

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 8th December, 2015 at Committee Suite 1, 2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors A Arnold, Rachel Bailey, J Clowes, J P Findlow, S Gardner,
L Gilbert, P Groves and D Stockton

Members in Attendance

Councillors D Bailey, Rhoda Bailey, P Bates, S Corcoran, L Durham, D Flude,
G Hayes, S Hogben, J Jackson, L Jeuda, N Mannion, R Menlove, A Moran, B
Moran, D Newton, J Saunders and G Williams

Officers in Attendance

Mike Suarez, Kath O'Dwyer, Peter Bates, Caroline Simpson, Anita Bradley,
Brenda Smith, Stephanie Cordon and Paul Mountford

64 DECLARATIONS OF INTEREST

The Leader, Councillor M Jones, declared a non-pecuniary interest in HS2
and signalled his intention not to vote on the matter later in the meeting.

65 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell, speaking on behalf of Alsager Town Council, spoke in
opposition to the proposed withdrawal of Council tax support grant which
she said would have a disproportionately adverse effect on people in
Alsager. The matter was due to be considered later in the meeting.

Councillor Simon Yates of Crewe Town Council mentioned that with
regard to the consultation on Council tax support he had advocated either
a continued phasing out of support grant or that Cheshire East Council
consider providing alternative access to capital funds as against revenue.
He also sought the Leader's views on the implications of the
announcement on HS2 for the regeneration of Crewe town centre.

In relation to the representations received on Council tax support grant,
the Leader indicated that he would be asking Cabinet to consider a
phased withdrawal of grant over two years rather than removing it all at
once. With regard to HS2, he said that the implications were beyond
anyone's imagination and he felt that the Design Board should be merged

into the advisory board to the proposed regeneration company and that local members should be included on the advisory board. He added that connectivity between the railway stations, town centre and other key sites should provide significant opportunities for future growth.

66 QUESTIONS TO CABINET MEMBERS

Councillor S Corcoran asked if the Council would be following the example of the Conservative Group leader for Cheshire West and Chester who had suggested political bias over the choice of red Christmas baubles for Chester. The Leader assured Councillor Corcoran that Cheshire East Council had no such political bias.

Councillor D Flude referred to an article in the Sunday Times business section which stated that it was because the trade unions at Bentley Motors had changed their working practices that a contract did not go to Bratislava and instead benefited Crewe. She wanted to place this on record in view of an item on trade unions later on the agenda. The Leader, in acknowledging that the trade unions had played an important part at Bentley, also referred to the unions at Hurdsfield who had worked successfully with Astra Zeneca. He also stressed his support for the trade unions at Cheshire East who were working with the Council in innovative ways.

Councillor L Jeuda asked if the Council would revisit the decision to close in-house respite care. Whilst beds had been secured in the private sector, it was not clear how many there would be when compared with the current provision at Hollins View and Lincoln House, particularly where additional nights were needed. Councillor J Clowes, Portfolio Holder for Adults, Health and Leisure, replied that in terms of the numbers of beds in the Macclesfield area that the Council had contracted for, there was enough provision to meet the historic demands of Hollins View and Lincoln House. Further, the Council had over ordered the number of beds to meet any increased requirements. The Council had worked hard with its partners and the independent sector to see whether Hollins View and Lincoln House could be made economically viable but this had proved not to be the case.

67 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 10th November 2015 be approved as a correct record.

68 NOTICE OF MOTION - TRADE UNION MEMBERSHIP

Cabinet considered the following motion which had been moved by Councillor Damian Bailey and seconded by Councillor Nick Mannion at the Council meeting on 22nd October 2015:

"That this Council recognises the positive contribution that trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all of our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Bill which is currently being proposed by the Government which would affect this Council's relationship with our trade unions and workforce as a whole. This Council rejects this Bill's attack on local democracy and the attack on the right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs has a valuable role to play in the creation of good quality, responsive local services that truly puts our residents first. Facility time should not be determined or controlled by the Government in London.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through the payroll. We see this as an important part of our positive industrial relations and a cheap and easy way to administer a system that supports our staff. This system is an administrative matter for this Council and it should not be interfered with.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off."

Councillors D Bailey and N Mannion attended the meeting and spoke in support of the motion.

The Portfolio Holder for Performance advised that the full implications of the final Act were as yet unclear. The Council was therefore monitoring the progression of the Trade Union Bill through Parliament and would consider the implications of the Act once it was published and the details finalised. It would then work with the unions to assess the impact of the Act on the Council's current policies and procedures in order to maintain strong and positive industrial relations.

RESOLVED

That for the reasons set out in the report, the motion be rejected.

69 COUNCIL TAX SUPPORT SCHEME 2016/17

Cabinet considered a report on proposed changes to the Council Tax Support Scheme for 2016/17.

A public consultation had been undertaken on proposed changes to the Council Tax Support Scheme for 2016/17. The results of the consultation were outlined at paragraph 5.11 and Appendix A to the report.

The Portfolio Holder for Finance and Assets had also received a communication from the Chairman of the Corporate Overview and Scrutiny Committee setting out that Committee's views, which he had taken into consideration.

RESOLVED

That

1. the following proposed changes to the Council Tax Support Scheme for 2016/17 be recommended to Council for approval:
 - (a) Restrict the maximum support available to Band B (currently restricted to Band D)
 - (b) Increase the minimum contribution from the current 20% to 25%
 - (c) Increase the minimum award from 50p to £2 per week
 - (d) Increase non-dependent deductions from £5 to £7 per week
 - (e) Capital limit reduced from £10,000 to £6,000
 - (f) Each year the allowances used within the calculation are increased in line with those used for Housing Benefit
2. for the 2017/18 financial year, the Council consult on a proposal to remove support for Band G and H properties.

70 COUNCIL TAX BASE 2016/17

Cabinet considered a report setting out the calculation for the Council tax base 2016/17.

The Council had reviewed its Council Tax Support Scheme between September and December, the results of that process having been considered under the previous agenda item. The changes agreed would have an impact on the 2016/17 tax base.

RESOLVED

That Cabinet, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, recommends to Council the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2016/17 as **142,186.60** for the whole area.

71 IMPLEMENTING THE CARE ACT - MOVING TO A LOCAL AND PERSONALISED SYSTEM OF CARE AND SUPPORT

Cabinet considered a report on proposed changes to the Council's policy on care services in order to be fully compliant with the Care Act 2014.

The Act had introduced a requirement for Local Authorities to encourage a diverse range of high quality care providers. Local authorities therefore had a duty to stimulate the care provider markets so that individuals had a range of options to choose from.

As part of the Care Act Implementation process, a review had been undertaken of the Council's in-house care provider service Care4CE as detailed in the report.

Councillor J Saunders, Chairman of the Adult Health and Social Care Overview and Scrutiny Committee, reported that Committee's comments on the report.

RESOLVED

That in order to be fully compliant with the Care Act 2014, Cabinet

1. approves a change in Council policy to commission all care services from the broader care sector in order to facilitate the move to a personalised system of care and support which facilitates the principle of choice and control for residents in the access and purchasing of care services;
2. delegates the approval of alternate arrangements to provide care services in the independent sector to the Director of Adult Social Care and Independent Living, in consultation with the Portfolio Holder for Adults, Health and Leisure; and
3. approves a transitional arrangement with both the market and Care4CE to ensure the continuity of high quality service delivery whilst alternative care and support services are secured in the market.

72 ADULT SOCIAL CARE FEE RATES

This item was withdrawn and would be brought back to Cabinet in February 2016.

73 THE QUALITY ASSURANCE OF CARE SERVICES IN ADULT SOCIAL CARE

Cabinet considered an update report on the work of the Contract Management and Quality Assurance Team over the last year.

The Contract Management and Quality Assurance Team was responsible for the quality monitoring of the adult social care market for care and support with a view to establishing and maintaining standards, minimising risk and ensuring continuous improvement. In addition the team had oversight and management of provider and market failure on behalf of the Council. As a result of this work there had been continuous improvement in the quality of care and support provision in Cheshire East.

RESOLVED

That Cabinet

1. notes the work of the Contract Management and Quality Assurance Team, hosted by Cheshire East Council (CEC) within the Adult Social Care Strategic Commissioning Business Unit; and
2. approves the continued investment in the Contract Management and Quality Assurance Team.

74 REVISED STATEMENT OF GAMBLING PRINCIPLES

Cabinet considered a report on a revised statement of gambling principles for recommendation to Council.

The Gambling Act 2005 required the Council to review its existing statement of principles and publish a revised version by no later than 31st January 2016. In preparing a revised statement the Council was required to undertake a consultation exercise with stakeholders. The Licensing Committee at its meeting on 16th November 2015 had considered the responses to the consultation and agreed a number of minor changes which had been incorporated into the Appendix to the report.

RESOLVED

That the content of the statement of principles as set out in Appendix 1 to the report be recommended to Council for approval and adoption.

75 HIGHWAY ASSET MANAGEMENT POLICY AND STRATEGY

Cabinet considered a report proposing that Cheshire East Council formalise the use of Asset Management principles for the future management and maintenance of its adopted Highway Infrastructure.

This would be achieved by adopting a new Highway Asset Management Policy and Highway Asset Management Strategy aligned to the current Department for Transport spending review period of 2015 to 2021. This approach would ensure that the Council could maintain the integrity and resilience of the highway infrastructure, ensure maximum value for money for Cheshire East residents and businesses, and provide the best opportunity for obtaining DfT funding.

RESOLVED

That the Highway Asset Management Policy and Highway Asset Management Strategy as set out in Appendices 1 and 2 of the report respectively be approved.

76 CHESHIRE EAST COUNCIL HIGH SPEED RAIL 2 (HS2) POST-SPENDING REVIEW GOVERNMENT ANNOUNCEMENT

Cabinet considered a report seeking approval of a Council response and work programme following the announcements by Chancellor George Osborne and Secretary of State for Transport Patrick McLoughlin on HS2 and a proposed HS2 Hub Station in Crewe.

The report outlined progress with the establishment of a Northern Gateway partnership to successfully deliver the scale of change envisaged within Crewe and South Cheshire. It also proposed a Regeneration Company, supported by a governance structure involving local and national stakeholders, to develop a plan for growth across this part of the Borough. Further details were set out in the report.

The Leader suggested that an advisory board could be set up involving local members, among others, to consider the implications and opportunities arising from HS2. He went on to express his thanks to Caroline Simpson, Andrew Ross and their colleagues for their work in relation to HS2.

RESOLVED

That Cabinet

1. authorises the Regeneration and Assets Portfolio Holder in consultation the Leader of the Council, Executive Director of Growth and Prosperity, Head of Legal Services and the Chief Operating Officer, to consider and approve any option appraisals and detailed business case to establish a Regeneration Company to deliver an economic growth strategy for Crewe and South Cheshire and seek Council approval for its plans, and to enter into all necessary governance arrangements, such authority to include entering into all necessary contractual arrangements including but not limited to operating agreements, buy back agreements, leases, licences and guarantees, and all TUPE provisions, together with undertaking any necessary staff engagement;
- 2 approves the release of £0.5m of reserve funding from within the existing Council budgets established to deliver the HS2 work programme;

- 3 authorises the Executive Director of Economic Growth and Prosperity, in consultation with the Regeneration and Assets Portfolio Holder and the Leader of the Council, to undertake a dialogue process with town and parish councils and other key stakeholders to ensure that local communities have an open opportunity to participate in the potential that HS2 will bring to the area;
- 4 authorises the Executive Director of Economic Growth and Prosperity, in consultation with the Regeneration and Assets Portfolio Holder and the Leader of the Council, to commission a Masterplan for the proposed Crewe Hub Station area working in consultation with DfT, DCLG, LCR and NR which, once established, the Regeneration Company will lead on behalf of the Council;
- 5 notes that the Council and the Regeneration Company will seek to ensure that the decision on the preferred HS2 Hub Station for Crewe is secured in Autumn 2016, and that this aligns with the ambitions of the Growth Strategy for South Cheshire and the wider Northern Gateway;
- 6 notes that the impact of HS2 on the Borough and the development of the Growth Strategy will require commitment and resources and engagement from across the Council's services and functions;
- 7 authorises the Executive Director of Economic Growth and Prosperity in consultation with the Regeneration and Assets Portfolio Holder to respond to HS2 Ltd on the Property Compensation Consultation on Phase 2A, which runs until 25 February 2016, it being noted that all properties affected by the Phase 2A Line of Route have to submit a response form to HS2 Ltd by this date;
- 8 notes that the Government has issued safeguarding directions along the Phase 2A route which, through the planning process, will require the Council to consult HS2 Ltd prior to determining planning applications in the safeguarded area;
- 9 authorises the Executive Director of Economic Growth and Prosperity, in consultation with the Regeneration and Assets Portfolio Holder and the Leader of the Council, to ensure that the negative impacts of the HS2 infrastructure on residents, businesses, farms, local highway networks and the environment are minimised and mitigated against to the greatest potential extent and to provide support to local residents and their representatives and local businesses in this respect and submit a response to the Property Compensation Consultation;
- 10 notes that the current proposals will not affect the delivery of the current Local Plan Strategy; and
- 11 authorises the Executive Director of Economic Growth and Prosperity, in consultation with the Regeneration and Assets Portfolio Holder and the Leader of the Council, to undertake all necessary and

consequential action arising from the above recommendations including, but not limited to, entering into any necessary documentation.

The meeting commenced at 2.00 pm and concluded at 3.45 pm

Councillor M Jones (Chairman)