

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 15th October, 2012 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Jones (Chairman)

Councillors Rachel Bailey, J Clowes, H Gaddum, L Gilbert, J Macrae, R Menlove, B Moran and P Raynes.

Officers in attendance:

Interim Chief Executive; Borough Solicitor and Monitoring Officer; Director of Finance and Business Services; Head of HR and Organisational Development; Strategic Director Children, Families and Adults; Strategic Director Places and Organisational Capacity; and the Transport Manager.

Also Present

Councillors Rhoda Bailey, Louise Brown, Paul Findlow, Mo Grant, Peter Groves, Peter Hayes, Steven Hogben, Andrew Kolker, Bill Livesley, Peter Mason, Arthur Moran, David Newton, Peter Nurse, Lesley Smetham, Andrew Thwaite, Steve Wilkinson and John Wray.

81 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D Brown.

82 DECLARATIONS OF INTEREST

There were no declarations of interest at this stage of the meeting.

At the time of consideration of agenda item 15 (Minute 95 – Key Decision 12/13-23 Tatton Park Enterprises) Councillors J Macrae and P Raynes declared a non-pecuniary interest; they took no part in the discussion and did not vote on the decision requested.

83 PUBLIC SPEAKING TIME/OPEN SESSION

Councillor John Wray spoke in respect of the concern of residents of Moston, Crewe, at the number of applications being submitted for gypsy and traveller sites in their area; this followed a recent appeal case which had been allowed by a Planning Inspector on the grounds that there was insufficient such provision in Cheshire East.

The Leader responded and confirmed that a number of possibilities were currently being explored including the provision of a 14 pitch permanent site, and up to a 10 pitch temporary/permanent site, on Council owned land and also on that of a private developer. He confirmed the seriousness with which the Council was treating the matter and that it was anticipated that the position would become clearer within the next few months.

84 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 17 September 2012 be approved as a correct record subject to Minute 71 (Key Decision CE12/13-12 Affordable Housing Programme) being amended to remove the words “*including houses for first time buyers for local occupancy to meet local needs*” being removed from the recommendation in respect of Birtles Road.

85 KEY DECISION 12/13-13 FINANCIAL SUPPORT FOR PUBLIC TRANSPORT

Consideration was given to a number of options for how best to meet the transport needs of local communities whilst at the same time achieving the reductions set out in the Business Plan for 2012/15. The proposals being considered would still provide support of £2.4m per year for public transport and also increase the amount spent on demand responsive transport to promote rural accessibility, inclusivity for older and disabled residents, and expand the service into evenings and weekends.

A number of Councillors expressed concern regarding proposals for specific services in the areas they represented; the Portfolio Holder confirmed that representations received from Town and Parish Councils would be given careful consideration

RESOLVED

1. That the planned investment of £2.4m (gross expenditure) per annum in continuing support for public transport contracts be endorsed.
2. That the proposal to reduce or withdraw funding subsidies for bus services supported by Cheshire East Council in line with the schedule set out in Appendix 3 of the report, resulting in a reduction in gross expenditure of £750,000 per annum be agreed, in accordance with the timetable shown in Appendix 5 of the report and the budget reallocations shown in paragraph 7.5 of the report.
3. That the Transport Manager, in consultation with the Cabinet Member for Environmental Services, be authorised to make final adjustments to individual contract decisions and timings in negotiation with bus operators, and to seek to secure the commercial operation of currently-subsidised routes.
4. That the formal establishment of a representative forum to engage on matters relating to flexible transport in particular, and older and disabled residents transport needs in general, be agreed.
5. That approval be given to the reinvestment of an additional £150,000 per annum in the provision of flexible, demand responsive transport, and also that consideration be given to including this allocation in the 2013/14 business planning process as a permanent recurring reinvestment.

86 KEY DECISION 12/13-25 AVAILABLE WALKING ROUTES POLICY

Consideration was given to reviewing the Councils policy in respect of the availability of routes to be walked to school, an updated copy of which was attached. The existing policy had been adopted as a legacy policy from Cheshire County Council and been in existence for approx 25 years. In addition it was reported that as a result of a recent Local Ombudsman case in the East Midlands most authorities were now in the process of re examining the approach to their policies and working practices.

As a result of changes in the last 25 years to the highway, footpath and public right of way network it was expected that there would be a balance of a substantial number of children who would no longer be entitled to transport and also some who would become newly entitled. In response to a request from the Children and Families Scrutiny Committee it was agreed that ward members be notified of forthcoming reassessments and the outcome.

RESOLVED

1. That approval be given to the policy for the assessment of walked routes to school.
2. That it be noted that this will trigger a process of reassessment with potential impacts on entitlement to transport at taxpayer expense.

87 KEY DECISION 12/13-19 REVIEW OF LEISURE SERVICES DELIVERY OPTIONS

Consideration was given to a request for approval to carry out a review of the existing model of 'in house' delivery, and to the need to appoint a consultant to evaluate the most efficient and effective delivery mechanism for the authority whilst still enabling it to achieve its corporate priorities.

RESOLVED

That approval be given to the procurement and appointment of a suitable leisure and financial consultant to quickly review the range of potential delivery models available and recommend a preferred option; to a virement from existing budgets to cover the cost of the work expected to be in the region of £30,000.

88 KEY DECISION 12/13-24 PUBLIC SERVICES NETWORK CONNECTIVITY PROCUREMENT

Consideration was given to the procurement of Public Services Network Connectivity with Cheshire West and Chester Council and other potential public service partners; this would provide a 'network of networks' to provide a secure version of the internet for the UK public sector by defining a set of standards with which industry suppliers needed to comply.

The Portfolio Holder for Prosperity and Economic Regeneration reported that the decision requested had been revised since the report had been written and was now as follows:

1. To approve Cheshire East Council procuring PSN Connectivity with Cheshire West and Chester Council and other potential public sector partners through Framework Agreement RM860 at a cost of £120,000 as fully funded and identified in the ICT Capital Programme for the years 2012/13.
2. To report to full Council on the outcome of the progress of the procurement exercise.

This was agreed by the Cabinet.

RESOLVED

1. That approval be given to Cheshire East Council procuring PSN Connectivity with Cheshire West and Chester Council and other potential public sector partners through Framework Agreement RM860 at a cost of £120,000, as fully funded and identified in the ICT Capital Programme for the years 2012/13.
2. That a report be made to full Council on the outcome of the progress of the procurement exercise.

89 THREE YEAR MEDIUM TERM FINANCIAL STRATEGY 2013-2016

Consideration was given to a report setting out the latest medium term financial forecasts for the Council and highlighting those areas that needed further attention by Members in setting an appropriate Financial Strategy for 2013/16.

The five key measures supporting the balancing of the financial position over the medium term, and considered by the Council in its budget setting, were set, these being Challenge financial assumptions; Review local taxation; Manage reserves; Manage cost drivers and Manage income. The report included a timetable of the key stages in developing the 3 Year Council Plan and Financial Strategy; the public facing dialogue would be accompanied by extensive communication and engagement with elected Members and staff over the same period.

RESOLVED

1. That the unprecedented scale and nature of the financial challenge facing the Council over the next 3 years and beyond be noted.
2. That the financial assumptions which are under consideration by elected Members as part of the Council's budget setting process for this 3 year period be noted.
3. That approval be given to the proposed approach to balancing the Council's medium term budget, using five key measures and applying 'Our principles to underpin budget decisions' as introduced in the 3 Year Council Plan for 2013-2016.

90 THREE YEAR COUNCIL PLAN 2013-2016

The Leader of the Council introduced this report setting out how the Council would develop a new 3 Year Council Plan for 2013/16. The report set out an

initial framework for the Plan which would be discussed widely with local partners, community groups, businesses and the public prior to its finalisation.

The comments of the Budget Task Group, which had considered the report at a meeting earlier that morning, were circulated; it was confirmed that they would be taken into account in the consultation.

RESOLVED

1. That approval be given to the proposed framework of a new 3 Year Council Plan based on the purpose, outcomes, priorities and budget principles set out in the report.
2. That the priorities for spending review and investment set out in this report be agreed and developed into more detailed business cases and action plans for projects, for further consideration by elected Members.
3. That the process for developing the 3 Year Council Plan, in parallel with the Council's supporting Medium Term Financial Strategy be agreed, in particular applying the proposed principles for budget decisions set out in the report.

91 NOTICE OF MOTION TO COUNCIL - CULTURE POLICY

At its meeting in April 2012 the Council received a Notice of Motion on Cultural Policy which was subsequently referred to the Cabinet. It was reported that the Portfolio Holder for Communities and Regulatory Services had initiated the development of a Cultural Statement and Action Plan, to include the review of a range of service areas and their contribution to the key outcomes of Participation, Conservation, Sustainable infrastructure, Promotion (of the Borough) and Employment; its findings and recommendations would be brought back to Cabinet for approval in due course.

RESOLVED

1. That the proposals for the production of a Cultural Policy to guide Council support to this area of work in the future be noted.
2. That the work currently being undertaken to support the delivery of a strong cultural sector within Cheshire East be noted.
3. That the response to the Notice of Motion be noted.

92 PLANNING APPEAL LOACHBROOK FARM, SANDBACH ROAD, CONGLETON

Cabinet was asked to note the urgent action taken by the Leader, the Deputy Leader and the Portfolio Holder for Communities and Regulatory Services in respect of lodging an appeal against the findings of a Planning Inspector in granting planning permission for the redevelopment of land for up to 200 dwellings, community facilities and associated infrastructure at this location. (Application 11/0736C)

RESOLVED

That the action be noted.

93 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 2, 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

94 KEY DECISION 12/13-17 APPOINTMENT OF PREFERRED CONTRACTOR, LYCEUM THEATRE, CREWE

Consideration was given to the report of the Strategic Director Places and Organisational Capacity.

RESOLVED

1. That approval be given to enter into a service contract and 15 year lease with the Company named in the report, in respect of the Lyceum Theatre, Crewe.
2. That final negotiation and agreement of the terms and conditions be delegated to the Assets Manager, the Head of Community Services and the Borough Solicitor.

95 KEY DECISION 12/13-23 TATTON PARK ENTERPRISES

Prior to consideration of this matter Councillors J Macrae and P Raynes, J Nicholson, and C Elwood all declared a non pecuniary interest in this matter. They took no part in the discussion or the vote on the decision requested.

Consideration was given to the report of the Strategic Director of Places and Organisational Capacity.

RESOLVED

That Councillors Jamie Macrae and Peter Raynes; the Strategic Director of Places and Organisational Capacity (John Nicholson); the Tatton Park Visitor and Economy Manager (Brendan Flanagan); be confirmed as Directors of Tatton Park Enterprises Limited, and that the Borough Solicitor and Monitoring Officer (Caroline Elwood) be confirmed as Company Secretary.

**96 PORTFOLIO HOLDER CHILDREN AND FAMILY SERVICES - COUNCILLOR
HILDA GADDUM**

The Leader announced that due to family commitments Councillor Hilda Gaddum was stepping down from her position as a Member of the Cabinet; she was presented with a bouquet in appreciation of her work as Portfolio Holder.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

Councillor M Jones (Chairman)