

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 6th November, 2018 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor L Wardlaw (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes and J Saunders

Councillors in attendance

Councillors Rhoda Bailey, G Baxendale, S Corcoran, S Edgar, D Flude,
S Gardiner, L Jeuda, A Kolker, B Moran, B Roberts and G Williams

Officers in Attendance

Kath O'Dwyer, Acting Chief Executive
Frank Jordan, Executive Director of Place/Acting Deputy Chief Executive
Mark Palethorpe, Acting Executive Director of People
Mark Taylor, Interim Executive Director of Corporate Services
Dan Dickinson, Acting Director of Legal Services/Monitoring Officer
Alex Thompson, Acting S151 Officer
Sara Barker, Head of Strategic HR
Paul Mountford, Executive Democratic Services Officer

Apologies

Councillors J P Findlow and D Stockton

The Leader referred to the work that the Council had done with local communities through the Cheshire East Reflects programme to remember those who had served the country during the Great War. She hoped that as many people as possible would attend remembrance ceremonies within their local communities over the weekend, and mentioned in particular events being hosted by the Council on Saturday afternoon in Memorial Square, Crewe and Sunday afternoon in Tatton Park.

The Leader also referred to the Crewe Green Roundabout which had now been completed and was operating successfully, with traffic travelling with ease. She placed on record her thanks to the Highways Team and the Council's partner organisation which had delivered the scheme ahead of schedule.

Finally, the Leader referred to the Growth Strategy published last week by the Constellation Partnership which sought to exploit the opportunities provided by HS2 to support good growth across Cheshire East and the region as a whole.

53 DECLARATIONS OF INTEREST

Councillor S Corcoran declared a non-pecuniary interest in Item 8 – Everybody Sport & Recreation Performance Report 2017/18 and Leisure Operating Agreement – as a member of the ESAR Trust.

Councillor P Bates declared a non-pecuniary interest in Item 10 – Approval to Commission a Universal Information and Advice Service – as a former vice-chairman of the Citizens' Advice Cheshire East Board and indicated that he would take no part in the discussion or voting on the matter.

Councillor S Corcoran declared a non-pecuniary interest in Item 10 – Approval to Commission a Universal Information and Advice Service – as a member of the Board of the Cheshire Neighbours Credit Union.

Councillor P Bates declared a non-pecuniary interest in Item 12 – Acquisition of Land for Employment Use – as a local ward member for the area concerned.

54 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell asked the Council to stipulate that any entrances to new builds that were vertical structures be made into living walls in order to boost biodiversity and absorb pollutants. The Portfolio Holder for Housing, Planning and Regeneration responded that living walls were a useful option when considering a new development, but they were not an appropriate solution in every case and the Council could not stipulate their use.

Deborah Darnes commented that the report on the agenda relating to a definition of antisemitism was deficient and that the motion should not be accepted.

Richard Walton, Branch Secretary of the Congleton Town Labour Party, asked the Portfolio Holder for Health for assistance with the campaign to oppose the downgrading of services at the Congleton War Memorial Hospital. The Portfolio Holder for Health responded that she was not aware of any formal consultation concerning Congleton War Memorial Hospital but that any such consultation, and any significant changes proposed, would be considered by the Council's overview and scrutiny committee for Health.

55 QUESTIONS TO CABINET MEMBERS

Councillor G Baxendale asked if the timeline for the commencement and finishing time of the Congleton link road could be published in a local paper. The Leader agreed to circulate details to members.

Councillor Rhoda Bailey referred to the sum of £200M available for improving Broadband and asked if some of this could be used to improve

connectivity in rural areas. The Portfolio Holder for Finance and Communications responded that this fund was to be used to support innovative approaches to deploying full fibre Internet into rural areas, starting with primary schools and the Cabinet was considering was of tapping into this opportunity as well as looking at other innovative ways of delivering Broadband to rural areas for which funding might be available. The Portfolio Holder for Integration and Social Care added that fibre may not be the most appropriate option for rural communities and that other options such as 4G and 5G would also be considered.

Councillor D Flude referred to a letter she had written to the Council in October in relation to the trees in Lunt Avenue, Crewe. The Leader undertook to review the correspondence and respond.

Councillor B Roberts referred to the condition of the trees in Gainsborough Avenue, Crewe which were causing damage to the footpaths and blocking out light from the street lights. Councillor Roberts also referred to the condition of Hightown and Wistaston Road in Crewe and asked when they would be fully reinstated. The Leader undertook to provide a written response in relation to the Highways question.

Councillor S Corcoran referred to a member of the public at the last Council meeting who had said he had received an email from the Leader of the Council to the effect that all creditors of EU Solutions Limited had been paid in full. Councillor Corcoran commented that this was not the case and he cited a sum owed to Trafford Borough Council. The Leader responded that the matter had originally been investigated in 2016 by the then Monitoring Officer. Following the public question at the last Council meeting, she had asked for the matter to be fully reviewed.

56 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 9th October 2018 be approved as a correct record.

57 URGENT DECISION - OAKFIELD LODGE SCHOOL, CREWE

Cabinet received a report concerning an urgent decision taken by the Portfolio Holder for Children and Families in accordance Paragraph 3.43 and Appendix 4 of the Cabinet Procedure Rules. The decision authorised the entering into of a construction contract for the building of the replacement facility for Oakfield Lodge Pupil Referral Unit at Crewe.

RESOLVED

That the decision taken by the Portfolio Holder for Children and Families under the urgency provisions be noted.

58 **NOTICE OF MOTION - ADOPTION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTISEMITISM**

Cabinet considered the following motion which had been moved by Councillor S Gardiner and seconded by Councillor M Deakin at the Council meeting on 18th October 2018 and referred to Cabinet for consideration:

"We call upon this Council to adopt formally the definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) in 2016 and to ensure that its Equality and Diversity Policies clearly state that there will be no tolerance of antisemitism by its officers or elected members.

Additionally, we call on the Council to declare that it stands four-square behind all Jewish people living in Cheshire East; together with their family members, in these difficult times for their community.

Furthermore, we request that the Director of People be charged with putting in place community cohesion strategies that will help and support any victims of antisemitism or other religious intolerances that may manifest themselves within this Borough."

The Government had formally adopted the working definition in December 2016. The definition stated:

"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

The Secretary of State for Communities and Local Government had written to local authorities in May 2017, asking them to adopt the working definition.

The report set out the actions the Council would commit itself to in adopting the working definition.

Councillor S Gardiner attended the meeting and spoke in support of the motion.

RESOLVED

That Cabinet approves the adoption by the Council of the International Holocaust Remembrance working definition of antisemitism and supports the proposed actions set out in the report.

**59 EVERYBODY SPORT & RECREATION PERFORMANCE REPORT
2017/18 AND LEISURE OPERATING AGREEMENT - PROPOSED
EXTENSION**

Cabinet considered the annual Performance Report from Everybody Sport and Recreation for the financial year 2017-18. The report also asked Cabinet to consider an extension to the current Leisure Operating Agreement with Everybody Sport and Recreation for the delivery of the Council's leisure and sports development services.

The Chairman of the Everybody Sport and Recreation Trust, Councillor A Kolker, and its Chief Executive, Peter Hartwell, attended the meeting and spoke in relation to the report.

Councillor S Corcoran, whilst welcoming the report, and in particular the significant increase in attendance figures, drew attention to the Trust's pensions costs and the implications these might have for the Trust's trading surplus and overall financial position. Mr Hartwell advised that the Trust's notional pensions debt had been treated consistently over the life of the Trust and was not going to be realised any time soon. He added that the Trust's auditors had concluded that the Trust was solvent and viable and they had not expressed any concerns over the Trust's pensions position.

RESOLVED

That Cabinet

1. notes the progress made by the Trust in its fourth year of trading as an independent Charitable Trust and the performance achieved to date;
2. approves the extension of the Leisure Operating Agreement with Everybody Sport and Recreation for a further five years subject to the terms being agreed with the Executive Director, Place in consultation with the Portfolio Holder, Health; and
3. delegates authority to the Executive Director of Place in consultation with the Portfolio Holder for Health to finalise the details of the contract extension and agree to the final terms.

60 EXTRA CARE HOUSING: CARE PROVISION

Cabinet considered a report seeking approval for the recommissioning of the five existing Extra Care Housing schemes and the possible inclusion of additional schemes. The report also drew attention to consultation to be undertaken with residents and stakeholders in relation to care bands and charges.

RESOLVED

That Cabinet

1. approves the recommissioning of care within the five existing Extra Care Housing settings, adding further Registered Provider Extra Care Housing schemes to the commission where this is considered desirable by the Executive Director of People; and
2. delegates authority to the Executive Director of People to award contracts to the successful supplier(s).

61 APPROVAL TO COMMISSION UNIVERSAL INFORMATION AND ADVICE SERVICE

Cabinet considered a report seeking approval to commission a Universal Information and Advice Service from April 2019. The service would be jointly commissioned across the Place and People Directorates to ensure that there were strong links with Early Intervention, Prevention services and Adult Social Care Services.

Councillor S Corcoran asked why the procurement framework was being re-opened and what implications this would have for the current contractor, Citizens' Advice Cheshire East. At the Chairman's invitation, the Executive Director of Place clarified that the current contract, which was with Citizens' Advice Cheshire East, was coming to an end and that it was now necessary to start a new procurement process with a view to re-letting the contract.

RESOLVED

That Cabinet

1. agrees that a competitive procurement exercise is undertaken for the provision of a Universal Information and Advice Service; and
2. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Health and the Acting Executive Director of People, to award a contract for an initial period of 3 years with options to extend for a maximum of 2 years.

62 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of

Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

63 ACQUISITION OF LAND FOR EMPLOYMENT USE

Cabinet considered the report set out in Part 2 of the agenda.

RESOLVED

That Cabinet

1. authorises the acquisition of the sites identified in Appendix 1 to the report; and
2. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Housing, Planning and Regeneration and the Director of Legal Services, to enter into the legal agreements required to complete the purchase of the land.

The meeting commenced at 2.00 pm and concluded at 3.25 pm

Councillor Rachel Bailey (Chairman)