

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 13th June, 2017 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)

Councillors A Arnold, P Bates, J Clowes, J P Findlow, P Groves, G Hayes,
D Stockton and L Wardlaw

Members in Attendance

Councillors G Baxendale, S Corcoran, Stewart Gardiner, L Jeuda, J Nicholas,
J Rhodes and G Williams

Officers in Attendance

Kath O'Dwyer, Frank Jordan, Peter Bates, Mark Palethorpe, Jan Willis, Kevin
Melling, Suzanne Antrobus and Paul Mountford

Apologies

Councillor D Brown

The Chairman advised that with effect from this meeting, meetings of the Cabinet would no longer be video webcast but would instead be audio webcast in accordance with the recent decision of the Constitution Committee. The recording of the audio webcast would be published on the Council's website shortly after the meeting.

The Portfolio Holder for Finance and Communities announced that a number of community events, including street parties, would be taking place throughout the Borough over the weekend to celebrate the achievements of the late Jo Cox MP. Some of the events would be attended by members of the Council.

The Portfolio Holder for Children and Families announced that he would be attending the Municipal Journal Awards on Thursday evening where Project Crewe, a multi-agency project for engaging children in need and their families, had been nominated for an award.

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public wishing to speak.

3 QUESTIONS TO CABINET MEMBERS

Councillor L Jeuda referred to a matter she had raised at the previous meeting regarding the treatment of staff and an alleged culture of bullying and in particular to the response given by the Portfolio Holder for Corporate Policy and Legal Services that a group had been set up under the Chief Operating Officer's chairmanship to ensure that staff were treated properly and fairly. Councillor Jeuda asked what progress had been made by the Group and when it was likely to submit its report on the outcome of its work. She also asked specifically about how many complaints had been received from members of staff over the last year, how many members of staff had been off due to stress, how many were facing disciplinary action and what HR was doing to support staff.

The Chairman repeated her comments of the previous meeting that the Council's staff were highly valued and that the Council was committed to their wellbeing. The matter was properly one for the Staffing Committee and she undertook to ensure that the matter would be considered at the Committee's next meeting.

Councillor S Corcoran invited Cabinet to join him in congratulating all those who had been elected to Parliament for Cheshire East constituencies. He also drew attention to the record number of women MPs, both generally and within Cheshire East.

4 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 9th May 2017 be approved as a correct record.

5 CORPORATE PARENTING COMMITTEE ANNUAL REPORT 2016-17

Cabinet considered the Corporate Parenting Committee Annual Report 2016-17. The report was presented by the Committee's Chairman, Councillor G Hayes.

The first year of the Committee had seen enhanced involvement by members in their roles as corporate parents through the work of the Committee which had covered a range of key themes and topics which impacted on the daily lives of cared for children and care leavers. Details were set out in the Committee's report.

RESOLVED

That the Corporate Parenting Committee Annual Report 2016-17 be received and noted.

6 ANSA PROPOSED JOINT VENTURE COMPANY

Cabinet considered a business expansion opportunity for Ansa to establish a joint venture trading company with High Peak Borough Council and Staffordshire Moorlands District Council. The joint venture would be appointed through an operating agreement with a minimum term of ten years and would deliver environmental frontline operational activities covering waste collection, street cleansing, parks and ground maintenance and fleet management. The geographical operating area of the joint venture sat beyond the eastern boundary of Cheshire East.

Kevin Melling, Managing Director of Ansa, attended the meeting and spoke to the report.

RESOLVED

That Cabinet

1. endorses in principle the business expansion opportunity being pursued by Ansa to form a joint venture trading company (JVCo) with High Peak and Staffordshire Moorlands;
2. notes that the detailed business case will be subject to the necessary due diligence which will be carried out by an external provider prior to the commencement of phase 1;
3. notes that preparatory and set-up costs will be funded initially by use of the CERF Reserve (as approved by CERF Board on 15 May 2017) and that such costs are to be “paid back” on a commercial basis over the duration of the respective contracts;
4. notes that the CERF’s Shareholders’ Agreement requires CEC’s approval to form the JVCo;
5. notes that, in the event of deciding not to proceed with either or both contracts, arrangements are being put in place to ensure that financial contributions are made in respect of abortive costs – by High Peak, Staffordshire Moorlands, and Ansa – with any residual abortive costs not covered by contributions from High Peak and Staffordshire Moorlands to be covered by Ansa;
6. authorises the Portfolio Holder for Finance and Communities in consultation with the Section 151 Officer and the Director of Legal Services to finalise the financial, legal and technical details of the JVCo;
7. upon the satisfactory completion of the above finalisation of detail, and subject to due diligence having been undertaken by all parties, delegates the final decision to establish the JVCo to the Portfolio Holder for Finance and Communities; and

8. notes that a further report will be submitted to Cabinet in December 2017 associated with potential phase 2 development which will be supported by a further business case and related due diligence work.

7 HOUSING REPAIRS AND ADAPTATIONS FRAMEWORK

Cabinet considered a report on the procurement and establishment of a framework to commission low value domestic repairs and adaptations on behalf of vulnerable residents.

The framework would form part of a larger suite of contracts and frameworks to enable the Council to provide a comprehensive range of housing repair and adaptations services to vulnerable residents. The framework value would be between £2.6million and 3.9million over the period of the framework, which was two years with an option to extend for a further year.

RESOLVED

That Cabinet

1. approves the procurement and establishment of a framework to commission low value domestic repairs and adaptations on behalf of vulnerable residents;
2. delegates authority to the Executive Director Place, in consultation with the Portfolio Holder for Housing and Planning and the Director of Legal Services, to award and enter into a framework agreement with a provider who meets the requirements of the framework; and
3. authorises the Director of Legal Services to make any alterations or enter into any supplementary agreements that are necessary to make the framework effective.

8 TRANSLATION AND INTERPRETATION SERVICES - PROCUREMENT

Cabinet considered a report on the procurement of translation and interpretation services via a framework agreement.

The Council would be looking to a single supplier to supply translation and interpretation services with a second supplier to provide a back-up service. The value of a new framework agreement over four years was estimated to be £1.1 million, made up of £200k a year from Cheshire East Council and £80k a year from the Mid-Cheshire Hospital Trust.

RESOLVED

That Cabinet

1. approves the procurement of Translation and Interpretation Services via a framework agreement; and
2. delegates authority to the Director of Finance and Procurement in consultation with the Portfolio Holder for Finance and Communities to:
 - (a) (following a legally compliant procurement exercise) approve the framework agreement and the supplier(s) admitted to the framework agreement;
 - (b) approve the subsequent award by the Council of the framework agreement(s) to the supplier(s); and
 - (c) approve the entering into all necessary framework agreement contractual documentation between the Council and the successful tenderer(s), and between the Council and the other contracting bodies.

9 TREASURY MANAGEMENT ANNUAL REPORT 2016/17

Cabinet considered the Treasury Management Annual Report for 2016/17.

The Annual Report was detailed in Appendix A and covered:

- Council's capital expenditure and financing during the year;
- Impact of this activity on the Council's underlying Capital Financing Requirement (CFR);
- Treasury position at 31st March 2017 identifying how the Council has borrowed in relation to the CFR and the impact on investment balances;
- Economic factors;
- Detailed investment and debt activity;
- Reporting of the required prudential and treasury indicators.

RESOLVED

That the Treasury Management Annual Report for 2016/17 as detailed in Appendix A be received.

10 2016/17 FINANCIAL OUTTURN AND REVIEW OF PERFORMANCE

Cabinet considered the 2016/17 financial outturn and review of performance.

The following appendices to the report set out details of how the Council had performed in 2016/17:

- Appendix 1 – Narrative from the Draft Group Accounts
- Appendix 2 – Outcomes
- Appendix 3 – Grants

Appendix 4 – Requests for Supplementary Capital Estimates and Virements

Appendix 5 – Debt Management

Appendix 6 – Reserves

Appendix 7 – Workforce Development

Councillor S Corcoran asked about Council Tax collection rates and whether there might be better ways of encouraging people to pay, as opposed to taking action against non-payers. The Portfolio Holder for Finance and Communities offered to discuss a range of issues with Councillor Corcoran, including a breakdown of the £1M cost of recovery.

RESOLVED

That Cabinet

1. notes the financial outturn and review of 2016/17 performance in relation to the following:
 - the narrative to the draft Group Accounts, including the financial outturn and impact on the Council's reserves and Balance Sheet (Appendix 1)
 - summary of performance against the Council's 6 Outcomes contained within the Council's Corporate Plan 2016 to 2020 (Appendix 1)
 - the final service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Appendix 1)
 - fully funded supplementary capital estimates and virements up to £250,000 approved in accordance with Finance Procedure Rules (Appendix 4, Table 5)
 - changes to Capital Budgets made in accordance with the Finance Procedure Rules (Appendix 4, Table 8)
 - management of invoiced debt (Appendix 5)
 - use of earmarked reserves (Appendix 6)
 - update on workforce development and staffing (Appendix 7)
2. approves
 - (a) a Supplementary Capital Estimate of £776,000 funded by the Department of Transport pot hole fund and virements as detailed in Appendix 4, Table 6; and

(b) the allocation of additional grant funding totalling £42,280, as shown in Appendix 3, Table 1; and

3 recommends that Council approve

(a) fully funded supplementary capital estimates and virements above £1,000,000 in accordance with Financial Procedure Rules as detailed in Appendix 4, Table 7.

The meeting commenced at 2.00 pm and concluded at 2.35 pm

Councillor Rachel Bailey (Chairman)