

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 29th April, 2014 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Jones (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors Rachel Bailey, J Clowes, J P Findlow, L Gilbert, B Moran,
P Raynes, D Stockton and D Topping

Members in Attendance

Councillors Rhoda Bailey, L Brown, S Corcoran, K Edwards, P Groves,
J Hammond, P Mason, R Menlove, A Moran, B Murphy, L Smetham
and A Thwaite

Officers in Attendance

Mike Suarez, Peter Bates, Lorraine Butcher, Anita Bradley, Caroline
Simpson, Heather Grimbaldeston and Paul Mountford

165 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

166 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no members of the public wishing to speak.

167 **QUESTIONS TO CABINET MEMBERS**

Councillor J Hammond sought the Cabinet's support for a campaign to encourage more people to cycle. The Leader replied that the campaign would have the Cabinet's full support. The Environment Portfolio Holder added that a cycling seminar was due to be held the following evening at which views would be sought as to what the Council should do to promote cycling in Cheshire East.

Councillor S Corcoran referred to the Leader's Easter message and invited him to elaborate on his views about faith. The Leader replied that his faith was important to him, that he had friends of different faiths, and that faith in general was an important part of life.

Councillor L Brown sought the Cabinet's views on a move by Pfizer, an American Pharmaceuticals company, to take over AstraZeneca and the implications in particular for AstraZeneca's manufacturing plant at

Hurdsfield. The Leader replied that the plant at Hurdsfield was a world class facility and centre of excellence and should be supported. The Council would be watching the situation very carefully.

Councillor L Smetham asked if the Cabinet could offer reassurance about the Council's five year supply of housing land. The Leader replied that the numbers in the plan were robust but that it was important for planning inspectors to support the Council's plan consistently.

Councillor K Edwards asked if the Council had any plans to create a walking path extending across the length of the Borough similar to the Sandstone Trail and Gritstone Way. The Leader asked the Environment Portfolio Holder to look into the matter.

168 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 1st April 2014 be approved as a correct record.

169 **NOTICE OF MOTION - SPARE ROOM SUBSIDY**

Cabinet considered the following motion which had been moved by Councillor K Edwards and seconded by Councillor P Raynes at the Council meeting on 27th February 2014 and referred to Cabinet for consideration:

“In line with the aspiration to improve the quality of life of all in Cheshire East, this Council should be satisfied that there has been no harm done to the health and wellbeing of the residents who have been affected by the Spare Room Subsidy.

We therefore call upon this Council to carry out Health Impact, and Equality Impact Assessments on the effects of the implementation of the Spare Room Subsidy throughout the Borough.

In particular, the Council should assess the impact on those residents who have been detrimentally affected, because they have been in receipt of Housing Benefit Support since before 1996.”

The report outlined the actions taken so far by the Council in relation to the spare room subsidy and further actions to be taken. The latter included the undertaking of health, finance and equality impact assessments; and a review of those impacts on the housing waiting lists and availability of accommodation and on registered housing providers. Once this work had been completed, a further report would be submitted to Cabinet.

RESOLVED

That the further actions proposed in relation to the spare room subsidy as outlined in the report be noted and supported and a further report be awaited.

170 NOTICE OF MOTION - PUBLIC RIGHTS OF WAY

Cabinet considered the following motion which had been moved by Councillor K Edwards and seconded by Councillor S Corcoran at the Council meeting on 27th February 2014 and referred to Cabinet for consideration:

“Cheshire East Council acknowledges that one of its most significant tourist assets is the magnificent scenery and the access to that scenery given by the extensive Public Rights of Way network. Therefore they call upon the administration to ensure that in any future arrangements for the governance and management of Public Rights of Way that may be commissioned in exercise of the Council's statutory responsibilities the following principles will be adhered to:

- a) There will be appropriate arrangements made to maintain and where necessary to improve and extend signage, and safe access.
- b) There will be consultative arrangements to enable members of the public to be aware of and involved in any proposed changes to Public Rights of Way.
- c) There will be a continually updated Rights of Way Improvement Plan
- d) There will be an appropriate programme of inspection to ensure safety for users.
- e) There will a budget allocated to carry out the above responsibilities.
- f) Work on completing the Definitive Map of all designated rights of way will be completed.”

The report responded to the motion as follows:

- § The current level of resources allowed the Council to maintain levels of signage and safety to a satisfactory standard.
- § It would not be in the interests of the Council to do anything other than fully consult its various partners.
- § The Council was obliged to continue to update the Rights of Way Improvement Plan and to maintain the Local Access Forum.

- § The Highways Service operated an inspection regime for both the road network and those urban paths on its list for maintenance but not for the remainder of the predominantly rural network due to limited resources. It was believed however that risks were lower if resources were devoted to maintenance rather than diverting an element of scarce resource to inspection.
- § The Council had a statutory duty to complete the Definitive Map. The rate of progress towards completion would depend on available resources although there was a cut-off date of 2026 for the acceptance of applications for additions of routes to the Definitive Map based on historical documentary evidence.

RESOLVED

That the response to the motion be noted and endorsed and the Executive Director of Strategic Commissioning be asked to undertake an options appraisal for the future delivery of the Public Rights of Way functions.

171 CONNECTING CHESHIRE BROADBAND - PROJECT EXTENSION (FORWARD PLAN REF: CE 13/14-74)

Cabinet considered a report proposing a further extension to the Connecting Cheshire project.

The Connecting Cheshire Project, led by Cheshire East Council, was the fastest deployment of high-speed broadband in the world, delivering at twice the pace of similar contracts across the country.

Building on the success of the project, it was proposed that the project be extended for a second tranche to reach a more ambitious target of 99% of homes and businesses by 2017, which would return approximately £84m of growth to the local economy. The total cost of the project extension, including partner contributions and grants, was expected to be £5.1m, with further private sector leverage to be agreed through procurement. The Council's contribution would be up to £1.12m over the three year period 2015-2017.

On consideration of this matter, the Deputy Leader and the Chief Operating Officer were asked to look into the compatibility of the Council's internal network with the BT network and to write to Members.

RESOLVED

That Cabinet

1. approves the extension of the Connecting Cheshire project continuing the rollout of broadband technologies to achieve 99% coverage of superfast broadband by March 2017;

2. approves an investment of £1.12m from the Council's capital resources, including £905.9k for infrastructure investment, and £215.7k to support continued project management arrangements from July 2015 through to March 2017;
3. approves that the Council enter into an open market review and procurement process with Broadband Delivery UK (BDUK) to scope and define the project extension, including specific costs, timescales and outputs;
4. will continue delivery of the project's governance arrangements as part of the Connecting Cheshire Partnership, fulfilling the authority's role as accountable body for the project;
5. will continue to give delegated authority to the relevant Portfolio Holder and Director of Economic Growth and Prosperity for decision-making in relation to the resolutions 1 to 3 above; and
6. authorises the Head of Legal Services and Monitoring Officer to negotiate and enter into any necessary legal agreements to give effect to resolutions 1 to 4 above.

172 **FUTURE DELIVERY MODEL FOR THE INTEGRATED
TRANSPORT UNIT (FORWARD PLAN REF: CE 13/14-76)**

Cabinet considered a report seeking approval to proceed with the implementation of a wholly-owned company to deliver all the functions of the Council's Integrated Transport Unit.

The Council had registered a company under the name Transport Service Solutions Ltd (TSS), 100% owned by the Council. The role of the company would be to deliver transport services on behalf of the Council with a current total budget of approximately £17.8M. The aim was for the new company to become operational by 1st July 2014 but with a contingency commencement date of 1st October 2014.

The officers had developed a detailed business case and plan which had been subject to scrutiny by the Council's project management regime. The Environment Policy Development Group had been fully involved in considering the available delivery options for the Transport Service and there had been widespread support for the wholly-owned company model as being the most appropriate for the Integrated Transport Unit, both in terms of financial sustainability and service improvements.

The Leader commented that he expected communication with councillors and the public to be one of the performance outcomes he would be expecting from the new company. He also stressed the ongoing need for unions to be consulted on this and all other alternative service delivery vehicles.

RESOLVED

That Cabinet

1. approves the implementation of Transport Service Solutions Ltd as the future management model for integrated transport services in accordance with the detailed business case and implementation plan attached as Appendix A to the report;
2. agrees that all current functions of the Integrated Transport Unit be transferred to Transport Service Solutions Ltd whilst accepting that the ultimate strategic direction for Transport remains with the Council;
3. gives any necessary delegated authority to the Executive Director of Strategic Commissioning, the Head of Local Communities, the Head of Legal Services and the Chief Operating Officer, in consultation with the Portfolio Holder for Environment to proceed with the implementation in accordance with the project plan, including negotiating appropriate contractual arrangements, arranging leases and central support services and novating contracts where necessary;
4. acknowledges the timetable for the project which aims to establish the company by 1st July 2014 but with a contingency go-live date of 1st October 2014 should operational issues prevent this being achievable;
5. agrees to the commencement of a formal consultation period with all the staff who might be affected by any proposed TUPE transfer; and
6. acknowledges that, following Cabinet's approval of this proposal, work will continue to develop the more detailed business plans and draft contracts for the new company.

173 **PROPERTY ASSET DISPOSALS - PARK LANE, MACCLESFIELD (FORWARD PLAN REF: CE 13/14-88)**

Cabinet considered a report on the sale of land and buildings at Park Lane, Macclesfield.

The report sought approval for the sale of the freehold interest comprising approximately 1.8 acres of land and buildings shown edged red on the plan attached to the report and known as:

- § The Willows, Park Lane, Macclesfield
- § Peatfield Centre, Park Lane, Macclesfield
- § Park Lane Offices, Macclesfield
- § 352C, Park Lane, Macclesfield

to Macclesfield College upon the terms outlined in Section 10 of the report.

The College were proposing to construct a new conference and lecture facility to expand their Higher Education provision and offer facilities for use to local businesses and the community.

RESOLVED

That

1. the land and buildings referred to in the report be sold to Macclesfield College upon the terms outlined in Section 10 of the report; and
2. the Chief Executive or his nominee, in consultation with the Portfolio Holder for Finance and the Head of Legal Services, and subject to consideration by the Chief Operating Officer, be given delegated authority to finalise the details of the sale in accordance with the terms and conditions outlined in the report.

174 **PENSIONS DISCRETIONS - CHANGES TO THE LOCAL
GOVERNMENT PENSION SCHEME (LGPS 2014) (FORWARD PLAN
REF: CE 13/14-81)**

Cabinet considered a report on changes to the Local Government Pensions Scheme and the Local Government Pensions Discretions that must be considered by the Council and included within the Council's current Employer Discretions.

The Local Government Pension Scheme was changing significantly with effect from 1st April 2014, the most notable change being the move to a career average scheme. There were a number of additional changes to the scheme which had to be considered and reflected in the Council's Pensions Discretions Policy. The current policy and recommended changes were set out in section 10 of the report.

RESOLVED

That cabinet agrees to exercise its discretions as outlined in the table in section 10.0 of the report.

The meeting commenced at 2.00 pm and concluded at 3.10 pm

M Jones (Chairman)