

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 1st July, 2014 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Jones (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors Rachel Bailey, J Clowes, P Findlow, L Gilbert, B Moran, P Raynes,
D Stockton and D Topping

Members in Attendance

Councillors Rhoda Bailey, G Baxendale, S Corcoran, D Flude, P Groves,
R Menlove, A Moran, B Murphy, L Smetham, A Thwaite

Officers in Attendance

Mike Suarez, Lorraine Butcher, Peter Bates, Anita Bradley, Judith Tench,
Caroline Simpson, Heather Grimbaldeston, Stephanie Cordon, Tony Crane
and Paul Mountford

Apologies

Councillor Louise Brown

9 DECLARATIONS OF INTEREST

There were no declarations of interest.

10 PUBLIC SPEAKING TIME/OPEN SESSION

Mr Jeffrey Gazzard, a carer from Knutsford, was concerned that an item on the agenda relating to respite care focused specifically on Congleton and the Mountview centre and made no reference to other parts of the Borough, including Knutsford. He also expressed concern about the potentially adverse consequences of shifting beds from established facilities to the private sector and asked that a decision be deferred until Borough-wide consultation had taken place and the financial and strategic implications were better understood.

The Leader of the Council, having thanked Mr Gazzard for his comments, responded that the Council needed to look at how to meet the future growing need for respite care in Cheshire East. He went on to say that the Council had sites across the Borough and was committed to providing its residents with high quality care. The Portfolio Holder for Care and Health in the Community added that just over 1,000 additional respite bed nights per annum were now being commissioned from the independent sector. The Council would be looking at respite care in the round with its partners and would be prepared to consider each case individually.

Mr Stuart Kay, Chairman of the Crewe Branch of the Royal British Legion, thanked Cheshire East Council for its support in providing a new Outreach Centre in Crewe.

The Leader of the Council, together with Councillor G Baxendale, the Council's lead member for the Armed Forces, thanked Mr Kay for his remarks and stressed the Council's commitment to supporting the Armed Forces at all times.

11 QUESTIONS TO CABINET MEMBERS

Councillor L Jeuda expressed concern about a rumour about the closure of Hollins View, a community support centre in Macclesfield. She had learned of the matter from local residents. She said that if the services at the centre were withdrawn, this would cause hardship for carers, and she sought assurances that this would not happen. The Leader responded that the Council would always do the right thing for its residents in order to achieve the right quality of service.

Councillor S Corcoran asked why the Cabinet had had a change of heart on supporting community plans. The Leader responded that neighbourhood plans were important in defending green areas against development and the Council was committed to protecting the Borough's villages and neighbourhoods.

Councillor D Flude referred to rumours that Crewe Police Station was to be re-located to the former Redsands building. The Leader responded that there were no firm proposals at present but that the Council would support any move which would benefit local residents.

Councillor Flude also asked about the future of Lincoln House in Crewe. The Leader and the Portfolio Holder for Care and Health in the Community responded that Lincoln House was an excellent facility which would continue to receive the Council's support.

Councillor Rhoda Bailey referred to the Council's budget underspend of £900,000 and asked if this should be returned to the residents of Cheshire East. The Leader responded that it was the residents' money and not the Council's and that the Council had a duty to get the best value out of it.

Councillor B Murphy asked why there appeared to be a veil of secrecy around the future of Hollins View, Macclesfield and why local members had learned about it from distressed local residents instead of being informed as local ward members or as members of the Macclesfield Local Service Delivery Committee. The Leader responded that the Council needed to address dementia and respite care as a priority and was working closely with its staff and the unions on any changes at Hollins View. In addition, the Council had to work with its partners and could not base public information on supposition.

Councillor Murphy also referred to complaints by the Alsager Residents Action Group that their proposal for the establishment of a University Technical College on the former MMU site in Alsager was being 'stymied' by Cheshire East Council because the latter wished to see the site developed for housing. The Leader responded that the Council did not own the MMU site and therefore could not block any proposals in relation to its future use. The Council was committed to delivering a technical college for the people of Crewe and Alsager and if the Alsager Group owned a suitable site the Council would give it serious consideration. The Council would also seek to ensure that any housing developments in Alsager provided infrastructure benefits for the area.

Councillor A Thwaite sought assurances that local groups would be consulted on any proposals for the Congleton Library meeting rooms. The Leader responded that the Council would be meeting local groups and would listen seriously to what they had to say.

Councillor L Smetham asked for an update on the green waste collection service. The Leader responded that the Council was currently consulting on the matter. The Portfolio Holder for Service Commissioning added that the consultation process was a fair one and that all suggestions would be taken into consideration. The Council had to address the issue of wagons collecting very little waste at a high cost.

12 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 27th May 2014 be approved as a correct record.

13 NOTICE OF MOTION - BLACKLISTING OF WORKERS

Cabinet considered the following motion which had been moved by Councillor R Cartlidge and seconded by Councillor S Corcoran at the Council meeting on 10th April 2014 and referred to Cabinet for consideration:

"Cheshire East Council deplores the practice of blacklisting carried out by some building and construction companies, which have denied employment to workers who were carrying out legitimate trade union activities such as health & safety representatives. In noting the Prime Minister's comments that blacklisting is 'a completely unacceptable practice, and the previous government were right to bring in legislation to make it unlawful.'

Council resolves:

To make clear to all construction companies bidding for Council contracts that any unlawful blacklisting of workers will not be tolerated.”

The Council had procedures in place to ensure that it remained vigilant when entering into contracts to ensure that it did not do so with contactors who had breached the Blacklisting Regulations.

Councillor Cartlidge, the mover of the motion, had been unable to attend the meeting but Councillor Corcoran as the seconder of the motion attended and spoke on the matter.

RESOLVED

That Cabinet

1. fully endorses the motion referred by the Council that Cheshire East Council deplores the practice of blacklisting carried out by some building and construction companies, which have denied employment to workers who were carrying out legitimate trade union activities such as health and safety representatives and the Cabinet, subject to the legal requirements incumbent on a public authority, will not work with such companies; and
2. makes clear to all construction companies bidding for Council contracts that any unlawful blacklisting of workers will not be tolerated.

14 2013/14 FINAL OUTTURN REVIEW OF PERFORMANCE

Cabinet considered a report on the 2013/14 Final Outturn Review of Performance.

The pre-audited accounts for 2013/14 showed an underspend of £0.897m, compared to an approved revenue budget of £260m. The overall financial health, performance and resilience of Cheshire East Council was strong.

The report proposed the creation of new reserves of £12.4m. This increase would secure the overall level of reserves considered sufficient to continue to protect the Council against its assessed financial risks as well as provide opportunities for future investment.

Annex 1 to the report set out further details of how the Council had achieved the best outturn in relation to performance and revenue and capital budgets since it became a unitary authority in 2009. It was structured into three sections:

- § Section 1 Summary of Council Performance
- § Section 2 Financial Stability
- § Section 3 Workforce Development

RESOLVED

That Cabinet

1. notes the outturn review of 2013/14 performance (pre-audit) in relation to the following issues:
 - § the summary of performance against the Council's 5 key outcomes (Section 1 of the report);
 - § the final service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);
 - § the achievement of the overall capital programme (Section 2, paragraphs 134 to 144 and Appendix 4 of the report);
 - § supplementary capital estimates and virements up to £250,000 in accordance with Finance Procedure Rules (Appendix 5);
 - § reductions to Capital Budgets (Appendix 7);
 - § treasury management investments and performance (Appendix 8);
 - § the Council's invoiced debt position (Appendix 10);
 - § the workforce development and staffing update (Section 3).
2. approves:
 - § supplementary capital estimates and virements over £250,000, in accordance with Finance Procedure Rules, (Appendix 6);
 - § an amendment to the approved Capital Programme regarding the funding requirement for the A500 / Junction 16 Widening Scheme with £1.1m to be financed from Council resources, (Section 2, paragraphs 135 – 138).
3. recommends that Council approve:
 - § the creation of earmarked reserves of £12.4m as set out in Appendix 9.

15 CHESHIRE EAST PUTTING RESIDENTS FIRST FUND

Cabinet considered a report on the establishment of a Putting Residents First Fund.

The fund would be used as a flexible resource to support stronger communities and to provide local facilities and services at no further cost to the Council. It would not be a competitive bidding process and its use would be determined by the Leader in consultation with the relevant Portfolio Holder in accordance with the principles and criteria set out in the report.

RESOLVED

That Cabinet agree to the

1. establishment of a Putting Residents First Fund which will have some flexibility over revenue and capital provision;
2. purpose and criteria of the fund as set out in Section 11 of the report; and
3. delegation of the decision making to the Leader and all decisions to be made in consultation with the relevant Cabinet Member and any comments arising from the consultation to be included in a six-monthly report to Cabinet.

16 COUNCIL TAX EXEMPTION FOR FOSTER CARERS (REF CE 14/15-2)

Cabinet considered a proposal that all Cheshire East foster carers be exempted from the payment of Local Authority Council tax.

The report proposed that Foster Carers approved by Cheshire East Council and living within the Borough be exempted from the Council tax liability for the duration of their fostering careers. Carers approved by Cheshire East but living outside of the Borough would receive reimbursement on a monthly basis equivalent to the amount of Council tax for which they are liable. Further details of the proposal and the financial implications were set out in section 3 of the report.

It was anticipated that the proposals would contribute to both the recruitment and retention of local authority foster carers for cared for children.

RESOLVED

That the proposals set out in section 3 of the report be approved.

17 DEMENTIA COMMISSIONING PLAN

Cabinet considered a report on the Council's Commissioning Plan for Dementia.

The Council intended to lead the way in engaging with and providing support to both people living with dementia and their families and carers.

Some of the key priorities to which the Council was committed were:

- § Early diagnosis
- § Early support and reablement
- § Crisis support

The Council's Commissioning Plan for Dementia was set out in detail in Appendix 1 to the report.

RESOLVED

That Cabinet endorses and supports the Dementia Commissioning Plan as set out in the report and Appendix 1 thereto.

18 MOUNTVIEW SERVICES REVIEW - BLOCK PURCHASING RESPITE PROVISION IN THE INDEPENDENT SECTOR (REF CE 14/15-3)

Cabinet considered a report on the commissioning of residential respite care.

The Council was taking positive action to increase the range of respite provision to increase the choice for carers. Mountview resource centre in Congleton would remain open, providing day care for local residents. Quality provision had also been secured in the independent sector to ensure that the needs of carers in the Congleton area continued to be met effectively.

RESOLVED

That

1. Cabinet notes the block purchase of three residential respite care beds in the independent sector in the Congleton Area representing 1,095 respite bed nights per annum to be reviewed in 12 months' time; and
2. officers be authorised to take all necessary steps to implement the decision taken by Cabinet on 24th June 2013 to commission residential respite care in the independent sector.

19 STRATEGIC HOUSING - DELIVERING AFFORDABLE HOUSING PROVISION (REF CE 13/14-91)

Cabinet considered a report which brought forward two policies to help stimulate and accelerate the development of affordable homes. These involved the allocation of commuted sums to provide affordable housing and the approval of a capital allocation of £500,000 a year to invest in the provision of affordable housing, which could be funded partly or completely through right to buy receipts.

The policies would help to provide new affordable housing, as well as an opportunity to explore new innovative ways to bring empty homes back into use or contribute towards the regeneration of deprived areas.

Further details of the policies were set out in the report and Appendices 1 and 2 thereto.

RESOLVED

That Cabinet

1. approves the policy and the process outlined in Appendix 1 to the report for the allocation of commuted sums for the provision of affordable housing;
2. approves a supplementary capital estimate for an annual sum of £500,000 for the provision of affordable housing initiatives and the process for allocation as outlined in Appendix 2; and
3. delegates authority to the Director of Economic Growth and Prosperity in consultation with the Portfolio Holder for Housing and Jobs to make the award of funding in line with the agreed criteria.

20 VARIATION TO DETERMINED ADMISSION ARRANGEMENTS (REF CE 14/15-8)

Cabinet considered a report on new guidance issued by the Department for Education, recommending that admission authorities give the highest priority in their arrangements to all children adopted from care who were of school age.

Ministers had recommended that the current School Admission Code 2012 should be interpreted more widely to give highest priority to all children adopted from local authority care. The recommendation of the DfE was that this change should take effect immediately and that it was intended that the necessary amendments to the Code would be made at the first available opportunity.

The variation necessary to ensure that all children adopted from care were given priority within the admission arrangements was set out in paragraph 9.1 of the report.

RESOLVED

That Cabinet approves

1. a variation to determined admission arrangements for Cheshire East community and voluntary controlled schools for September 2015 and subsequent years, subject to any review; and
2. a variation to determined admission arrangements for Cheshire East community and voluntary controlled schools for September 2014.

21 TERMS OF VOLUNTARY REDUNDANCY AND VOLUNTARY EARLY RETIREMENT

Cabinet reviewed the terms that the Council offered to employees volunteering for redundancy/early retirement.

There appeared to be no immediate requirement to increase the current voluntary termination package. Equally, reductions to the voluntary severance scheme would have the effect of making the scheme less financially attractive for some employees than compulsory terms. Cabinet was therefore minded to continue to support the ambitious change programme with the current scheme for voluntary redundancy and to review the scheme in September 2015.

RESOLVED

That the existing terms offered to employees volunteering for redundancy/early retirement as outlined in paragraph 10.1 of the report be retained and a further review be carried out in September 2015.

22 CONTRACT FOR THE SUPPLY OF SALT FOR WINTER GRITTING (REF CE 13/14-90)

Cabinet considered a report outlining the options available to the Council for the re-procurement of a salt supplier.

The Yorkshire Purchasing Organisation had recently re-tendered and put in place a Framework Agreement for a further period of four years from 1st April 2014. Salt Union Ltd. had again tendered the most competitive price which was for the supply of brown salt. This met Council's requirements and was available at the lowest price. The benefits of using the framework arrangement were outlined in paragraph 11.3 of the report.

RESOLVED

That the use of the Yorkshire Purchasing Organisation Framework Agreement to enter into a contract with Salt Union Ltd for a period of four years be approved.

23 PROCUREMENT OF DRY AND FROZEN FOOD PRODUCTS (REF CE 13/14-92)

Cabinet considered a report on the procurement of dry and frozen food products.

It was proposed that a new contract be procured for a period of three years with two possible extension periods each of 12 months. In total the proposed contract value was estimated to be in the region of £6.5 million, with a possible increase of 20% dependent upon the uptake of the Universal Infant Free School Meals. The preferred procurement route was outlined in the report.

RESOLVED

That

1. the procurement route outlined in the report continue, together with the actions proposed therein; and
2. delegated authority be granted to the Chief Operating Officer, in consultation with the Portfolio Holder, to award a single or multiple contracts to the highest scoring bidder for each Lot.

24 FARMS ESTATE - STRATEGIC OPPORTUNITY TO PURCHASE LAND

Cabinet considered a proposal to acquire land in connection with the County Farms Estate.

A property identified as Bulkeley Grange Farm, bordering the Council's Ridley Farms Estate, was being sold on the open market. This presented an opportunity for the Council to consider purchasing land to improve the structure of the farms estate.

A decision on the matter was considered urgent as it would need to be acted upon with immediate effect. The Chairman of Jobs, Regeneration and Assets Scrutiny Committee had therefore agreed that the decision should be treated as urgent and that the call in procedure should not apply.

RESOLVED

That

1. the Director of Economic Growth and Prosperity acquire part or all of either or both of Lots Part 5 and 6 of Bulkeley Grange Farm at a price that does not exceed the open market value of the property; and
2. the value be determined by the Assets Manager by formal valuation plus ancillary costs of acquisition, funded from within the existing Farms Strategy capital budget.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

M Jones (Chairman)