

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 8th November, 2016 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes, L Durham, P Groves and D Stockton

Members in Attendance

Councillors C Andrew, G Baxendale, C Browne, S Corcoran, S Edgar,
M Grant, G Hayes, A Moran, B Walmsley and G Williams

Officers in Attendance

Mike Suarez, Kath O'Dwyer, Peter Bates, Frank Jordan, Bill Norman and Paul Mountford

Apologies

Councillors J P Findlow and S Gardiner

In opening the meeting, the Chairman noted that Macclesfield Town had beaten Walsall in the first round of the FA Cup, a team 46 places higher than them in English Football. She wished the team well with their match against Oxford in the second round.

The Chairman also referred to the arrangements for the forthcoming services of remembrance in Cheshire East. On Friday, the Mayor would be leading a service at Westfields and there would also be a service at Macclesfield Town Hall. The Chairman highlighted that local communities throughout the Borough would be holding their own services of remembrance.

56 DECLARATIONS OF INTEREST

There were no declarations of interest.

57 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell had submitted a question on behalf of the Wood Park Development Group in Alsager but was not present at the meeting. The Portfolio Holder for Housing and Planning undertook to respond in writing.

58 QUESTIONS TO CABINET MEMBERS

Councillor C Browne referred to a request received by the Council to remove the compulsory purchase order listing on a plot of land adjacent to the A34 Alderley Edge Bypass, the objective being to increase the value of

the land to a future developer. He asked if the Portfolio Holder for Regeneration would agree with him that where land must be released for development, it should be the residents themselves who guide this through the Neighbourhood Plan. He asked the Portfolio Holder to refuse the request and to allow the residents of Alderley Edge to determine where future development should occur within their village. The PH for Regeneration replied that he had received a number of representations in relation to the land and a decision on the matter had not yet been made. There would be a meeting on Thursday to consider the matter and he invited Councillor Browne to attend to make representations which would then be taken into consideration.

Councillor S Corcoran referred to a piece of land between the Westfields car park, the Chapel Street car park, Platt Avenue and Coppenhall Way, Sandbach, that was listed as being sold by Cheshire East Council. He asked why the Council didn't develop the land itself for housing, possibly through a wholly-owned company, and rent out the houses. He added that Sandbach needed homes for the elderly and that the site was ideal, given its proximity to Ashfields Medical Centre and the town centre. In the meantime, he wondered whether the land could be used as a temporary car park. The Portfolio Holder for Regeneration replied that the Council had declared the land surplus to requirements in 2013 and had appointed an agent to market it. A developer was now proposing to develop housing on the site. If the Council were to withdraw from the sale, this would delay the release of the site for generating more housing for Sandbach. Given the advanced state of the transaction, to withdraw at this very late stage would also erode the Council's credibility in the market place. The opportunity to use the site as a temporary car park was therefore somewhat limited.

Councillor B Walmsley made the following points in relation to the report on Middlewich Eastern Bypass:

1. the report did not acknowledge the significant contribution made by Fiona Bruce MP in lobbying for the Bypass; nor did it give recognition to the work of the three local ward councillors for Middlewich.
2. She asked why Cledford Lane had been given such a low weighting in the Options Assessment.
3. With regard to route option 5 in the report, she asked for details of the rail opportunities that she said had been given significant weight.

In replying, the Deputy Leader and Portfolio Holder for Highways and Infrastructure acknowledged the contribution of Fiona Bruce MP and also the work of local ward members and hoped that he would continue to receive their support with the scheme in the future. He added that he expected shortly to receive the outcome of the consultation on the bypass

and transport options, including a rail link, and would arrange a meeting with local ward members in the next week or so at which the questions about the options for the scheme, the priority given to Cledford Lane and the rail opportunities could be discussed in greater detail. He was also willing to arrange a presentation for the Town Council if required.

Councillor B Walmsley also asked, on behalf of Councillor S McGrory who was not present, if the Leader of the Council would confirm when the details and results of the Middlewich Transportation Consultation would be made available to Ward Members for consideration and would subsequently be made public. The Leader replied that the details would be provided at the meeting referred to by the Deputy Leader.

59 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 18th October 2016 be approved as a correct record.

Note: at this point, the Chairman vacated the Chair and left the meeting. The Deputy Leader took the Chair for the remainder of the meeting.

Councillor D Brown in the Chair

60 MIDDLEWICH EASTERN BYPASS

In May 2016, Cabinet had authorised feasibility work to develop plans for the Middlewich Eastern Bypass. Cabinet now considered a report detailing how the strategic case outlined in the report to Cabinet in May, and the key requirements of the scheme, had been used to identify options to prepare the Outline Business Case.

RESOLVED

That Cabinet

1. authorises the Executive Director of Place, in consultation with the Highways and Infrastructure Portfolio Holder, to undertake all necessary work to finalise the options appraisal and business case, undertake appropriate consultation and prepare a funding plan for the preferred option to enable submission of the Outline Business Case in March 2017;
2. agrees that the initial feasibility work has identified appropriate options to meet the strategic objectives of the bypass, and that these options should be further investigated for preparation of the Outline Business Case; and

3. notes that upon completion, the Outline Business Case will be brought back to Cabinet for approval before it is submitted to the Department for Transport.

61 CONGLETON LINK ROAD - PROCUREMENT STRATEGY

Cabinet considered a report which set out the options available to the Council to procure a contractor to deliver the project, reviewed the benefits and risks of each approach and recommended a preferred procurement strategy.

RESOLVED

That Cabinet

1. notes the findings of the Procurement Report attached at Annex A to the report;
2. notes the comparison of procurement routes timescales attached at Annex B;
3. approves the use of the Restricted Procedure for the procurement of the contractor through a NEC3 Option A Priced Contract with Activity Schedule with Contractor Design (Design and Build contract);
4. approves the publication of the OJEU (Official Journal of the European Union) contract notice and all tender documentation prior to the commencement of the CPO Public Inquiry;
5. delegates the power to the Executive Director of Place to carry out the short-listing of interested suppliers using a Selection Questionnaire (SQ) and then, after the completion of the CPO Public Inquiry, invite the shortlisted suppliers to tender for the project;
6. notes that further Cabinet authority will be required prior to the award of any contract;
7. approves that Ringway Jacobs prepares the initial suite of contract and tender documents; and
8. authorises the Director of Legal Services to procure additional legal support to approve the contract documents prior to their publication.

62 HOUSING DEVELOPMENT FUND

Cabinet considered a report on changes to the policy for making allocations from the Housing Development Fund.

The Fund had used to bring forward additional affordable housing. It was now proposed that the Fund be refocussed to enable the Council to utilise

it for its own development activity and enable it to provide subsidy to Registered Providers or Developers to bring forward much needed rental provision.

RESOLVED

That Cabinet

1. approves the changes to the process for allocation as outlined in Appendix 1 to the report in order to enable the allocation of the £500,000 already provided for within the capital programme;
2. notes that the Council will continue to use the Right to Buy capital receipts to fund the rolling Housing Development Programme for the provision of affordable housing, with a maximum level of funding of £500,000 per annum or less dependent on the value of the actual capital receipts received in the previous financial year, to be reviewed as part of the annual Budget Setting process; and
3. delegates authority to the Executive Director of Place in consultation with the Portfolio Holder for Housing and Planning to approve all grant allocations and enter into grant agreements with the recipients of funding in accordance with the policy and to make any future minor amendments to the policy.

63 THE LOCAL WELFARE SAFETY NET

Cabinet considered the findings and recommendations of the Welfare Reform Working Group tasked with developing a strategy to deliver a whole system response to support residents facing financial hardship as a result of welfare reform, engaging with partners and other agencies for prevention, early intervention and crisis support. The strategy, entitled 'The Cheshire East Local Welfare Safety Net', was attached as an appendix to the report.

RESOLVED

That the strategy for local welfare support 'The Cheshire East Local Welfare Safety Net', as attached as an appendix to the report, be endorsed and the Chief Operating Officer be authorised to take all necessary actions to implement the strategy.

64 2016/17 MID-YEAR REVIEW OF PERFORMANCE

Cabinet considered a report outlining how the Council was managing resources to provide value for money for its residents during 2016/17.

Annex 1 to the report set out details of how the Council was performing in 2016/17 and was structured into three sections:

Section 1 Summary of Council Performance

Section 2 Financial Stability
Section 3 Workforce Development

The Portfolio Holder for Finance and Assets reported that the report had been considered by the Corporate Overview and Scrutiny Committee on 3rd November 2016. Whilst acknowledging the huge financial pressures facing the Council at the moment as outlined in the mid-quarter performance report, particularly in relation to adults and children's care provision, the Committee had noted the good levels of performance highlighted in the report and had welcomed the opportunity presented by Cabinet to comment regularly on the quarterly performance reports. (Note: the minute of the Corporate Overview and Scrutiny Committee is appended to the Cabinet minutes for reference purposes.)

The Deputy Leader thanked the Council's executive officers and their departments for the way they were managing their budgets and keeping them under control, and he thanked the Chief Executive for his drive and support.

RESOLVED

That

1. Cabinet notes the 2016/17 mid-year review of performance in relation to the following:

- the summary of performance against the Council's 6 Residents First Outcomes (Section 1 of the report);
- the projected service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);
- the delivery of the overall capital programme (Section 2, paragraphs 179 to 191 and Appendix 4);
- fully funded supplementary capital estimates and virements up to £250,000 approved in accordance with Finance Procedure Rules (Appendix 5);
- changes to Capital Budgets made in accordance with the Finance Procedure Rules (Appendix 7);
- treasury management investments and performance (Appendix 8);
- management of invoiced debt (Appendix 10);
- use of earmarked reserves (Appendix 11);

- update on workforce development and staffing (Section 3).

2. Cabinet approves:

- (a) a Supplementary Capital Estimate of £251,000 for Tatton Vision – Field to Fork, and virements to Monks Coppenhall and Hungerford Primary Schools as detailed in Appendix 6; and
- (b) the allocation of additional grant funding totalling £7,000, as shown in Appendix 9.

In closing the meeting, the Chairman took the opportunity to respond to a question that had been asked at the recent Council meeting regarding free parking after 3.00 pm. No formal decisions had been taken yet but consideration was being given to allowing town and parish councils to choose when to use their free parking slots throughout the year.

Following the meeting, the Chairman introduced a short presentation and video on the outcomes of the recent Tour of Britain cycling event. A full report on the legacy value of the event for Cheshire East was available to view on request.

The meeting commenced at 2.00 pm and concluded at 2.40 pm

Councillor Rachel Bailey (Chairman)

EXTRACT FROM THE MINUTES OF THE CORPORATE OVERVIEW AND SCRUTINY COMMITTEE MEETING OF 3RD NOVEMBER 2016

31 MID YEAR PERFORMANCE REPORT

The Committee considered a report of the Chief Operating Officer relating to the mid - year review of Performance 2016/17.

The report highlighted financial and non-financial pressures and performance indicating how the Council was working to achieve the outcomes of the Corporate Plan 2016 to 2020.

Nationally, care services in particular were experiencing rising caseloads and increasing complexity of care needs as well as rising costs from minimum wage requirements for care providers. This was particularly relevant in Cheshire East as the Council's budget included net expenditure of over £140m for services provided by the People directorate.

The Mid Year Review of Performance provided evidence about how the Council engaged with residents, businesses and its partners to achieve positive outcomes.

The report demonstrated that the overall financial health, performance, resilience and value for money at the Council was strong, and that the reserves strategy remained effective. A potential overspend of £1.2m (0.5%) was currently being forecast, which in line with national trends was being strongly influenced by an increase in caseload and costs associated with Children in Care.

At Annex 1, the report set out details of how the Council was performing in 2016/17. It was structured into three sections:

Section 1 Summary of Council Performance - brought together the positive impact that service performance and financial performance had had on the 6 Residents First Outcomes during the year.

Section 2 Financial Stability - provided an update on the Council's overall financial position. It demonstrated how spending in 2016/17 had been funded, including: service budgets, grants, council tax & business rates, treasury management, centrally held budgets and reserves.

Section 3 Workforce Development - provided a summary of the key issues relating to the Council's workforce development plan.

The Committee questioned each of the Executive Directors on their respective performance results.

RESOLVED –

(a) That the report be received;

- (b) That whilst acknowledging the huge financial pressures facing the Council at the moment as outlined in the mid quarter performance report, particularly in relation to adults and children's care provision, the Committee notes the good levels of performance highlighted in the report and welcomes the opportunity presented by Cabinet comment regularly on the quarterly performance reports.