

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 31st March, 2015 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, M Grant, W Livesley, R Menlove, and
L Smetham

Officers in Attendance

Mike Suarez, Lorraine Butcher, Anita Bradley, Caroline Simpson, Judith
Tench, Heather Grimbaldeston and Paul Mountford

147 **DECLARATIONS OF INTEREST**

Councillor Rod Menlove declared a non-pecuniary interest as a member of the Tariff Setting Board in relation to the Fairer Power scheme, upon which he intended to speak during Members' questions to Cabinet.

148 **PUBLIC SPEAKING TIME/OPEN SESSION**

Sue Helliwell asked if there would be any funding for neighbourhood grants in 2016/17. She also asked if a letter had been sent to the Secretary of State regarding future unplanned unsustainable development in Alsager and whether a reply had been received. The Leader understood that a letter had been sent to the Secretary of State; however, it was unlikely that a response would be received now, given that Parliament had been dissolved. He added that Cheshire East Council was committed to localism and would ensure that funding would continue to be available to support neighbourhood plans; the Secretary of State had only that week announced that a further £250M would be allocated to neighbourhood plans in 2016/17.

Sylvia Dyke asked if there could be a thorough investigation into the state of White Moss Quarry. She commented that the Council had done nothing to ensure that the necessary restoration works were undertaken in accordance with the original agreement. The Leader responded that he expected the site to be restored as originally agreed. He asked the Chief Executive to undertake an immediate investigation into the situation with White Moss Quarry, including how the Council had organised documents

on its website, given that some of the matters predated the creation of Cheshire East Council.

149 **QUESTIONS TO CABINET MEMBERS**

Councillor Rod Menlove asked if it could be made clear that the aim of the Council's Fairer Power scheme was to attack fuel poverty within the Borough and that the housing associations were very much on board. The Leader responded that Cheshire East Council had been the first authority in the country to introduce such a scheme and that so far approximately 1,000 residents had signed up. As more people signed up to the scheme, the tariff could be lowered further, allowing significant reductions in participating residents' fuel bills.

150 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 3rd March 2015 be approved as a correct record.

151 **NOTICE OF MOTION - CORPORATE TAX MANAGEMENT**

Cabinet considered the following motion which had been moved by Councillor S Hogben and seconded by Councillor K Edwards at the Council meeting on 11th December 2014 and referred to Cabinet for consideration:

"Nationally, nearly half of local authority funding comes from central government – financed from general taxation which includes corporation tax. This makes corporate tax avoidance an issue directly relevant to the provision of local government services, as well as to the provision of public services around the world.

This Council calls upon the UK government to listen to the strength of public feeling and act to end the injustice of tax avoidance by large multinational companies, in developing countries and the UK.

While many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services."

The report outlined the actions HMRC was already taking to tackle the issue of tax avoidance.

RESOLVED

That Cabinet fully supports the approach being undertaken by HMRC and refers anyone wishing to find further details to the HMRC website which shows how the Government is tackling this important issue.

152 CONGLETON PUBLIC REALM ENHANCEMENT SCHEME

Cabinet considered a proposal to invest in public realm enhancements in Congleton Town Centre.

The Strategy included the enhancement of the pedestrianised Bridge Street/Little Street area and creating a Shared Space at the intersection between Bridge St/High Street and Moody St/Market Street, referred to as Festival Square. Further details were set out in the report.

In December 2014 Cheshire East Council had confirmed that in principle £1m was available for these enhancements.

RESOLVED

That Cabinet approves

1. the prioritisation of the £1 million allocation to invest in public realm enhancements in Congleton Town Centre; and
2. the first phase of work necessary to establish a preferred option for the public realm improvements (up to a maximum of £120k) and that, following consultation with Congleton Town Council and endorsement through the Council's Project Gateway process, this be reported back to a future Cabinet meeting for approval.

153 NEIGHBOURHOOD PLANNING GRANTS SCHEME

Cabinet considered a policy for the allocation of Neighbourhood Planning Grants.

The proposals in the report would enable Cheshire East Council to further support residents in Cheshire East to establish local planning policy that was relevant to their communities. To help communities achieve this, the implementation of a Neighbourhood Planning Grants Scheme was proposed. The draft policy was appended to the report.

The Portfolio Holder for Housing and Jobs proposed an amendment to the draft policy to remove a provision which would have prevented organisations already in receipt of support from the Council from receiving further support under the grant scheme.

RESOLVED

That

1. subject to the amendment now proposed, the policy for the allocation of Neighbourhood Planning Grants as described in the report be approved; and
2. the funding of grants to local town and parish councils be met by resources set aside from the grants income received from DCLG for Cheshire East's supporting role in Neighbourhood Planning.

154 REVISION OF THE CHESHIRE EAST COMMON ALLOCATIONS POLICY

Cabinet considered a number of proposed changes to the Cheshire East Common Allocations Policy.

The proposed changes included giving priority to those with a local connection, and rewarding those in work on all new developments, at first let only, with the aim of creating mixed sustainable communities. The changes would also bring the policy in line with current legal requirements and give flexibility for Registered Providers to undertake affordability and capital limit checks as well as give priority to cared for children in housing need for a longer period of time. The changes were set out in Appendix 1 to the report.

RESOLVED

That the eight changes outlined in Appendix 1 to the report be incorporated into the Cheshire East Common Allocations Policy.

155 DETERMINATION OF LOCAL AUTHORITY COORDINATED SCHEME AND ADMISSION ARRANGEMENTS

Cabinet considered the co-ordinated scheme and admission arrangements for 2016 and subsequent years.

The coordinated scheme (Annex 1 to the report) would apply to applications for places in all publicly funded mainstream primary and secondary schools (including academies) for the school year 2016-17. The proposed admission arrangements (Annex 2) included the overall procedure, practices, criteria, published admission number (PAN) and supplementary information to be used in deciding on the allocation of school places.

RESOLVED

That Cabinet approves

1. the proposed co-ordinated admission scheme, which all local authorities are required by section 88M of the School Standards and Framework Act 1998 (SSFA) to have in place (Annex 1 to the report); and
2. the proposed admission arrangements for Cheshire East community and controlled schools, which are the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places (Annex 2).

156 **BETTER CARE FUND - SECTION 75 PARTNERSHIP AGREEMENTS**

Cabinet considered a report providing an update on the implementation and delivery of the Cheshire East Better Care Fund.

The Better Care Fund was a nationally driven initiative supporting the integration of health and social care.

The report updated Cabinet on the implementation and delivery of the Cheshire East Better Care Fund, as approved by NHS England and overseen locally by the Cheshire East Health and Wellbeing Board. It requested Cabinet support for the Council to enter into two s75 Partnership Agreements with local health partners and sought delegated authority for the Executive Director of Strategic Commissioning to make decisions and agreements on behalf of the Council in relation to the commissioning of schemes funded by the Better Care Fund.

RESOLVED

That Cabinet

1. supports and approves the Council entering into two s75 partnership agreements with the relevant Clinical Commissioning Group, Eastern Cheshire Clinical Commissioning Group (for Caring Together Programme) and South Cheshire Clinical Commissioning Group (for Connecting Care Programme) to deliver the Better Care Fund Plan;
2. supports the proposal that the CCGs will be the lead accounting organisations for the s75 pooled budgets;
3. agrees that final amendments to the s75 be agreed with the Portfolio Holder for Care and Health in the Community, Executive Director of Strategic Commissioning, s151 Officer and respective CCG Chief Officers, and be reported back to Cabinet; and
4. agrees that the Cheshire Joint Commissioning Leadership Team be responsible for overseeing the delivery of the agreement pending a review of the existing governance arrangements and an updated

delivery position be reported to Cabinet and the CCG Governing Bodies during October 2015.

157 **ACCOUNTABLE BODY FOR THE LOCAL ENTERPRISE
PARTNERSHIP**

Cabinet considered a report seeking approval for Cheshire East Council to act as Accountable Body for all Government funding streams channelled through the Cheshire and Warrington Local Enterprise Partnership.

Cheshire East Council was already the Accountable Body for the LEP's Core Funding grants, the Growing Places Fund and the Local Transport Body. In the light of the increasing number and value of grants being channelled through the LEP, and acknowledging the robustness of the LEP's governance and decision-making structures and its single Assurance Framework, it was recommended that Cheshire East Council act as Accountable Body for the LEP for all Government funding streams.

RESOLVED

That

1. subject to resolutions 2 and 3 below, Cheshire East Council act as Accountable Body for all Government funding streams channelled through Cheshire and Warrington Local Enterprise Partnership until such a time as the LEP or the Council determines otherwise;
2. the Chief Operating Officer, in consultation with the Portfolio Holder for Finance, be authorised to take all necessary actions to ensure the robustness of the Local Assurance Framework and certify that the final Framework is agreed and will be implemented in accordance with the standards articulated in the national framework;
3. the Chief Operating Officer, in consultation with the Portfolio Holder for Finance, be authorised to take all necessary actions to ensure the robustness of the Partnership Agreement, setting out the relationships, responsibilities and respective accountabilities of the LEP and Cheshire East Council as the Accountable Body; and
4. delegated authority be given to the Chief Operating Officer to make arrangements for the delivery of the responsibilities of the Accountable Body as described in the Local Assurance Framework and summarised in the report.

158 **DIGITAL CUSTOMER SERVICES**

Cabinet considered a report on the future 'digital by default' operating model for customer contact.

The Council had developed a business case for digital customer services which would enable customer contact across all services to be delivered primarily through digital channels. A Customer Portal would provide a single route into the Council's digital services, with information tailored around the individual's specific needs. Digital community hubs would encourage and enable customers to collaborate with the rest of the community, help people to access a support network, and potentially address issues of isolation and loneliness.

The business case had been reviewed and endorsed by the Executive Monitoring Board on 20th March. A summary was appended to the report.

RESOLVED

That the Chief Operating Officer be authorised, in consultation with the Portfolio Holder for Strategic Outcomes, to take all necessary actions to implement the future digital by default operating model for customer contact, including:

- § Extending the existing contract with PwC to encompass further work packages to support implementation
- § Identifying an appropriate IT implementation partner(s)
- § Mobilising the Programme team to begin implementation

159 INTEGRATED DIGITAL CARE RECORD

Cabinet was informed of an urgent decision taken under Cabinet Procedure Rule 53.

The decision related to the Cheshire Integrated Digital Care Record, an innovation which allowed the providers of health and care services to access information relating to vulnerable people in their care from different organisations to enable the needs of those people to be better understood and to allow more timely and appropriate interventions to support their care and support needs.

In July 2014 Cheshire East Council had submitted a bid to NHS England for Integrated Digital Care Fund - known as Tech Fund Two - capital monies on behalf of itself and partner organisations. HM Treasury had delayed the approval of the funds for several months after the submission of the bid and NHS England did not contact the Council to advise that the bid was successful until 25th February 2015. However, NHS England required the money to be spent within the 2014/15 financial year. Any delay would have resulted in the funding being lost.

The following decision had therefore been taken by the Leader, Deputy Leader and Portfolio Holder for Care and Health in the Community in accordance with Cabinet Procedure Rule 53 following consultation with the

Chief Executive, Chairman of the Corporate Overview and Scrutiny Committee and Group Leaders:

1. to authorise the Council to act as accountable body for Tech Fund Two;
2. to approve a supplementary capital estimate for 2014/15 of £986,949; and
3. to note that a further sum of £84,000 Tech Fund Two monies relates to 2015/16.

Further background information was provided in a report circulated at the meeting.

RESOLVED

That the decision taken under Cabinet Procedure Rule 53 in relation to funding for the Cheshire Integrated Digital Care Record be noted.

The meeting commenced at 10.00 am and concluded at 11.12 am

Councillor M Jones (Chairman)