respect of Alsager, Congleton, Middlewich and Sandbach, the consultation period for which was about to end. She said that what was missing from the documents was the opportunity to plan for old age and disability by producing the necessary local infrastructure to encourage self-help, community help and freedom of movement in the elderly. The documents needed to consider the practicality of town centre buildings for use in the 21<sup>st</sup> century for the provision of day and respite care, rehabilitation and simple nursing care, as well as for public wellbeing centres for healthy local populations. She asked that a copy of her full statement be placed against each of the four town centre consultation documents and against all future such documents, to ensure that adequate public infrastructure for the wellbeing of the elderly, the disabled and carers was included in all town strategies across Cheshire East.

132        **MINUTES OF PREVIOUS MEETING**

**RESOLVED**

That the minutes of the meeting held on 5<sup>th</sup> March 2012 be approved as a correct record.

133        **KEY DEC 11/12-28 DETERMINATION OF LOCAL AUTHORITY CO-ORDINATED SCHEME AND ADMISSION ARRANGEMENTS**

Cabinet considered a report on the outcome of the statutory consultation undertaken during the Spring Term 2012 on the Council's proposed admissions arrangements and co-ordinated admission scheme for 2013.

The Officers advised that the proposed public admission number of 45 for Elworth CE in 2013 was only to apply in the event that the funding of additional accommodation was approved following the signing of a Section 106 agreement.

**RESOLVED**

That Cabinet approves

- (1) the proposed co-ordinated admission scheme set out in Appendix 1 to the report, which all local authorities are required by section 88M of the School Standards and Framework Act 1998 and the Co-ordination Regulations to have in place;
- (2) the proposed admission arrangements set out in Appendix 2, for Cheshire East community and voluntary controlled schools, which include the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places;
- (3) confirmation to the Secretary of State by 15<sup>th</sup> April that a co-ordinated scheme has been adopted in accordance with legal requirements; and
- (4) notification of the determined admission arrangements to all appropriate bodies within 14 days of determination.

134        **KEY DEC 11/12-40 EQUALITY AND DIVERSITY**

Cabinet considered a report which set out the current position on ensuring that the Council complied with its general and specific duties under the Equalities Act 2010. The report highlighted the requirement to develop and publish equality objectives for the Council and to publish other key information.

The Portfolio Holder for Performance and Capacity informed Members that progress in meeting equality and diversity objectives would be monitored and a further report would be brought to Cabinet after six months.

**RESOLVED**

That

- (1) the Council's Equality & Diversity Objectives as set out in the report be approved; and
- (2) the progress in fulfilling the Council's general and specific duties be noted.

**135        KEY DEC 10/11-49/2 FUTURE OPERATION OF THE LYCEUM THEATRE, CREWE**

Cabinet considered an update on the future delivery options for the Lyceum Theatre, Crewe and in particular on the recent formal soft market testing via the pre-qualification question stage of the EU restricted procurement route.

The Council was keen to secure the long term future of the Theatre by seeking to encourage innovation in service delivery whilst achieving value for money through the reduction of subsidy.

**RESOLVED**

That the formal EU procurement process to find an operator to take over full operational responsibility for the Lyceum Theatre be continued to the invitation to tender stage.

**136        KEY DEC 11/12-27 PRIVATE SECTOR HOUSING FINANCIAL ASSISTANCE POLICY**

Cabinet considered a report on a revised Private Sector Housing Financial Assistance Policy.

An interim Private Sector Assistance Policy had been adopted in 2009 which brought together the best practice from the predecessor local housing authorities pending a private sector housing condition survey across Cheshire East. A revised Policy had now been developed to take account of problems identified in the Interim Policy and the findings of the house condition survey, as well as to contribute to the priorities set out within the Sustainable Community Strategy and the Council's Corporate Plan.

The revised Policy sought to remove the most severe health and safety risks for vulnerable homeowners, tackle fuel poverty, enable people with disabilities to live independently, and bring empty homes back into economic use to increase the supply of affordable housing. Financial assistance would be offered to residents in the form of interest-free repayment loans, equity share loans or non-repayable grants.

## **RESOLVED**

That

- (1) the revised Private Sector Housing Financial Assistance Policy be approved; and
- (2) the Officers be authorised to take all necessary actions to implement the Policy.

### **137 INTERIM POLICY ON THE RELEASE OF HOUSING LAND**

Cabinet considered a report setting out proposed changes to the interim policy on the release of housing land. The report set out the context in terms of housing supply, the reasons for amending the policy and the proposed consultation process. The draft policy was set out at Appendix 2 to the report.

The Strategic Planning Board at its meeting on 21<sup>st</sup> March 2012 had recommended the interim policy to Cabinet for consultation purposes.

## **RESOLVED**

That

- (1) the comments of the Strategic Planning Board on 21<sup>st</sup> March 2012 be noted;
- (2) the draft policy set out in Appendix 2 to the report be approved for consultation; and
- (3) the approval of the wording of the accompanying consultation document be delegated to the Portfolio Holder for Performance and Capacity.

### **138 SHADOW HEALTH AND WELLBEING BOARD - TERMS OF REFERENCE**

Cabinet received a report on the terms of reference for the Cheshire East Shadow Health and Wellbeing Board.

Council in December 2011 had raised a number of concerns in respect of the proposed terms of reference, relating primarily to member representation on the Board and voting rights of Board members.

It was noted that the Health and Social Care Bill had now been passed and it would be necessary to consider the implications of the legislation and subsequent guidance before the matter could be progressed further.

#### **RESOLVED**

That Cabinet supports the recommendation that further work on the Health and Wellbeing Board's terms of reference is paused until the implications of the Health and Social Care Act have been fully assessed and further guidance has been received.

#### **139 NOTICE OF MOTION - HEALTH AND SOCIAL CARE BILL**

A Notice of Motion had been submitted to Council on 23<sup>rd</sup> February 2012 and referred to Cabinet for determination. The Motion, which had been proposed and seconded by Councillors L Jeuda and J Jackson respectively, proposed that the Council 'urge Cheshire East MPs to vote against the Health and Social Care Bill when it returns to the House of Commons'.

Members having noted that the Health and Social Care Bill had now been passed, the Motion was withdrawn.

#### **140 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.

#### **141 KEY DEC 11/12-37 TATTON VISION - TATTON PARK CATERING/COMMERCIAL PROVISIONS**

Cabinet considered a report proposing new arrangements for the delivery of catering and related services at Tatton Park as a key element of the Tatton Vision programme.

The report recommended the establishment of an arms-length company as a way of providing the best financial return to the Council and the

flexibility to manage brand alignment and quality in line with future market development opportunities. The recommendation had been informed by a detailed options analysis undertaken by Price Waterhouse Coopers (PWC) and the approach had been endorsed by the Tatton Park Board on 25<sup>th</sup> January 2012.

## **RESOLVED**

That

- (1) the creation of an arms-length company to deliver catering and other commercial services at Tatton Park in line with the Tatton Vision be approved; and
- (2) the Strategic Director Places and Organisational Capacity, in consultation with the Portfolio Holder for Prosperity, Director of Finance and Business Services, Head of Human Resources and Borough Solicitor, be authorised to take all necessary decisions to enable the delivery of the project.

## 142      **WORKFORCE CHANGE**

Cabinet considered the report of the Head of Human Resources and Organisational Development.

## **RESOLVED**

That Cabinet supports the decision of the Chief Executive to release the employees whose roles are listed as 1 and 2 at Appendix A under the arrangements agreed in relation to voluntary severance provisions for employees in the Council.

The meeting commenced at 2.00 pm and concluded at 3.29 pm

W Fitzgerald (Chairman)

02 April 2012 Cheshire East Cabinet– comment for Cabinet. 2pm Westfields, Middlewich Road, Sandbach

In a search for certainty, I ask that this complete series of comments is included within the minutes of this Cabinet Meeting, particularly for this date 02Apr2012.

Produced in a 'professional' setting, looking suspiciously like a deliberate oversight, what is missing from all four Draft Town Strategy Consultation documents which are due to close their doors today in respect of Alsager, Congleton, Middlewich and Sandbach, is the local opportunity to plan for old age and disability, by producing the necessary local infrastructure to encourage self-help, community help and freedom of movement in the old, rather than the expensive burdensomeness, which is the way in which their needs are openly spoken of in this Cheshire East Council area.

Town Strategy Consultations should not be about airy-fairy 'Visions for Leisure Time' and 'Enhancing the Public Realm' but about the practicality of town centre buildings for use in the 21<sup>st</sup> century for the actual needs of a very large section of the population.

It is about positive, practical factual infrastructure, care and help – where it is needed – valuing family and other carers – valuing life experience and education – valuing the elderly volunteers who appear in all corners of Cheshire East – and making caring use of their valuable, freely-given contribution to this Council area.

The work achieved by the fit elderly is beyond price. This work must in future be valued and encouraged by a provision of suitably built and effectively combined infrastructure in every town in the Borough.

The old are gathering. They will not be going away. It seems there are three options for the resolution of this problem

- 1 Kill them - or otherwise get rid of them
- 2 Carry on mistreating their needs and regarding them as 'a Burden'
- 3 Make full use of their very valuable knowledge and invaluable voluntary help – and provide useful, dignified Day and Respite care, Rehabilitation and simple Nursing care in all the local towns where it is needed, for those people whose health is failing, and who live in those local towns..

We also need Public Wellbeing Centres for healthy local populations, where they can meet, socialise, take out a library book, drink tea, eat healthy food, read the papers, learn and volunteer their services; where they can access, via intelligent caring individuals (that much underrated, undervalued, underpaid, very experienced group) such oncoming care as memory clinic, toenail cutting, hearing help, day care, respite care, rehabilitative care, simple nursing care – and stay in touch – at their welcoming social centre - with all their friends, for mutual support. Friends can withstand 'the miseries', bereavement, failing memory, odd behaviour, and can provide a familiar and supportive background to the failing lives of each other.

We don't need flawed 'visions' but factual, practical help. We don't need slews of wasted buildings and lies about their drains but practically based knowledge and enthusiasm to keep up the fabric and make good use of every building which this council owns. Where any building cannot be used for the public good, it should be sold or leased, and the money used to fund the rapidly growing and urgently needed help for the elderly, the disabled and the family carers of this Council area. This will save Council taxpayers' money.

This is to place on record, that these comments are directly relevant to all four of the Town Strategy Consultation documents, whose consultation time is up today. I formally ask that a copy of this statement should also be placed against each of those documents for Alsager, Congleton, Middlewich and Sandbach, and against all future Town Strategy documents, to ensure that adequate public infrastructure for the wellbeing of the old, the disabled and carers, is included in all Town Strategies across Cheshire East Council area... stating that 'disability access' is a very good – if belated - idea, but it should only be the start, of 21<sup>st</sup> century thinking which will open public buildings, for the first time to the full benefit of the health and wellbeing of the public.

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