

Communities Overview and Scrutiny Committee

Agenda

Date: Thursday, 20th November, 2014
Time: 10.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road, Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any items on the agenda.

3. **Whipping Declarations**

To provide an opportunity for Members to declare the existence of a party whip in relation to any item on the agenda.

4. **Public Speaking**

For requests for further information

Contact: Katie Small

Tel: 01270 686465

E-Mail: katie.small@cheshireeast.gov.uk with any apologies

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers.

Note: In order for officers to undertake any background research, it would be helpful if members of the public contacted the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting to provide brief details of the matter to be covered.

5. **Minutes of the Meeting held on 25 September 2014** (Pages 1 - 4)

To approve the minutes as a correct record.

6. **Quarter 2 - Tatton Park Enterprises**

To receive a presentation on the second quarter progress report

7. **Anti Social Behaviour, Crime and Policing Act 2014**

To receive a further update on the implications of the Anti Social Behaviour, Crime and Policing Act 2014.

8. **Forward Plan** (Pages 5 - 20)

To note the forward plan, identify any new items, and to determine whether any further examination of new issues is appropriate.

9. **Work Programme** (Pages 21 - 26)

To give consideration to the work programme

CHESHIRE EAST COUNCIL**Minutes of a meeting of the Communities Overview and Scrutiny Committee**

held on Thursday, 25th September, 2014 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor G Baxendale (Chairman)
Councillor M Grant (Vice-Chairman)

Councillors W S Davies, K Hickson, P Whiteley and B Murphy

Apologies

Councillors H Gaddum

1 OFFICERS PRESENT

Kirstie Hercules
Laura Woodrow Hurst

2 DECLARATIONS OF INTEREST

There were no declarations of interest

3 WHIPPING DECLARATIONS

There were no whipping declarations.

4 PUBLIC SPEAKING

There were no members of the public present wishing to speak

5 POLICE AND CRIME PLAN - PRIORITIES

Councillor Paul Findlow, a member of the Cheshire Police and Crime Panel (PCP) attended the meeting to address the committee on the Cheshire Police and Crime Plan.

Councillor Findlow explained that the PCP comprised ten elected Members from the Cheshire authorities, three of whom represented Cheshire East and three independent Members.

The Chief Constable was accountable to the Police and Crime Commissioner (PCC) in respect of non operational matters, and in turn the PCC was accountable to the PCP.

The PCC was responsible for the Cheshire Police and Crime Plan and although he personally the PCC had significant input in respect of the content of annual plan and formulation of objectives, he also received direction from the home office on some aspects of the plan.

In summary, the new Cheshire Police and Crime Plan contained 5 strategic objectives each with a number of measures.

Members of the committee were then invited to question Councillor Findlow on the plan and work of the PCP.

A question was raised about the disparity between the Community Safety Funding grant allocated to Cheshire West and Chester and that allocated to Cheshire East, with the former receiving over £10,000 more.

Councillor Findlow informed that Committee that he was not familiar with the allocation criteria and would take the matter up directly with the commissioner.

RESOLVED – That the presentation on the work of the PCP and the content of the Cheshire Police and Crime Plan be noted.

6 ANTISOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

Kirstie Hercules and Laura Woodrow Hurst gave a presentation on the content and implications of parts 1-6 of the Anti – Social Behaviour Crime and Policing Act 2014.

Parts 1-4 of the new act replaced the existing 19 powers that dealt with anti social behaviour.

Part 5 gave landlords power to deal swiftly with the most serious anti-social behaviour committed by their tenants and part 6 gave victims power to ensure that action was taken to deal with persistent anti-social behaviour through the new community trigger, and also to have a greater say in what form of sanction an offender would receive out of court through a new procedure called the community remedy.

The act also introduced new measures to give victims a say. This was known as a Community Trigger. This new power allowed members of the community to ask the Community Safety Partnership to review its response to complaints of anti-social behaviour. The trigger was designed to resolve repeated reports of anti social behaviour where no action had been taken. In order for this power to be invoked, a complainant had to have reported the same problem on three or more occasions in the past six months to their landlord, Council or Police, or different complainants had reported the problem five times over the same period. There was a set procedure to be followed which also provided opportunities to appeal if a complainant was not happy with the response.

RESOLVED –

(a) That the presentation be received;

- (b) That a further presentation be made at a subsequent meeting on other aspect of the Anti – Social Behaviour Crime and Policing Act 2014 which are relevant to the Committee.

7 FORWARD PLAN

The Committee considered items listed in the forward plan.

RESOLVED – That the forward plan be received.

8 WORK PROGRAMME

The Committee reviewed its work programme.

RESOLVED - that the work programme be received.

The meeting commenced at 10.30 am and concluded at 11.50 am

Councillor G Baxendale (Chairman)

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FORWARD PLAN TO 31 MARCH 2015

This Plan sets out the key decisions which the Executive expect to take over the four month period indicated above. The Plan is rolled forward every month. Key decisions are defined in the Councils Constitution as:-

“an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising one or more wards or electoral divisions in the area of the local authority.

For the purpose of the above, savings or expenditure are “significant” if they are equal to or greater than £500,000.”

Reports relevant to key decisions, and any listed background documents, may be viewed at any of the Councils Offices/Information Centres 5 days before the decision is to be made. Copies of, or extracts from these documents, may be obtained on the payment of a reasonable fee from the following address:-

Democratic Services Team
Cheshire East Council ,
c/o Westfields, Middlewich Road, Sandbach Cheshire CW11 1HZ
Telephone: 01270 686472

However, it is not possible to make available for viewing or to supply copies of reports or documents, the publication of which is restricted due to confidentiality of the information contained.

A record of the decision for each key decision is published within 6 days of it having been made. This is open for public inspection on the Council's Website, at Council Information Centres and Council Offices.

This Forward Plan also provides notice that the Cabinet may decide to take a decision in private. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, 28 days notice must be given of any decisions to be made in private by the Cabinet, with provision for the public to make representations as to why they should be made in public. In these cases Members of the Council and the public may make representations in writing to the Democratic Services Team Manager using the contact details below. A further notice of intention to hold the meeting in private must then be published 5 clear days before the meeting setting out any representations received about why the meeting should be held in public with a response from the Leader and the Cabinet.

The list of decisions in this Forward Plan indicates whether a decision is to be taken in private, with the reason category for that decision being taken in private being drawn from the list overleaf:

1. Information relating to an individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including to authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority
5. Information in respect of which a claim to legal and professional privilege could be maintained in legal proceedings
6. Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

If you would like to make representations about any decision to be conducted in private at a meeting then please email

Paul Mountford, Democratic Services Officer paul.mountford@cheshitreeeast.gov.uk

Such representations must be received at least 10 clear working days before the date of the Cabinet or Portfolio Holder meeting concerned.

Where it has not been possible to meet the 28 day rule for publication of notice of a key decision or intention to meet in private the relevant notices will be published as soon as possible in accordance with the requirements of the Constitution.

The law and the Council's Constitution provides for urgent key decisions to be made. Any decision made in this way will be published for these in the same way.

Forward Plan to 31 March 2015

Key Decision and Private Non-Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-7 Poynton Relief Road - Preferred Route Announcement	To approve and protect a preferred route, and to approve ongoing development of the scheme to support a planning application.	Cabinet	11 Nov 2014		Paul Griffiths	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-10 All Change for Crewe - Sydney Road Replacement Bridge	Strategy of highway improvements from Crewe Green to the A530 to support Local Plan strategic site allocations and committed sites. Decision on preferred option for the structure at this location; authority to forward fund developer contributions and increase CEC contribution; own and maintain a new/modified structure at this location; approve procurement/delivery strategy and grant authority, if required, to enter into agreement /contract with Network Rail Infrastructure Projects for the delivery of the scheme; authority to implement procurement strategy for the delivery of this scheme; commence negotiations for 3 rd party land required to deliver the scheme and if necessary to implement a compulsory purchase order; take all other necessary actions to implement the proposal.	Cabinet	11 Nov 2014		Andrew Ross	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-12 Heritage and Cultural Renewal in Macclesfield (Footpath 53, Step Hill)	To consider the options for the remedial works required to enable the reopening of Footpath 53, Step Hill, Macclesfield which has been closed for a number of years and to authorise the officers to take all necessary actions to implement the agreed way forward.	Cabinet	11 Nov 2014		Denise Griffiths	No
CE 14/15-14 Macclesfield Town Centre Housing Strategy	To decide whether to approve and adopt the strategy in light of the public consultation outcome, and to authorise the officers to implement all associated actions and initiatives.	Cabinet	11 Nov 2014	There will be a public consultation exercise in July, the outcome of which will be reported to Cabinet.	Karen Carsberg	No
CE 14/15-21 Re-commissioning of Sexual Health Services	To grant delegated authority to the Director of Public Health and the Executive Director of Strategic Commissioning, in consultation with the relevant Portfolio Holders, to award a contract for Public Health Sexual Health Services.	Cabinet	11 Nov 2014		Lucia Scally, Manager of strategic Commissioning	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-23 Responding to the views of Local People and Businesses about Car Parking in Cheshire East	To authorise the Head of Communities to develop a cost neutral car parking pricing policy by November 2014.	Cabinet	11 Nov 2014		Stephanie Cordon, Head of Communities	No
CE 14/15-24 Highway Services Contract - Service Period Extension	In accordance with the terms of the Highway Services Contract, to consider and decide on the possible award to Ringway Jacobs of an extension to the service period of one or two years. Additionally, to authorise officers to take all necessary actions to implement the proposed outcome.	Cabinet	11 Nov 2014			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-30 Transport Service Solutions Ltd	<p>Approve, through a contract, the transfer of Council transport services business to the TSSL company on 1 January 2015.</p> <p>Confirm that the revised financial detail within the detailed business case still demonstrates the viability of TSSL and that the earlier decision to establish the company remains valid.</p> <p>Give 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 that implementation in accordance with the project plan. That plan includes negotiating appropriate contractual arrangements, arranging leases and central support services plus novating contracts where necessary.</p>	Cabinet	11 Nov 2014			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-31 Adult Services Charging Policy Review 2015	Approval to go to public consultation on a number of proposals around Adult Social Care charging – some of which are statutory requirements of the Care Act. Authorise Officers to take all necessary actions to implement changes outlined subject to consultation outcome.	Cabinet	11 Nov 2014		Alison McCudden	possible confidential appendix

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-11 Homelessness Strategy 2014-17	<p>To authorise the officers to begin a six week consultation phase with the public and professionals, internally, externally and in all sectors (including voluntary and third sector), on the proposed Homeless Strategy, commencing at the end of July 2014. The consultation will be authorised by the Portfolio Holder for Housing and Jobs on 28th July 2014.</p> <p>Subject to the outcome of the consultation, Cabinet on 14th October 2014 will be asked to approve the Homeless Strategy for adoption.</p>	Cabinet	9 Dec 2014			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE14/15-18 Cheshire Homechoice - Allocation Policy Review	<p>To approve the final version of the Cheshire Homechoice Policy for adoption and authorise officers to take all necessary steps to implement the revised Housing Allocation Policy.</p> <p>Cheshire Homechoice is the Choice Based Lettings Partnership between Cheshire East Council and Registered Providers who allocate Social Housing in Cheshire East.</p>	Cabinet	9 Dec 2014		Karen Carsberg	
CE14/15-19 Planning (Building Control) Alternative ASDV	To seek approval to go with the preferred option for the delivery of the Planning Service and authorise officers to take all necessary actions to implement the proposal, including the commencement of the Oracle build.	Cabinet	9 Dec 2014		Angela Davies	

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-26 Congleton Link Road - Updated Position and Refinements to Preferred Route	<p>To agree modifications and refinements to the published preferred route for Congleton Link Road and linking spur roads to Radnor Park and Congleton Business Park.</p> <p>Approve that the necessary steps are taken to protect the updated preferred route from future development including introducing the necessary modifications to the submission draft of the Local Plan Core Strategy at the earliest opportunity.</p> <p>To note that the revised route will not significantly affect the cost of the scheme.</p> <p>To note that the proposed boundaries of the 'strategic locations' as set out in the submission draft of the Core Strategy will be allocated in the local plan.</p> <p>To update members on project timescales.</p> <p>To authorise officers to continue on the development of the scheme on the same basis as the current preferred route.</p>	Cabinet	9 Dec 2014		Paul Griffiths	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-27 Building and Planning Consultancy ASDV	To seek approval to go with the preferred option for the delivery of the planning services as outlined in the report and authorise officers to take all necessary actions to implement the proposal, including the commencement of the Oracle Build.	Cabinet	9 Dec 2014			No
CE 14/15-29 Crewe Town Centre Regeneration Framework	To consider recommendations on a regeneration framework for Crewe town centre.	Cabinet	9 Dec 2014		Jez Goodman	No
CE 14/15-32 Procurement of Security Contract at Crewe Business Park	Approval to re-tender and award a three year security contract to provide security services at Crewe Business Park, and grant a lease agreement to the successful bidder to occupy the Business Park's security office.	Cabinet	9 Dec 2014		Steve Plack	Conf - para 3

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-34 Handyperson and Minor Adaptations Service	To authorise officers to take all necessary actions to transfer the existing Handyperson and Minor Adaptations Service to Orbitas Limited, and put in place contractual arrangements for Orbitas Limited to act as the Council's agent in the delivery of this service.	Cabinet	9 Dec 2014		Karen Whitehead	No
CE 14/15-35 Macclesfield Heritage and Culture Strategy	To approve the adoption of the Heritage and Culture Strategy for Macclesfield town centre and to endorse the management and delivery arrangements set out in the report.	Cabinet	9 Dec 2014		Brendan Flanagan	No
CE 14/15-36 Alderley Park Regeneration Framework	To endorse and approve the proposed Regeneration Framework for Alderley Park.	Cabinet	9 Dec 2014			No
CE 14/15-33 Strategic Asset Management Plan	To accept the new Strategic Asset Management Plan and authorise the officers to take all necessary actions to implement it.	Cabinet	6 Jan 2015		Julian Cobley	No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-1 Medium Term Financial Strategy 2015-18	To recommend Council to approve the Medium Term Financial Strategy for 2015-18, incorporating the Council's priorities, budget, policy proposals and capital programme.	Cabinet	3 Feb 2015		Alex Thompson	No
CE 14/15-28 Commissioning of 5-19 Healthy Child Programme (School Health Service)	To authorise officers to take all necessary actions to follow the procurement process re: the commissioning of 5-19 years Healthy Child Programme (School Health Process), including delegated authority to Portfolio Holders, the Director of Public Health and the Executive Director of Strategic Commissioning to award and conclude the contractual documentation with the successful tenderer.	Cabinet	3 Feb 2015		Jane Branson	No
CE 14/15-37 Cheshire East Council Energy Framework	To endorse and approve the proposed Energy Framework for Cheshire East.	Cabinet	3 Feb 2015			No

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	How to make representation to the decision made	Private/ Confidential and paragraph number
CE 14/15-38 Cheshire East Housing Strategy 2016-2021	Initially to authorise officers to release a draft version of the Strategy for public consultation. Subject to the consultation response, ratify the Strategy and authorise officers to implement all initiatives and actions contained therein.	Cabinet	28 Apr 2015		Karen Carsberg	No

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CHESHIRE EAST COUNCIL

REPORT TO: Communities Overview and Scrutiny Committee

Date of Meeting:	20 November 2014
Report of:	Head of Corporate Resources and Stewardship
Subject/Title:	Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2014/2015 Work Programme listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

That the 2014/2015 work programme be reviewed.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Carbon reduction - Health

- 6.1 Not known at this stage.

7.0 Financial Implications

- 7.1 Not known at this stage.

8.0 Legal Implications

- 8.1 None.

9.0 Risk Management

9.1 There are no identifiable risks.

10.0 Background and Options

10.1 Members are asked to review the schedule attached to this report, and if appropriate, add new items or delete items that no longer require any scrutiny activity. When selecting potential topics, Members should have regard to the Council's new three year plan and also to the general criteria listed below, which should be applied to all potential items when considering whether any Scrutiny activity is appropriate.

The following questions should be asked in respect of each potential work programme item:

- Does the issue fall within a corporate priority;
- Is the issue of key interest to the public;
- Does the matter relate to a poor or declining performing service for which there is no obvious explanation;
- Is there a pattern of budgetary overspends;
- Is it a matter raised by external audit management letters and or audit reports?
- Is there a high level of dissatisfaction with the service;

10.2 If during the assessment process any of the following emerge, then the topic should be rejected:

- The topic is already being addressed elsewhere
- The matter is subjudice
- Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Katie Small
Designation: Scrutiny Officer
Tel No: 01270 686465
Email: katie.small@cheshireeast.gov.uk

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Communities Overview and Scrutiny Committee Work Programme

Upcoming Meetings	Date: 18/12/2014 Time:10.30am Venue: Committee Suite Westfields Informal Meeting	Date: 22/01/2015 Time:10.30am Venue: Committee Suite, Westfields.	Date: 19/02/2015 Time:10.30am Venue: Committee Suite, Westfields Informal Meeting	Date:26/03/2015 Time:10.30am Venue: Committee Suite, Westfields
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Item	Notes	Lead Officer/ Portfolio Holder	Action to be Taken	Key Dates/Deadlines
Community Infrastructure Levy	Members to assist in the development of the Policy/CIL charging schedule	Councillor D Brown A Fisher S Penny	Task and Finish Group to determine rates and how it will be measured. Investigate what is done by other councils.	Ongoing
Crime and Police Act 2014	Implications of additional provisions within the act not covered at the 25 September meeting	S Cordon Cllr L Gilbert	Presentation	20 November 2014
Community Safety Partnership Performance	New needs assessment has been introduced. Review whether or not fit for purpose.	S Cordon Cllr L Gilbert	Scrutiny Committee Report	18 December 2014
Tatton Park Enterprises	To receive the quarterly performance monitoring report	Councillor L Gilbert	Scrutiny Committee	20 November 2014 19 February 2015
Enforcement Policy	To develop the enforcement policy	S Cordon Councillor L Gilbert	Scrutiny Committee Report	22 January 2014
Domestic Homicide Review	To scrutinise the outcomes of the action plan	S Cordon J Gibson Cllr Gilbert	Scrutiny Committee report	18 December 2014
Review of Library Strategy	6 monthly review following implementation	S Cordon Cllr D Brown	Is the strategy still fit for purpose. Develop	22 January 2015

Communities Overview and Scrutiny Committee Work Programme

			next stage. Visit to see how they operate, are private interview rooms needed.	
Cheshire Sub Regional Review of Community Safety	To comment on the review. What do we want for Cheshire East ?	S Cordon Cllr Gilbert	Scrutiny Committee report	TBC
Performance Management Information	Six monthly review – safer and Stronger Communities.	S Cordon Cllr Gilbert	Scrutiny Committee report	TBC
Community Strategy	Is this still fit for purpose?	S Cordon Cllr D Brown	To review the strategy.	TBC
Drugs in schools	To scrutinise whether or not there is a problem with drug use in schools and what the council can do to assist in tackling the problem.	F Bradley	Chairman to meet with representatives of the Head Teachers Organisation to attend.	TBC