

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 3rd December, 2019 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor S Corcoran (Chairman)
Councillor C Browne (Vice-Chairman)

Councillors T Fox, L Jeuda, N Mannion, J Rhodes, B Roberts, A Stott and
M Warren

Councillors in attendance

Councillors Q Abel, M Benson, C Bulman, J Clowes, T Dean, J P Findlow,
J Saunders, L Wardlaw and N Wylie

Officers in Attendance

Frank Jordan, Executive Director Place and Acting Deputy Chief Executive
Mark Palethorpe, Acting Executive Director People
Jane Burns, Executive Director Corporate Services
Linda Couchman, Acting Strategic Director of Adult Social Care and Health
Jan Bakewell, Director of Governance and Compliance
Alex Thompson, Director of Financial and Customer Services
Paul Mountford, Executive Democratic Services Officer

Apologies

Councillors D Flude and K Flavell, and Kath O'Dwyer, Acting Chief Executive

78 DECLARATIONS OF INTEREST

There were no declarations of interest.

79 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell referred to a proposal in the draft budget to reduce the discount to owners of rented property from six weeks to four and asked if this would penalise social landlords.

The Portfolio Holder for Finance, ICT and Communication responded that the proposed reduction would not affect the majority of social landlords as they benefited from a statutory exemption from Council Tax for up to six months on empty property.

Carol Jones thanked the Cabinet and the officers for their help for Crewe over the last few years but also referred to the state of the bus station in Crewe.

With regard to the bus station, the Portfolio Holder for Environment and Regeneration announced that the Council had now signed contracts with Peveril Securities for the demolition of the retail part of the Royal Arcade site and that demolition works would start in the late spring or early summer.

Debbie Jamison referred to a report to Cabinet on 8th October 2019 on the ESAR Annual Performance Report 2018/19 and asked if Cllr Wardlaw had received a written response to a query she had raised at that meeting and, arising from this, whether the Portfolio Holder for Finance, IT and Communication had approved two business cases before having the delegated authority to do so.

The Leader indicated that a written response would be provided.

Debbie Jamison also stated that Cabinet's aim of addressing climate change and air pollution through local plan policies was being undermined by a lack of meaningful travel plans, and by new road junction designs that did not prioritise walking and cycling.

The Leader responded that the responses to the consultation on the draft Environmental Strategy were currently being analysed. He added that planning was a regulated function and that officers were restrained by Government guidance. He also praised the work of Councillor S Akers Smith as Cycling and Walking Champion who had raised similar issues to those raised by the questioner.

Craig Nicholson, Unison Branch Secretary for Cheshire East, referred to an item on the agenda relating to the proposed creation of a separate legal entity for the Council's Care4CE service. He sought assurances regarding the protection of current terms and conditions, continuity of service, and the Local Government Pension Scheme. He added that Unison would wish to see a seven year contract between Care4CE and the Council. Unison would seek to engage with the Council over the delivery of the mechanism. He had further detailed questions to which he would welcome a written response.

The Leader undertook to provide a written response to the further detailed questions. He added that the staff were the Council's greatest asset and the Council would work closely with the unions on the matter.

80 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 5th November 2019 be approved as a correct record.

81 QUESTIONS TO CABINET MEMBERS

Councillor N Wylie referred to the decision not to fund and support road closures for Remembrance Sunday in 2020. Parish councils had been notified of this in a letter from the Cheshire Police and Crime Commissioner. She asked the Portfolio Holder for Communities to work to reinstate the supported road closures.

The Portfolio Holder for Communities undertook to take the matter up with the Police and Crime Commissioner and to keep Councillor Wylie informed.

Councillor J Clowes indicated that two areas in the south of the Borough affected by the recent flooding had been notified the day before Cabinet that they would receive a site visit by the flood inspectors, six weeks after the floods had occurred. Three other areas at Burley Dam, Cox Bank and Stapeley were awaiting a response. She found the length of time it had taken to respond unacceptable and asked for this to be investigated.

In responding, the Portfolio Holder for Highways and Waste emphasised that the Rivers Authority and landowners also had a responsibility to take action in relation to the floods. However, he undertook to investigate the particular cases referred to and provide a written response.

Councillor J Saunders referred to a figure of £1.5M in the draft budget relating to Cheshire East's carbon emissions and sought further details as to how the money would be spent and what the expected outcomes were. She also asked if this was a sufficient commitment of resources.

The Portfolio Holder for Environment and Regeneration responded that further details would be reported to Cabinet in April 2020 when it received reports on the Carbon Action Plan and Environmental Strategy. He added that the Council was also expecting to receive grant funding from the Cheshire and Warrington Local Enterprise Partnership.

Councillor T Dean referred to a proposal in the draft Environmental Strategy to produce a Green Infrastructure Strategy by October 2019. He asked when this would be available to members.

The Portfolio Holder for Environment and Regeneration undertook to circulate the Strategy to all members and provide a link to the website.

82 SEND REFORMS TASK AND FINISH GROUP - SEND LOCAL OFFER FOR 16 TO 25 YEAR OLDS (FINAL REPORT)

Cabinet considered the final report and recommendations of the SEND Reforms Task and Finish Group on the SEND local offer for 16 to 25 year olds.

The report had been considered and endorsed by the Children and Families Overview and Scrutiny Committee on 25 November 2019. Councillor J Saunders spoke on this matter as Chairman of the Committee.

The Leader placed on record his thanks to Councillor D Flude, the Chairman of the Task and Finish Group, who was unable to attend the meeting.

RESOLVED

That

1. the Task and Finish Group's report be received;
2. the Task and Finish Group's recommendations, as set out below, be supported:
 - (a) that further work is undertaken to continue to develop and embed the following actions relating to current improvement work in the service and recommendations from the previous OSC report:
 - (i) Continue to ensure that the co-production of Education and Health Care Plans is embedded;
 - (ii) Implement the new locality structure within the service ensuring capacity and expertise for 16-25 provision; and
 - (iii) Continue to ensure the transition across 16-25 provision is seamless and continue to ensure the annual reviews are coproduced with all relevant partners, parents and carers to better prepare young people for adulthood and furthermore to ensure the right services are in place in a timely manner;
 - (b) in relation to health services which support SEND, services align with the development of one Clinical Commissioning Group (CCG) to ensure a consistent offer for the following:
 - (i) ensure that there are no gaps in services, particularly in relation mental health and speech and language and that these services are fit for purpose;
 - (ii) ensure continued partnership oversight of the newly developed single pathway for autism, promoting the consistent offer across the borough and monitoring performance to ensure improved outcomes for children and young people; and

- (iii) that the Council continues to support and assist the development of a programme of clubs activities and bespoke provision for supported young people, which encourages them to develop their skills and interests;
- (c) The following specific action in relation to the 16-25 offer to be addressed by all partners.
 - (i) that Cheshire East Council continues to coordinate, drive, develop and promote supported internships and support local businesses in the employment of those with disabilities;
 - (ii) to undertake a sufficiency review of supported accommodation to ensure sufficient quality accommodation, which is fit for purpose, where it is appropriate; and
 - (iii) review the financial procedures and processes for post 16 payments and ensure these are made efficient; and
- (d) monitor the new locality structure within the service ensuring capacity and expertise for 16-25 provision.

83 DOMESTIC TAXBASE 2020/21 REPORT

Cabinet considered a report which set out the Council Tax base calculation 2020/21 for recommendation to Council.

RESOLVED

That Cabinet recommends to Council that

1. in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2020/21 is 152,597.84 for the whole area; and
2. the following changes be made in respect of empty property charges:
 - (a) The period for the award of discount in respect of empty rental property be reduced from 6 weeks to 4 week; and
 - (b) The premium charged for property that has been empty for 5 years or longer be increased from 100% to 200%.

84 COUNCIL TAX SUPPORT SCHEME FOR 2020/21

Cabinet considered a report on the Council Tax Support Scheme for 2020/21, including proposed amendments to the scheme to make it simpler and more efficient.

RESOLVED

That Cabinet recommends that Council

1. amend the Council Tax Support scheme for 2020/21 as follows:

- (a) Introduce a 'banded scheme', that is reviewed annually in line with the Consumer Price Index for September of the preceding year, with the income initial bands and levels of support set as follows:

Maximum award	Single	Couple	Couple / lone parent with 1 child	Couple / lone parent with 2 or more children
75%	£0 - £90	£0 - £140	£0 - £200	£0 - £290
60%	£90.01-£115	£140.01-£170	£200.01-£230	£290.01-£320
45%	£115.01-£140	£170.01-£200	£230.01-£270	£320.01-£360
30%	£140.01-£165	£200.01-£230	£270.01-£300	£360.01-£390
15%	£165.01-£190	£230.01-£260	£300.01-£320	£390.01-£410

Table 1 Proposed income bands and support for working age claimants

- (b) Disregard the first £40 weekly income for those customers classed as disabled under the current scheme;
- (c) Fully disregard Carer's allowance;
- (d) Disregard the first £25 of all weekly-earned income;
- (e) Increase the maximum period that claims for Council Tax Support can be backdated from 13 weeks to 12 months, where customers can show good reasons for the delay;
- (f) Increase the fixed non-dependent deduction for other adults in the household from £7 to £8 per week;
- (g) Stop the additional 8 weeks top-up payment for some people who start work, known as extended payments; and

2. note that, apart from the recommendations listed above, all other elements of the scheme are to remain unchanged.

85 PROPOSED ARTICLE 4 DIRECTIONS FOR SMALL HOUSES IN MULTIPLE OCCUPATION

Cabinet considered a report on the making of three non-immediate Article 4 Directions to withdraw permitted development rights for the conversion of individual dwellings to small Houses in Multiple Occupation for parts of Crewe.

RESOLVED

That Cabinet

1. authorises the making of three non-immediate Article 4 Directions, giving a period of at least 12 months between notification and it coming into force, for the areas shown on the maps attached at Appendix A to the report (Nantwich Road area, Crewe), Appendix B (West Street area, Crewe) and Appendix C (Hungerford Road area, Crewe);
2. authorises the Executive Director-Place to carry out the necessary statutory procedures for the making of the Article 4 Directions, including public consultation; and
3. delegates authority to the Portfolio Holder for Planning to confirm the Directions having considered the feedback from the public consultation.

86 SELECTIVE LICENSING

Cabinet considered a report outlining an approach to the introduction of a Selective Licensing scheme in Cheshire East.

RESOLVED

That Cabinet

1. confirms and approves the development of an action plan for the area detailed on the map attached at Appendix A to the report (Nantwich Road area, Crewe); and
2. notes that a further report will be brought to Cabinet to consider progress of the action plan and the need for a Selective Licensing scheme to be introduced after all other reasonable measures have been implemented.

87 BEST4BUSINESS UPDATE

The confidential appendices to this report were taken as read and the matter was considered wholly within Part 1 of the meeting, members having had the opportunity before the meeting to inspect the confidential papers at a private briefing.

Cabinet considered an update report on the outcomes of the full programme review for Best4Business.

The Shared Services Committee had considered the report at its meeting on 22nd November 2019 and had resolved that:

1. the recommendations to Cabinet be agreed subject to the inclusion of 'in consultation with the relevant Portfolio Holder' in recommendation 2.1.4 (relating to the procurement of external advisers to provide ongoing support for the programme); and
2. the revised approach to the delivery of the Best4Business programme and governance structure, as set out in the Cabinet report, be agreed.

RESOLVED

That Cabinet

1. notes the recommendations of the Shared Service Joint Committee of 22nd November;
2. endorses and approves the recommendations regarding the scope and phasing of the programme as outlined in section 6 of the report;
3. agrees the revised programme governance arrangements that are being put in place as outlined in section 6 of the report;
4. authorises the Executive Director Place, in consultation with the relevant Portfolio Holder, to procure external advisers to provide ongoing support for the programme and to enter in to a contract for these services;
5. supports the future arrangements for the member oversight of the programme as described in Section 6 and Appendix B of the report;
6. approves the scope of the revised commercial arrangements with Agilisys as outlined in section 7 of the report;
7. authorises the Executive Director Place, in consultation with the Director of Governance and Compliance and the Director of Finance and Customer Services, to finalise the negotiations with Agilisys and to agree to variations to the contract in collaboration with Cheshire West and Chester Council;

8. authorises the Executive Director Place, in consultation with the Director of Governance and Compliance, the Director of Finance and Customer Services, the Portfolio Holder for Corporate services and the Portfolio Holder for Finance, IT and Communication, to update the Inter-Authority Agreement between Cheshire East Council and Cheshire West and Chester Council to reflect any Deed of Variation agreed with Agilisys; and
9. notes the revised forecast budget and programme plan in the confidential Appendix C.

88 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.

89 CARE4CE: DEVELOPING SUSTAINABLE ADULT SOCIAL CARE THROUGH THE CREATION OF A SEPARATE LEGAL ENTITY

Cabinet considered a report proposing the creation of a separate legal entity for the Council's Care4CE service.

RESOLVED

That the recommendations in the report be approved on the basis that option (a) in recommendation 2.1.2 is agreed as the preferred option.

The meeting commenced at 1.00 pm and concluded at 2.40 pm

Councillor S Corcoran (Chairman)