

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 5th December, 2017 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, J P Findlow, J Saunders and  
D Stockton

## **Members in Attendance**

Councillors G Baxendale, S Corcoran, L Durham, I Faseyi, S Gardiner,  
S Hogben, L Jeuda, B Moran, B Walmsley and G Williams

## **Officers in Attendance**

Kath O'Dwyer, Frank Jordan, Jan Willis, Linda Couchman, Nigel Moorhouse,  
Deborah Nickson and Paul Mountford

## **81 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **82 PUBLIC SPEAKING TIME/OPEN SESSION**

Cllr Jane Smith, Alsager Town Council, asked if Cheshire East Council would be prepared to ban the use of snares on Council-owned farmland, following the example of West Sussex Council in May 2017.

Cllr Jonathan Parry, Middlewich Town Council, referred to the findings of the Council's Middlewich Transport consultation earlier this year which he said did not refer to a number of issues raised by local residents including problems with speed bumps on Chadwick Road, Middlewich; traffic issues on Warmingham Lane, including the need for a link road to Booth Lane to ease traffic on Cross Lane; and dangerous bus stops on the canal side of Booth Lane between Cledford Lane and Brooks Lane. The Leader asked Cllr Parry to provide a written transcript of his question and undertook to provide a written response.

Carol Jones referred to a range of issues relating to Crewe, including the state of some buildings and facilities in the town, a lack of support for the homeless, those with mental health problems and parents of foster children, and cuts to bus services. She also referred to the current suspension on pay of some Council officers. The relevant Portfolio Holders responded, outlining the various actions and initiatives that the Council and local community organisations were taking to address social,

environmental and public health issues in Crewe, as well as improvements to housing and infrastructure, economic regeneration and the provision of bus services. At the Leader's invitation, the Acting Chief Executive advised that the suspension of certain officers had been a neutral act to enable an investigation to take place, and that the individuals concerned were entitled under the legislation to receive their salaries.

Sinead Wheeler referred to working age benefits being frozen at the current rate until 2020, which she said would have a dire impact on some residents of the Borough. She suggested that the Council could assist through the Council Tax support calculation. The Leader responded that the matter would be considered under the agenda item.

### **83 QUESTIONS TO CABINET MEMBERS**

Councillor I Faseyi referred to the question raised under public speaking on the use of snares on Council-owned farmland and suggested that the Council consider adopting an approach similar to that of West Sussex County Council. The Portfolio Holder for Adult Social Care and Integration, in response to Councillor Faseyi and Alsager Town Councillor Jane Smith who had raised the matter earlier, responded that Cheshire East Council did not allow the use of snares on its land although there were a number of existing tenancies the terms and conditions of which could not be changed after the event, and the Council had sought a voluntary agreement with those tenants. All new tenancies issued by the Council prohibited the use of snares.

Councillor S Hogben asked why the Council's response to the Boundary Commission on proposed parliamentary boundary changes in the North West was not available before it was circulated at a Portfolio Holder meeting on Monday at which the response was to be approved. The Portfolio Holder for Corporate Policy and Legal Services responded that this had not been ideal but the Council was having to act on a tight timescale. He added that the papers had been available for perusal at the meeting but that no members had attended to debate the matter.

Councillor Hogben also asked if some of the revenue incurred by fixed penalty notices and returned to the Council by its agents, Kingdom, could be fed back into the areas that generated the revenue such as enforcement, education and clearance. The Portfolio Holder for Adult Social Care and Integration responded that some of the revenue was used to pay for the service itself, to support the Council's community enforcement team, provide training for that team and meet the cost of bringing cases to court.

Councillor S Corcoran referred to the review of the Council's constitution which he felt was being rushed through at a time when some senior officers had been suspended. He asked specifically why the Acting Monitoring Officer had not been present at the meeting of the Constitution Committee on 30<sup>th</sup> November when the constitution was approved for

recommendation to Council. The Portfolio Holder for Corporate Policy and Legal Services responded that one of the two Deputy Monitoring Officers had been present at the Committee meeting. He added that over sixty members of the Council had engaged with the review process and there was no reason why the matter should not now proceed to full Council.

Councillor G Baxendale asked about progress with the Congleton to Macclesfield Link Road. The Portfolio Holder for Environment responded that the scheme was currently out to tender.

#### **84 MINUTES OF PREVIOUS MEETING**

##### **RESOLVED**

That the minutes of the meeting held on 7<sup>th</sup> November 2017 be approved as a correct record.

#### **85 COUNCIL TAX BASE 2018/19 - DOMESTIC RATES**

Cabinet considered a report setting out the Council Tax base calculation for 2018/19 for recommendation to Council.

In response to a comment made during public questions, the Portfolio Holder for Finance and Communication referred to the budget consultation document which outlined Council tax increases for the next three years.

##### **RESOLVED**

That Cabinet recommends to Council

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 2018/19 as 147,003.80 for the whole area; and
2. that no changes be made to the Council Tax Support Scheme for 2018/19, other than the annual increase in the allowances used and clarification following changes in other state benefits.

#### **86 NON-DOMESTIC RATES TAXBASE 2018/19**

Cabinet considered a report on the Non-Domestic Rates Tax base for 2018/19.

##### **RESOLVED**

That

1. Cabinet notes that:

- (a) the non-domestic rates estimates and calculations for 2018/19 will be calculated in accordance with the regulations as follows:

	2018/19	£m
	Projected NDR net income after accounting adjustments	134.7
Less	Payable to DCLG (50% share)	-67.4
Less	Payable to Fire Authority (1% share)	-1.3
	<b>Cheshire East Council proportionate share</b>	<b>66.0</b>
Less	<i>Fixed Tariff payable to DCLG</i>	-24.2
Add	<i>Pooling arrangement levy reduction</i>	+0.8
Add	<i>Section 31 Compensation grant*</i>	+0.5
	<b>Cheshire East Council Retained share</b>	<b>43.1</b>

*\* to compensate for additional business rate discount measures introduced by DCLG since the inception of the BRRS scheme in April 2013*

- (b) the Director of Finance and Procurement in consultation with the Portfolio Holder for Finance and Communication will finalise these estimates based on the latest data for submission to the Department for Communities and Local Government (DCLG) in January 2018; and

- in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, Cabinet recommends to Council the amount to be calculated by Cheshire East Council as its business rates tax base for the year 2018/19 as £134.7m.

## 87 NORTH WEST CREWE PACKAGE SCHEME DELIVERY AND FUNDING

Cabinet considered a report on a proposed delivery and funding strategy for the North West Crewe Package Scheme.

The Portfolio Holder for Adult Social Care and Integration reported that the local ward member, Councillor D Bebbington, who had been unable to attend the Cabinet meeting, had welcomed the scheme.

The Leader placed on record her thanks to the officers for delivering the scheme.

### RESOLVED

That Cabinet

- notes that the latest total scheme cost estimate for all phases of the North West Crewe infrastructure package is £41.6 million;
- recommends to Council that the scheme budget profile be adjusted in line with the attached appendices in the Council's capital programme;

3. notes that the bid for £5m to the National Productivity Fund (Local Roads element) has been successful and that this money needs to be spent by March 2020;
4. notes that a bid has also been made for £10m to the Housing Infrastructure Fund to support this scheme and that the outcome of this bid is expected by the end of this year, but is not guaranteed;
5. authorises the Executive Director Place in consultation with the Director of Legal Services and the Portfolio Holder for Environment, to complete the assembly of the necessary land and third party funding contributions required for delivery of the scheme;
6. authorises the Executive Director Place, in consultation with the Portfolio Holder for Environment, to proceed with all necessary technical work for the submission of a planning application and to finalise detailed design for all phases of the works, including site investigation and any required early diversions of statutory undertaker's apparatus, to a maximum scheme budget of £2.53m (Prior years expenditure is approximately £330k); and
7. notes that further Cabinet reports will be coming forward with recommendations on the procurement process and the statutory process to deliver this package of works.

## **88 COMMISSIONING OF ACCOMMODATION WITH CARE (RESIDENTIAL AND NURSING CARE HOMES)**

Cabinet considered a report on the commissioning of accommodation with care provision for existing and future residents of Cheshire East.

The Portfolio Holder for Finance and Communication asked that before any contract was awarded, the Finance Team was given sight of the contract to assess its financial implications, and that this should apply to any contract to be awarded in relation not only to this item but to the remaining items on the agenda where it was recommended that a contract be awarded.

### **RESOLVED**

That Cabinet

1. approves Cheshire East Council undertaking the commissioning of accommodation with care services in partnership with both Eastern and South Cheshire Clinical Commissioning Groups, with CEC as the lead Commissioner;
2. notes that independent consultants have been appointed to undertake a review of care fees to inform the new commission and that

accommodation with care fees are held at the current market price until the new contracts commence; and

3. delegates authority to the Acting Executive Director of People in consultation with the Portfolio Holder for Adult Social Care and Integration to:
  - (a) award contracts to suppliers; and
  - (b) in consultation with the Acting Director of Legal Services, enter into contracts with the successful suppliers.

#### **89 COMMISSIONING OF CARE AT HOME (DOMICILIARY CARE)**

Cabinet considered a report on re-commissioning care at home provision for adults and older people with low level, non-complex care and support needs residing in Cheshire East.

#### **RESOLVED**

That Cabinet

1. approves Cheshire East undertaking the re-commissioning of care at home services which are procured in partnership with both Eastern and South Cheshire Clinical Commissioning Groups, with Cheshire East Council as the lead Commissioner;
2. approves the procurement of Children's Care at Home services as part of this process; and
3. delegates authority to the Acting Executive Director of People in consultation with the Portfolio Holder for Adult Social Care and Integration and the Portfolio Holder for Children and Families to:
  - (a) following the prescribed procurement process, award contracts to suppliers; and
  - (b) in consultation with the Acting Director of Legal Services, enter into contracts with the successful suppliers.

#### **90 RESPITE REVIEW AND RE-COMMISSIONING**

Cabinet considered a report on the development of a new model as the basis to re-commission respite care.

#### **RESOLVED**

That Cabinet

1. notes the outcomes of the work to date and approves the new model as the basis for the provision of respite care; and
2. delegates authority to the Acting Executive Director of People in consultation with the Portfolio Holder for Adult Social Care and Integration following the prescribed procurement process to:
  - (a) award contract/s to suppliers;
  - (b) in consultation with the Acting Director of Legal Services, enter into contracts with the successful suppliers; and
  - (c) agree that further work be progressed on more diverse opportunities for Respite.

**91 PARTNERSHIP AGREEMENT WITH CHESHIRE WEST AND CHESTER COUNCIL FOR THE DELIVERY OF HEALTHWATCH CHESHIRE**

Cabinet considered a proposed partnership agreement with Cheshire West and Chester Council to deliver the statutory requirements of a Local Healthwatch and Independent Health Complaints Service across the areas of both authorities.

**RESOLVED**

That Cabinet

1. notes the information contained within the report for the delivery of an integrated Healthwatch and Independent Complaints Advocacy Service;
2. approves entering into a Partnership Agreement with Cheshire West and Chester Council for the delivery of the local Healthwatch Cheshire and Healthwatch Cheshire East and ICAS services; and
3. delegates authority to the Director of Commissioning, in consultation with the Portfolio Holder for Adult Social Care and Integration, to approve the final form of the Partnership Agreement (and any subsequent amendments thereto).

**92 SUBSTANCE MISUSE SERVICE RE-COMMISSIONING**

Cabinet considered a report on the provision of a new model for Substance Misuse Services in Cheshire East.

**RESOLVED**

That Cabinet

1. agrees that a competitive EU compliant procurement exercise be undertaken for the provision of a new model for Substance Misuse Services in Cheshire East; and
2. delegates authority to the Acting Executive Director of People in consultation with the Portfolio Holder for Health and the Portfolio Holder for Children and Families to:
  - (a) award a contract for an initial period of 3 years (with options to extend for a maximum of 2 years); and
  - (b) in consultation with the Acting Director of Legal Services, enter into a contract with the successful supplier.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

Councillor Rachel Bailey (Chairman)