

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 22nd July, 2014 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

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

Members in Attendance

Councillors Rhoda Bailey, L Brown, S Corcoran, I Faseyi, S Gardiner, S
Hogben, B Livesley, R Menlove, A Moran, B Murphy, L Smetham, A Thwaite.

Officers in Attendance

Mike Suarez, Peter Bates, Anita Bradley, Tony Crane, Brenda Smith, Julian
Cobley, Barbara Dale, Kirsty Hercules, Rachel Ryle and Julie North.

Apologies

Councillors P Raynes, Rachel Bailey and P Groves.

25 DECLARATIONS OF INTEREST

There were no declarations of interest.

26 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public wishing to speak.

27 QUESTIONS TO CABINET MEMBERS

Cllr S Hogben referred to eight blacklisting companies (Balfour Beatty, Carillion, Costain, Kier, Laing O'Rourke, Sir Robert McAlpine, Shanska UK and VINCI PLC), who, in October 2013, had announced that they were setting up The Construction Workers Compensation Scheme to compensate the victims they blacklisted. He asked which of these companies Cheshire East Council had dealings with.

Cllr Hogben also asked for an indication as to the amount of the deliverable housing supply that the Council could currently offer.

Cllr S Corcoran referred to the Ombudsman report relating to White Moss Quarry and his concerns regarding allegations that the date on an aerial photograph had been changed to make it appear that it was available during the consultation. He stated that he had obtained information under

the Freedom of Information Act and the audit trail had revealed that there had been two entries and he requested that Cabinet fully investigate the second entry, as to who did it, what they did and why.

Cllr S Gardiner asked the Service Commissioning Portfolio Holder if he could advise Councillors on the level of preparedness for the storms forecast for later in the week.

Cllr A Moran referred to the night economy in Nantwich and a number of applications for takeaways to open to 03:30 hrs. The Licensing Committee had refused one of these applications, but the decision had been reversed on appeal, despite objections from the Town Council and the Police. The result of this was that the takeaway was now open until 03:30 hrs on three nights per week and there were concerns that other premises would now apply for the same hours. He referred to the consultation on the midnight levy and asked when this would be implemented, so that the premises who opened into the early hours of the morning would have to pay an extra contribution to policing and cleaning up the town.

Cllr L Smetham referred to comments made at the recent breakfast meeting, concerning the Community Governance review for Macclesfield and asked whether the Council was intending to give substantial weight to the residents' views and comments in respect of the consultation.

28 MINUTES OF PREVIOUS MEETING

RESOLVED

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

29 URGENT ITEM OF BUSINESS

In accordance with Section 100B (4)(b) of the Local Government Act 1972, the Chairman announced that he had agreed to allow consideration of an additional urgent item of business, as Council, at its meeting on 17 July 2014, had approved a supplementary estimate of £900,000 from the 2013/14 revenue underspend to fund the grants. Funding was only available until the end of March 2015, so it was imperative that the Grant Scheme was established, so that groups were given enough opportunity to apply to the scheme. The report relating to this item, which was circulated at the meeting, was entitled "Your Money Fund" Some additional wording to name the scheme "Cheshire East Give Back – Your Money Fund" was agreed.

30 PUBLIC HEALTH TRANSFORMATION FUND

Consideration was given to a report relating to the Public Health Transformation Fund, which had been specifically created to improve the health and wellbeing of residents in Cheshire East. This dedicated, flexible

and time-limited financial resource would enable residents to access and benefit from innovative approaches to health not previously available in Cheshire East, through statutory, voluntary, community, faith and private sector transformation initiatives.

The appendices originally submitted with the agenda report were in draft format, while the grant agreement was finalised. The appendices had subsequently been amended to reflect the intentions of the grant and to ensure consistency between the grant agreement, the Terms of Reference for the Fund and its associated documentation. Updated appendices had been circulated and published as a supplement to the agenda on the Councils' website.

Cabinet was requested to agree the creation of the Public Health Transformation Fund and to delegate the decision to make the awards to the Public Health Transformation Fund Panel Chaired by the Portfolio Holder.

RESOLVED

1. That the creation of the Public Health Transformation Fund be approved.
2. That the decision to make the awards be delegated to the Public Health Transformation Fund Panel, chaired by the Portfolio Holder and that the Panel report back to Cabinet on performance.

31 SUBSTANCE MISUSE SERVICES - CONTRACT AWARD

Consideration was given to a report relating to Substance Misuse Services, the responsibility for commissioning of which had been transferred to the Council in April 2013. The report informed Cabinet of the strategic review and procurement process undertaken for securing substance misuse services and sought Cabinet's authority to delegate to the Portfolio Holders (Health & Adult Social Care and Children & Families), the Director of Public Health and the Executive Director of Strategic Commissioning, the authority to award and conclude contractual documentation with the successful tenderer.

RESOLVED

1. That the EU compliant procurement exercise undertaken be noted.
2. That delegated authority be granted to the Portfolio Holders for Health & Adult Social Care and Children & Families, the Director of Public Health and the Executive Director of Strategic Commissioning to

award and conclude contractual documentation with the successful tenderer.

32 SUPPORTING FAIR ACCESS TO EDUCATIONAL OPPORTUNITY

Consideration was given to a report relating to supporting fair access to educational opportunity. It was proposed that the role of monitoring and reporting on fair access could be implemented successfully through effective working relationships with schools and by reporting annually to the Schools Adjudicator on admissions for all schools in its area. The Local Authority would continue to report annually to the Schools Adjudicator on admissions for all the schools in its area for which it coordinated admissions, making recommendations that supported the interests of parents and their children and ensuring compliance with the provisions set out in the School Admissions Code and relevant legislation.

Cabinet was requested to approve the new way of working.

RESOLVED

That the new way of working, as set out in the report be approved.

33 RISK MANAGEMENT POLICY REVIEW

Consideration was given to a report relating to the review of the Council's Risk Management Policy. The Council, as a publicly accountable body, must be able to demonstrate effective management of the risks and opportunities which affected the achievement of its strategic objectives. The Council's strong risk management arrangements provided it with a structured, consistent and continuous process for identifying and reporting on opportunities and threats that affect the achievement of its 3 Year Plan objectives and outcomes. The policy had last been amended and approved by Cabinet at its meeting on 22 July 2013 and Cabinet had agreed that the policy be reviewed annually. The report updated Cabinet on the review recently carried out and summarised the proposed changes in section 3. In summary, while the risk management policy remained fit for purpose, a number of amendments had been made to strengthen both the policy and the risk management framework. The updated policy was appended to the report for Cabinet's approval.

RESOLVED

That the updated Risk Management Policy be approved and it be noted that the policy would be reviewed annually.

34 CHESHIRE EAST GIVE BACK -YOUR MONEY FUND

In the Chief Operating Officer's Cabinet Report of 1st July 2013/14 the Final Outturn Review of Performance highlighted a budget underspend of

almost £900,000. At the Cabinet meeting it had been suggested that this underspend should be given back to the residents of Cheshire East. This was submitted as motion to Council on 17 July 2014, by Councillor Peter Raynes. The Motion as proposed and approved by Council was as follows:-

“Council welcomes the news that there has been a £900,000 underspend against the 2013/14 budget; acknowledges that this is the result of prudent financial management; and commits to using this money to benefit the residents of Cheshire East Borough. Council is asked to approve a supplementary estimate of £900,000 funded from the 2013/14 revenue underspend and to delegate to Cabinet the power to set up and administer a Community Fund to the benefit of the residents of Cheshire East”.

Rather than administer a costly exercise of returning, what would be a very small amount when divided between council tax payers, it was agreed that the money should be used to fund certain types of community activity, detail of which were set out in the report.

RESOLVED

1. That the creation and principles of the Cheshire East Give Back - Your Money Fund Grant Scheme be established.
2. That the Cheshire East Give Back Your Money Fund budget be fixed as a one-off amount made available in the financial year of 2014/15 to cease being available at the end of March 2015.
3. That the vast majority of grants be given out to young people's sections of uniformed organisations and organisations who provide services and support to older people via an application process.
4. That a one-off grant be given to the most appropriate specialist third sector provider who is able to demonstrate an innovative solution to tackling abuse in young people's relationships; the provider to be determined by the Council's Domestic Abuse Partnership's Co-ordinator.
5. That the grants for faith organisations be influenced following a borough-wide faith conference; this conference to establish the priorities to be addressed by faith organisations working in the community.
6. That the Leader of the Council be given delegated responsibility for the approval of the Cheshire East Give Back - Your Money Fund and to assess and approve applications as they are received, in

consultation with key officers, including the Partnership Support Manager, and with Portfolio Holders.

The meeting commenced at 2.00 pm and concluded at 3.10 pm

M Jones (Chairman)