

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 10th April, 2018 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 C Andrew, Rhoda Bailey, G Baxendale, B Dooley, L Durham,
I Faseyi, R Fletcher, D Flude, S Gardiner, M Grant, S Hogben, J Jackson,
L Jeuda, B Moran, B Roberts, M Warren and G Williams

Officers in Attendance

Frank Jordan, Mark Palethorpe, Linda Couchman, Dan Dickinson, Sara
Barker, Alex Thompson and Paul Mountford

Apologies

Kath O'Dwyer and Jan Willis

130 **DECLARATIONS OF INTEREST**

Councillor G Baxendale declared a disclosable pecuniary interest in Item 10 (Accommodation with Care: Care Fees Review) and signalled his intention to leave the meeting when the item was considered. Councillor J Jackson declared a non-pecuniary interest in Item 12 (West Park Museum: Future Accommodation of Collections) as a Trustee of the Silk Museum. The Chairman, Councillor Rachel Bailey, declared a non-pecuniary interest in Item 13 (Sale of Land at Dixon Drive, Chelford) as she had a trading relationship with Wright Marshall (formerly Wright Manley as referred to in the report).

131 **PUBLIC SPEAKING TIME/OPEN SESSION**

The Chairman indicated that one of the registered speakers, Mr R Hamilton, would be arriving late and had been advised that he could speak when he arrived. The Chairman was therefore minded to reduce the length of public speaking time at this stage in order to accommodate Mr Hamilton later in the meeting.

Ted Wall asked how much had been spent on legal fees for the employment tribunals of whistle blowers. The Portfolio Holder for Corporate Policy and Legal Services responded that he would be willing to

enter into a constructive dialogue on the matter if an appropriate question was put in writing to the Council.

Rob Vernon referred once again to the condition of the road in Becks Lane, Macclesfield which he said officers had described as having the status of a bridleway. He asked the Portfolio Holder for Environment to look into the matter personally. The Portfolio Holder undertook to reconsider the matter and send a written response.

132 **QUESTIONS TO CABINET MEMBERS**

Councillor S Hogben asked about progress with appointing the ASDV shareholder committee. The Leader responded that matters were moving forward and she would brief members as soon as possible.

Councillor M Warren referred to the charge for taking bags of rubble to waste management sites and felt that basing the price on per bag rather than on weight disadvantaged those residents who could not carry large bags. The Leader responded that if Councillor Warren could provide specific examples of where hardship was being caused, these would be considered.

Councillor R Fletcher commented that Alsager Town Council had written to Cheshire East Council some months ago, asking when Close Lane, Alsager would be widened. A reply was still awaited. Councillor Fletcher also asked if a footway could be provided in Close Lane between Cranberry Lane and Nursery Road to improve safety for pedestrians. The Leader asked Councillor Fletcher to send a copy of the letter from the Town Council to her or to the Portfolio Holder for Environment so that the matter could be investigated.

Councillor J Jackson mentioned that it was no longer possible for members of the public attending meetings at Westfields to leave the building unescorted as the doors leading from the meeting rooms to the Reception could only be opened with a fob. The Portfolio Holder for Housing, Planning and Regeneration responded that the fob-activated doors had been introduced for security and health and safety reasons.

Councillor D Flude asked if the Leader was aware of recent coverage on the Internet regarding Lyme Green. The Leader was aware of the matter and would update members when she was able to do so.

Councillor B Roberts commented that he was very pleased that there had now been a proposal for the former Crewe Baths site.

RESOLVED

That the minutes of the meeting held on 13th March 2018 be approved as a correct record subject to the following amendment in relation to Minute 108:

Councillors E Brooks, S Gardiner, S Hogben and S Pochin declared disclosable pecuniary interests in relation to Items 20 and 23 of the agenda as directors of ASDVs and signalled their intention to leave the meeting prior to the consideration of those items.

134 NOTICE OF MOTION - LICENSING OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

Cabinet considered the following motion which had been moved by Councillor D Flude and seconded by Councillor B Roberts at the Council meeting on 22nd February 2018 and referred to Cabinet for consideration:

“This Council regrets that the Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill was ‘talked out’ by Sir Christopher Chope (Christchurch) (Con) in Parliament, and calls on all of Cheshire East’s Members of Parliament to re submit the Bill. Cheshire East Children and Family’s Scrutiny report on Child Sexual Exploitation recommended Taxi and Private Hire Licensing, it is disappointing that this important legislation was talked out.”

Councillors Flude and Roberts spoke on this matter as the proposer and seconder of the motion.

The report before Cabinet addressed the issues raised in the motion.

RESOLVED

That the Portfolio Holder for Housing, Planning and Regeneration write to the Secretary of State for Transport asking the Government to close the loopholes and potential for abuse left open as a result of cross border hiring and will ask local MPs to support the above letter to the Secretary of State.

135 TRANSPORT FOR THE NORTH - RESPONSE TO CONSULTATION

Cabinet considered a report on progress with the governance arrangements and strategic planning for Transport for the North. The report sought approval of the Council’s response to Transport for the North’s consultation on the draft Strategic Transport Plan.

RESOLVED

That Cabinet

1. approves the submission of a consultation response to Transport for the North's draft Strategic Transport Plan by 17th April 2018 and delegates arrangements for submitting a final version to the Chief Executive in consultation with the Leader of the Council;
2. notes the proposed governance arrangements for Transport for North as set out in Section 5.2 of the report; and
3. delegates authority to the Leader of the Council to approve the final governance arrangements at Transport for the North's Board and to agree all future changes to these arrangements on behalf of the Council.

136 **PUBLIC SPEAKING TIME/OPEN SESSION**

At this point, Mr R Hamilton had arrived at the meeting and was invited to speak.

Mr Hamilton had raised eight detailed questions in relation to a report produced by the Council in June 2016 for the Sandbach Local Plan Inquiry. The questions had been circulated to Cabinet members prior to the meeting. Mr Hamilton was afforded the opportunity of speaking on the matter for five minutes following which the Leader responded at length. In closing, the Leader indicated that she was prepared to engage further with Mr Hamilton on the matter outside the meeting at a future date. In the meantime, she would arrange for the officers to respond to the eight specific questions that he had raised.

Note: the full exchange between Mr Hamilton and the Leader may be listened to on the Council's website.

The Deputy Leader, who had chaired the previous Cabinet meeting, understood that Mr Hamilton had felt that he had been prevented from speaking at that meeting. The Deputy Leader commented that she had asked that any member of the public wishing to speak indicate accordingly. Had Mr Hamilton been present at the meeting and indicated his wish to speak, he would have been invited to do so.

137 **HOUSING STRATEGY 2018-2023**

Cabinet considered a report which provided a summary of the responses to the consultation on the draft Housing Strategy and how those responses had been reflected in the final version of the Strategy. The report also sought approval to adopt the Strategy.

RESOLVED

That the Housing Strategy for 2018-2023 as set out in Appendix 1 to the report be approved.

138 HOMELESSNESS STRATEGY

Cabinet considered a report on the Council's Homelessness Strategy for 2018-2021.

RESOLVED

That Cabinet

1. approves the Homelessness Strategy as set out in Appendix 2 to the report;
2. notes that the Portfolio Holder for Housing, Planning and Regeneration will oversee the delivery of the strategy in partnership through the members of the Homelessness Strategy Steering Group;
3. notes that the funding arrangements are in place to enable the delivery of the strategy; and
4. delegates authority to the Portfolio Holder for Housing, Planning and Regeneration to make any further revisions to the strategy.

Note: at this point, having declared an interest earlier in the meeting, Councillor G Baxendale left the meeting whilst the next following item was considered.

139 ACCOMMODATION WITH CARE: CARE FEES REVIEW

Cabinet considered a report on the findings of a review of Accommodation with Care.

RESOLVED

That Cabinet

1. notes the findings of the Care Fee Review for Accommodation with Care;
2. endorses a 6% increased contract rate for Accommodation with Care at an estimated increased gross cost of £1.5m per annum, the proposed fee increase to be met from the Improved Better Care Fund for 2018/19 and 2019/20;
3. approves the approach to fund the forecast financial implications on the Adult Services Commissioning Budget through the allocation of Adult

Social Care Support Grant (held within the Transforming Services Earmarked Reserve) in 2018/19 and from the Improved Better Care Fund in 2018/19 and 2019/20; and

4. notes that the financial implications of the report present a risk to the current estimates for the 2020/21 Budget, as contained within Medium Term Financial Strategy 2018/19 to 2020/21.

Note: at the conclusion of this item, Councillor Baxendale returned to the meeting.

140 **CARE AT HOME: CARE FEES REVIEW**

Cabinet considered a report on the findings of a review of Care at Home.

RESOLVED

That Cabinet

1. notes the findings of the Care Fee Review for Care at Home;
2. endorses a maximum flat hourly fee rate of £18 per hour for Care at Home services with effect from 1st October 2018;
3. approves the approach to fund the forecast financial implications on the Adult Services Commissioning Budget through the allocation of Adult Social Care Support Grant (held within the Transforming Services Earmarked Reserve) in 2018/19 and from the Improved Better Care Fund in 2018/19 and 2019/20; and
4. notes that the financial implications of the report present a risk to the current estimates for the 2020/21 Budget, as contained within Medium Term Financial Strategy 2018/19 to 2020/21.

141 **WEST PARK MUSEUM; FUTURE ACCOMMODATION OF COLLECTIONS**

Cabinet considered a report seeking approval for a project to safeguard the future of West Park Museum and its collections.

RESOLVED

That Cabinet

1. endorses the option to retain the collection within the museum building at West Park and to refurbish the Museum to ensure it is fit for purpose; and

2. notes the potential for interim and remedial works, including the temporary relocation, or storage of the collection, during the period until museum refurbishment is complete.

142 SALE OF LAND AT DIXON DRIVE, CHELFORD

Cabinet considered a report on the proposed sale of land at Dixon Drive, Chelford.

RESOLVED

That the Executive Director of Place be authorised to dispose of the Land at Dixon Drive, Chelford, as shown on the plan attached to the report, on terms and conditions to be agreed in consultation with the Director of Legal Services and the Section 151 Officer.

143 PROCUREMENT OF THE COUNCIL'S ENERGY SUPPLY

Cabinet considered a report on the procurement of a fully managed service whereby the provider purchased energy for and on behalf of the Council via a compliant framework.

RESOLVED

That Cabinet

1. approves the preferred option to continue using a fully managed service;
2. notes that the Executive Director of Place will commence procurement to select a preferred bidder;
3. delegates authority to the Executive Director of Place to enter into a contract with the successful provider for a period of 3 years; and
4. notes that the Council will enter into individual memoranda of understanding with such schools and academies as indicate that they wish to participate in the contract (subject to the Council's contract with the successful provider allowing such participation).

144 3-YEAR MICROSOFT DESKTOP LICENCE AGREEMENT 2018

Cabinet considered a report on the renewal of the Microsoft Enterprise Desktop Licence Agreement.

RESOLVED

That authority be delegated to the Interim Executive Director of Corporate Services, in consultation with the Portfolio Holder for Finance and Communication, to undertake the procurement, and agree terms of the

necessary contractual arrangements to deliver the required licences for Cheshire East Council and Cheshire West and Chester Council, desktop estate via a Licence Service Provider; with an estimated total cost of £4.00m (excluding VAT) over a 3 year period; funded jointly by the Cheshire East Council and Cheshire West and Chester Council (through programme recharges or staged payments as agreed).

The meeting commenced at 2.00 pm and concluded at 4.40 pm

Councillor Rachel Bailey (Chairman)