

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 13th September, 2016 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes, J P Findlow and D Stockton

Members in Attendance

Councillors C Andrew, Rhoda Bailey, G Baxendale, S Corcoran, S Edgar, I Faseyi, F Fletcher, D Flude, G Hayes, S Hogben, Nick Mannion, R Menlove, B Roberts, B Walmsley, G Walton, M Warren and G Williams

Officers in Attendance

Mike Suarez, Kath O'Dwyer, Peter Bates, Frank Jordan, Bill Norman, Steph Cordon and Paul Mountford

Apologies

Councillors Liz Durham and Peter Groves

Prior to the consideration of the formal business of the meeting, the Chairman referred to the success of Stage 3 of the Tour of Britain through Cheshire East and expressed the Council's thanks to local communities and town and parish councils throughout the Borough for their enthusiastic support for the event.

The Chairman also referred to the success of the Great Britain teams in the Olympics and Paralympics and in particular paid tribute to several medal winning athletes from Cheshire East, including Bryony Page, Sarah Storey, Megan Giglia, Sophie Thornhill and Andy Small. She also said that the Borough was privileged to have Sir Philip Craven, Chairman of the Paralympic Committee, as one of its residents. She asked that a round of applause for the Borough's successful athletes be placed on record.

The Chairman indicated that today would have been the 100th birthday of the writer Roald Dahl, whose centenary was being celebrated by a year long programme of events at Tatton Park.

Finally, the Chairman welcomed Frank Jordan, the newly-appointed Executive Director of Place, to his first meeting of the Cabinet.

30 DECLARATIONS OF INTEREST

Councillor George Hayes declared non-pecuniary interests in items on the agenda relating to the European Structural and Investment Funds, and Pension Provision in Council-owned companies.

31 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell, speaking on behalf of the Radway Community Group and the Wood Park Development Plan Group, invited the Leader of the Council and the Portfolio Holder for Communities and Health to visit Wood Park, Alsager to see the Groups' vision for the Park, with a view to seeking the support of the Council. She handed further information to the Portfolio Holder, Councillor Paul Bates. Councillor Bates thanked Sue Helliwell for the invitation which he accepted and undertook to liaise with her further over the matter.

Carol Bulman asked if the Council had any plans for a link road between the ANSA plant at Middlewich and the Eastern Bypass and asked if a link between the plant and Mid-Point 18 could be expedited. The Portfolio Holder for Highways and Infrastructure replied that now that funding had been secured to develop the bypass project further, the Council would be going out to public consultation on the various route options before Christmas. He undertook to send her a copy of the consultation papers.

Jonathan Parry, a Middlewich Town Councillor, commented that Middlewich had been waiting for a bypass for 30 years and that it was time for action rather than more discussions and consultations which he felt would just waste more time and money. The Chairman replied that the Council had taken the leading role with the scheme, following difficulties experienced by the private sector, and had managed to secure the necessary funding to enable the scheme to be taken forward. She emphasised the Council's commitment to the scheme. The Portfolio Holder for Highways and Infrastructure added that once a viable route for the bypass had been defined, recommendations would be brought back to Cabinet by the Spring of next year, following which further funding would be sought from the Government to finance the scheme. He mentioned similar major infrastructure schemes which Cheshire East Council had helped to deliver and would do so again with this project.

Revd. Helen Byrne and Judith Mayer asked if they could defer speaking until Cabinet considered Item 8 relating to Syrian Refugees. The Chairman agreed.

Bob Jackson, a resident of Crewe, referred to an interview given by the Portfolio Holder for Communities and Health on Radio Stoke on 12th September regarding fly tipping in Crewe. Mr Jackson raised a number of specific questions relating to what the Portfolio Holder had said in the interview and asked for a formal written reply to his questions, a copy of which he submitted at the meeting. The Leader asked the Portfolio Holder for Communities and Health to provide a written reply.

At the conclusion of public speaking time, the Chairman thanked the speakers for attending and taking part in the meeting.

32 QUESTIONS TO CABINET MEMBERS

Councillor S Corcoran asked whether, following the successful completion of the Tour of Britain, more attention would be given to cycling provision in planning applications. He asked for a public statement that the Council's planning officers would be asked to respond positively wherever possible to suggestions for improved cycling provision. The Leader responded that a significant piece of work was currently underway to evaluate the legacy of the Tour of Britain and a report would be coming to Cabinet addressing the health and wellbeing and other aspects of the legacy. The Portfolio Holder for Highways and Infrastructure added that it wasn't just about improving cycle provision but also public rights of way and how to achieve a green infrastructure in towns. It would be necessary to put together a coherent strategy to link these things together which would ultimately lead into the planning process. The Portfolio Holder for Housing and Planning added that getting the necessary connectivity and infrastructure in place was vital.

Councillor D Flude indicated that she and Councillor Hogben had asked the Council's highway engineers to undertake a review of the Crewe to Nantwich Road through the Crewe South Ward from the Railway Station to the Manor following a number of serious traffic accidents along this length of road involving cyclists. She would welcome any assistance the Cabinet could give in the matter.

Councillor Flude referred to the fact that councillors' allowances would once again be published on the Council's website, and that the redundancy pay for an officer recently made redundant had also been published. She asked whether in future all redundancy payments would be published and whether all bonus payments received by senior officers during the financial year would also be published. The Chairman replied that the Council endeavoured to be open and transparent. On the specific matters raised by Councillor Flude, the Chairman asked the Portfolio Holder for Corporate Policy and Legal Services, who was also Chairman of the Council's Transparency Panel, to provide a written reply.

Councillor M Warren, on behalf of Councillor A Stott, asked if the Chairman would confirm that the report on available walking routes to school would be considered at the Cabinet meeting on 18th October as there was likely to be a significant presence from Tytherington School. The Chairman confirmed that the matter was on the Forward Plan for the Cabinet meeting on 18th October.

Councillor Warren also referred to a project call 'Beyond a Cyclist' which aimed to produce a film to highlight the dangers of overtaking HGVs on popular cycling routes. He asked for the Council's support for the project. The Chairman replied that this could be taken into consideration as part of the legacy of the Tour of Britain. The Portfolio Holder for Highways and Infrastructure added that he was supportive and would be happy to meet Councillor Warren to discuss the matter further.

33 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting on 12th July 2016 be approved as a correct record subject to the following correction:

Minute 19: Ambition for All - Partnerships Structure and Strategy 2016-2020 be amended by the insertion of a resolution 4 as follows:

“4 agree to the outlined approach to the funding of the Town Partnerships for 2016/17.”

34 2016/17 FIRST QUARTER REVIEW OF PERFORMANCE

Cabinet considered a report on the First Quarter Review of Performance for 2016/17, outlining how the Council was managing its resources to provide value for money for residents.

Annex 1 to the report set out details of how the Council was performing in 2016/17 and was structured into three sections:

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

The Corporate Overview and Scrutiny Committee had considered the report at its meeting on 8th September 2016. In the absence of the Chairman of the Committee, who was unable to attend the Cabinet meeting, the Deputy Cabinet Member for Finance and Assets reported the Committee's comments and recommendations. (Note: the minute of the Corporate Overview and Scrutiny Committee is appended to the Cabinet minutes for reference purposes.)

RESOLVED

That

1. Cabinet notes the first quarter review of 2016/17 performance, in relation to the following issues:
 - the summary of performance against the Council's 6 Residents First Outcomes (Section 1 of the report);
 - the projected service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);

- the delivery of the overall capital programme (Section 2, paragraphs 204 to 217 and Appendix 4);
- fully funded supplementary capital estimates and virements up to £250,000 approved in accordance with Finance Procedure Rules (Appendix 5);
- changes to Capital Budgets made in accordance with the Finance Procedure Rules (Appendix 8);
- treasury management investments and performance (Appendix 9);
- management of invoiced debt (Appendix 11);
- use of earmarked reserves (Appendix 12); and
- update on workforce development and staffing (Section 3).

2. Cabinet approves:

- fully funded supplementary capital estimates and virements above £250,000 in accordance with Finance Procedure Rules (Appendix 6); and
- supplementary revenue estimates to be funded by additional specific grant (Appendix 10);

3. Cabinet recommends that Council approve:

- fully funded supplementary capital estimates and virements above £1,000,000 in accordance with Finance Procedure Rules (Appendix 7)

35 EUROPEAN STRUCTURAL AND INVESTMENT FUNDS

Cabinet considered a report recommending that the authority expedite approvals to contract for any successful applications for European funding.

The Skills and Growth Company was currently progressing applications for European funding worth in excess of £12m on behalf of Cheshire East Council to support its technology, science, energy and skills priorities. On 12th August, the Secretary of State for Exiting the European Union had indicated that projects contracted before the Autumn Statement would be assured of funding going forward; those which were not contracted by this time were likely to be subject to a review.

It was considered that any delay in expediting this matter would seriously prejudice the Council's or the public's interests. On this basis, the Chairman of the Corporate Overview and Scrutiny Committee had agreed that the call-in provisions may be waived.

RESOLVED

That the necessary contractual and financial approvals for all of the funding applications detailed in the report be delegated to the Section 151 Officer (Chief Operating Officer), in consultation with the Portfolio Holder for Regeneration, the Portfolio Holder for Finance and Assets, and the Director of Legal Services.

36 NEXT STEPS FOR SYRIAN REFUGEES AND UNACCOMPANIED CHILDREN

Prior to Cabinet's consideration of the report, Revd. Helen Byrne and Judith Mayer were afforded the opportunity to speak on the matter.

Revd. Helen Byrne spoke on behalf of Refugees Welcome, a group of volunteers based in the north of the Borough whose aim was to support the Council in providing a quality welcome for Syrian families from refugee camps. She outlined the work of the group and its achievements to date, and assured the Council of its support in seeking to change the lives of refugee families for the better. Judith Mayer emphasised the group's compassion and commitment to helping Syrian refugees and further outlined the achievements of the group over the last 12 months. Cabinet responded to the two speakers with applause.

Cabinet then considered a progress report on work that had taken place since the March Cabinet meeting, together with the proposed next steps for all government refugee programmes.

Cabinet also had regard to an approach by the Government to each local authority through its Local Strategic Migration Partnership asking the authority to register for the National Transfer Scheme, to indicate how many unaccompanied children could be placed for the remainder of the financial year, and to indicate whether the authority was able to accept children and their families under the Vulnerable Children's Resettlement Scheme.

RESOLVED

That Cabinet

1. thanks and shows its continued appreciation to the faith communities and partners for their work in preparing to welcome Syrian refugees;
2. delegates authority to the Head of Communities to work with Cheshire West and Chester (CWaC), and Warrington Borough Council to plan

for collective delivery of the SVPR programme, which would coordinate the approach for supporting a maximum of 3-8 families across Cheshire during 2016/17, with Cheshire East welcoming 3-5 families;

3. delegates to the Head of Communities the authority to work both sub-regionally and with the Home Office to consider further this Council's involvement in the ASD programme, accounting for the experience and learning from the delivery of SVPR and UASC programmes;
4. delegates to the Executive Director of People the authority to negotiate this Council's additional support for the widening of the UASC programme, accounting for the support it already provides, and to update Cabinet on any financial considerations and implications on the local authority and to take these into consideration in any budget planning decisions;
5. will receive a further update on progress with the SVPR, UASC and ASD programmes from the Head of Communities at the end of this financial year; and
6. respond to Central Government via the Regional Strategic Migration Partnership as follows:
 - The Council is not able to register for the National Transfer Scheme until further consideration is given at both a North West and Cheshire East level on potential impact.
 - A further three unaccompanied children who are currently in Kent could be accommodated in this financial year based on the learning from our previous support and current looking after 6 unaccompanied cared for children and 10 care leavers.
 - Further consideration to signing up to the Vulnerable Children's Resettlement Scheme will be undertaken, learning from the experience gained from participation in the Syrian Vulnerable Persons Resettlement Scheme.

37 NEIGHBOURHOOD ACTION AND FLY TIPPING ACTION PLAN FOR CREWE

Cabinet considered a report outlining a proposed twelve month action plan for Crewe which addressed the issues identified by the Overview and Scrutiny Fly Tipping Task and Finish Group. To enable the plan to work, it would be necessary to engage effectively with local residents and businesses. It was therefore proposed that Neighbourhood Action in Crewe be relaunched to bring residents and partners together to develop community-led plans.

RESOLVED

That Cabinet

1. approves the launch of Neighbourhood Action in Crewe and supports ward members to engage in the programme as part of their community leadership role;
2. seeks support for the Neighbourhood Action Plan and commitment from all Council services to work with residents to address their issues; and
3. notes the work undertaken to date and how resources are being used to address issues.

38 SPEED MANAGEMENT STRATEGY

Cabinet considered a report proposing that Cheshire East Council adopt a Speed Management Strategy for addressing all matters relating to speed management on the Council's local highway network. The aim of the strategy was to adopt a consistent, evidence-led approach, supported by key stakeholders including Cheshire Constabulary, to ensure that the Council set local speed limits that were appropriate for individual roads and reflected the needs of local communities.

RESOLVED

That the Speed Management Strategy set out in Appendix 1 to the report be approved.

39 RE-TENDER OF CHESHIRE EAST COUNCIL'S CORPORATE INSURANCE PORTFOLIO

Cabinet considered a report setting out an approach to re-tendering the Council's Corporate Insurance portfolio via a formal OJEU compliant tender process.

RESOLVED

That Cabinet

1. approves the procurement of the Corporate Insurance portfolio via a formal OJEU tendering process; and
2. delegates authority to the Chief Operating Officer, in consultation with the Portfolio Holder for Finance and Assets, to award and enter into contracts with the successful providers, following a fully compliant OJEU procurement exercise for contract periods covering either:

- an initial period of 3 years with the option to extend the contract for a further 2 years (Total 5 years) or
- an initial period of 3 years, with the option to extend the contract for a further 2 years plus a further 2 years after that point (Total 7 years)

40 PENSION PROVISION IN THE COUNCIL'S OWNED AND CONTROLLED COMPANIES

The Chairman advised that whilst the report on this matter was in the public domain, an appendix containing further information was set out in Part 2 of the agenda. In order for the two papers to be considered together, it would be necessary to exclude the public and press from the meeting at this point.

41 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 Paragraphs 3, 4 & 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

42 PENSION PROVISION IN THE COUNCIL'S OWNED AND CONTROLLED COMPANIES

Cabinet considered a report on the future pension provision in the Council's owned and controlled companies. Members had regard to the additional information contained in the appendix.

Councillor D Brown asked for it to be placed on record that he was Chairman of CERF.

RESOLVED

That Cabinet

1. notes the future growth ambitions of the CERF Group and recognises that the provision of a suitable alternative stakeholder pension scheme and the closure of access to the Local Government Pension Scheme ("LGPS") to new starters by the CERF Group could facilitate this future growth;
2. authorises the Chief Operating Officer in consultation with the Portfolio Holder for Finance to work collaboratively with the CERF Group to help

them design, identify and procure a suitable and high quality alternative stakeholder pension scheme (“the Alternative Pension Scheme”); and

3. authorises the Portfolio Holder for Finance (in consultation with the Chief Operating Officer) to grant any necessary consents, authorisations or approvals to enable the Alternative Pension Scheme to be implemented.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

Councillor Rachel Bailey (Chairman)

MINUTE OF THE CORPORATE OVERVIEW AND SCRUTINY COMMITTEE MEETING ON 8TH SEPTEMBER 2016

15 QUARTER 1 PERFORMANCE REPORT

The committee considered a report of the Chief Operating Officer relating to the first quarter review of performance 2016/17. The report highlighted financial and non-financial pressures and performance in connection with the outcomes of the Corporate Plan 2016 to 2020.

A potential overspend of £1.5 million was being forecast, which was attributed largely to an increase in caseloads and costs associated with children in care.

Appendix 1 of the report set out details of how the Council was performing. The appendix was divided into 3 sections:

- 33 Section 1- Summary of Council Performance brought together the positive impact that service performance and financial performance had had on six residents first outcomes during the first year:
- 34 Section 2 – Financial Stability provided an update on the Council's overall financial position. It demonstrated how spending in 2016/17 had been funded including service budgets, grants, council tax and business rates, treasury management, centrally held budgets and reserves.
- 35 Section 3 Workforce Development - provided a summary of the key issues relating to the Council's workforce development plan.

Members then questioned at length the Chief Operating Officer, Executive Director of People and Deputy Chief Executive and Director of Place on the contents of the report and sought additional information on the following matters which would be reported back to Members outside of the meeting:

- 34 Details of the amount of grant approved for the 523 home adaptations for older and/or disabled residents to support independent living;
- 35 The annual target for affordable homes having delivered 145 to date;
- 36 Whether the figure of 57 fixed penalty notices issued in the first quarter was higher or lower than previous years?
- 37 The level of funding provided by Town/Parish Councils for CCTV;
- 38 An explanation as to why a town centre manager for Macclesfield would be retained for 2016/17

RESOLVED –

- a. That the report be received;

- b. That Cabinet be informed that this Committee acknowledges the significant financial pressures facing the Council at the moment, the work going on to alleviate those pressures and the challenges ahead to manage the projected budgetary deficits in future years. The committee is pleased to note however, that in spite of the difficult climate, the Council continues to maintain a strong financial position and therefore wishes to place on record its thanks to all involved in achieving this;
- c. That The Committee request that Cabinet formally acknowledge these comments in the minutes of the meeting.