

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 10th November, 2009 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor B Silvester (Vice-Chairman)

Councillors R Domleo, D Brickhill, D Brown, P Findlow, F Keegan, A Knowles,
J Macrae and P Mason

Councillors in attendance:

Rachel Bailey, Rhoda Bailey, P Edwards, R Fletcher, D Flude, L Gilbert,
D Hough, O Hunter, S Jones, A Kolker, R Menlove, A Moran, B Moran,
J Narraway, L Smetham, A Thwaite, J Weatherill and R Westwood.

Officers in attendance:

Borough Solicitor, Borough Treasurer and Head of Assets, Head of
Organisational Development, Head of Policy and Performance, Strategic
Director People, Strategic Director Places.

134 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

135 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

136 **PUBLIC SPEAKING TIME/OPEN SESSION**

Sam Corcoran, Will Goodall (on behalf of Sandbach Town Council) and
Ian Knowlson, having given the required notice under the Constitution,
attended the meeting and raised questions in connection with the
Proposed Off Street Parking Places Order – Car Parking Control and
Charging in the area of the former Borough of Congleton. The Cabinet
agreed that the period of time allocated for public speaking should be
extended to accommodate all the questioners.

Councillor Brickhill, as the relevant Portfolio Holder, responded in each
case.

*N.B: Details of the questions and responses are available from Democratic
Services.*

137 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 3 November 2009 be approved as a correct record.

138 **KEY DECISION CE09/10-10 PROPOSED OFF STREET PARKING PLACES ORDER (TO INTRODUCE CAR PARKING CONTROL AND CHARGING IN THE AREA OF THE FORMER BOROUGH OF CONGLETON) - CONSIDERATION OF OUTCOME OF STATUTORY CONSULTATION PERIODS**

Further consideration was given to the proposed Off Street Parking Places Order in the light of representations made during the consultation process.

At its meeting on 8 September Cabinet had resolved to consult on two modifications in relation to specific car parks in Holmes Chapel and Alsager and, subject to consultation responses in relation to these modifications, to authorise the Borough Solicitor to make the Order as modified. The report included a summary of the main grounds of objection drawn from all the responses, including those received during the original consultation period, information on how the aims of the parking strategy were to be achieved, the environmental impact of the proposals and on permit schemes.

RESOLVED

For the reasons set out in the report: -

1. That approval be given to
 - (a) a tariff for Parkway and London Road car parks, Holmes Chapel of Monday to Saturday 8.00 am to 6.00 pm up to 2 hours maximum stay: 10p; Sundays – no charge; and
 - (b) the removal of the provision for a free first thirty minutes parking at Fairview car park, Alsager.
2. That no further approval be given any further modifications to the Order arising as a result of any of the consultation responses received throughout the two consultation periods.
3. That, having taken into consideration all of the legal implications and information within the report, the Order be approved on the basis set out within Appendix A of the report, subject to:
 - (i) any modifications approved under 1 above,
 - (ii) the Borough Solicitor taking such action as he deems necessary to remove any legal impediments affecting the car parks within the draft order, and
 - (iii) the Borough Solicitor providing the necessary statutory public notice of the intention to appropriate to car parking

purposes the list of car parks within Appendix A of the report insofar as it is land owned by the Council;
and in the event of there being no objections to any further modifications and no objections received to the public notice regarding the appropriation of the land, to authorise the appropriation of the said land to car parking purposes and to authorise the Borough Solicitor to make the Cheshire East Borough Council (Off Street Parking Places)(Congleton Area) Order 2009 PROVIDED THAT the Order shall not be made in respect of the car park(s) or parts thereof (a) referred to at 9.1 of the report, (b) any other car park within the Order if the legal impediments affecting the said car park(s) remain unresolved.

139 **KEY DECISION CE09/10-30 RESIDENTS' PARKING POLICY**

During discussion of this item Councillor John Narraway declared a personal interest by virtue of owning property in an area that could be affected by the proposals.

Consideration was given to a proposed Resident's Parking Policy for Cheshire East. The policy sought to address the parking needs of residents in areas affected by non residential parking or other parking restrictions, to provide a holistic approach to parking management and a robust policy to ensure the Authority was able to implement schemes fairly across the Borough.

RESOLVED

For the reasons set out in the report: -

That the Residents' Parking Policy and Guidelines be adopted.

140 **KEY DECISION CE09/10-36 SITES SURPLUS TO CHILDREN & FAMILIES REQUIREMENTS**

Consideration was given to declaring a number of schools sites surplus to educational requirements. The surplus sites had arisen as a result of the Transforming Learning Communities review and no alternative use had been identified within Children and Families Services.

RESOLVED

For the reasons set out in the report: -

1. That the site of the former Oaklands Infant School on the Dean Oaks Primary School site, Wilmslow be declared surplus to educational requirements.
2. That the site of Church Lawton Primary School, Alsager be declared surplus to educational requirements.

3. That the sites of the former Victoria High School (Ludford, Newdigate, Meredith and Oakley), now part of Sir William Stanier Community High School, be declared surplus to educational requirements.
4. That the site of the former Broad Street Infant School, Crewe be declared surplus to educational requirements.

141 **FINANCIAL UPDATE – QUARTER 2 (MID YEAR REVIEW)**

Consideration was given to the Council's mid year financial position in 2009 – 2010. The report focussed on areas of high financial risk to the Council and included updates on treasury management, the capital programme, in-year collection rates for council tax and business rates, and an update on the reserves strategy.

RESOLVED

For the reasons set out in the report: -

1. That the following points be noted: -
 - the pressures on the Council's revenue budget in the second quarter of 2009-10, detailed in Section 11 and Appendix 1 of the report and the proposed remedial action;
 - the positions on Adults Transformation Funding and Learning Disability Pooled Budget detailed in Section 11.2 of the report;
 - the Treasury Management update detailed in Section 12 of the report;
 - the Council's in-year collection rates for Council Tax and Business Rates, detailed in Section 13 of the report;
 - progress to date on delivering the 2009-10 capital programme, detailed in Section 14 and Appendix 3 of the report;
 - Delegated Decisions approved by Directors, as shown in Appendix 2b of the report;
 - Delegated Decisions approved by Directors in consultation with the relevant Portfolio Holder and the Portfolio Holder for Resources for Supplementary Capital Estimates (SCE) and virement requests over £100,000 and up to and including £500,000 as shown in Appendix 2a of the report;
 - the updated Reserves position detailed in Section 15 and Appendix 4 of the report.
2. That approval be given to the following: -
 - a virement devolving £900,000 from the Dedicated Schools Grant uncommitted funds of £1.528m, allocating £85,000 to DSG centrally supported activity, retaining £543,000 within a central contingency, as set out in Section 11.2 of the report;

- a Supplementary Revenue Estimate of £84,500 for preparatory works on the Tatton Park Biennial funded by external contributions as set out in Section 11.3 of the report;
 - a Supplementary Revenue Estimate of £170,000 for a Housing Stock Condition Survey funded from the LPSA Target 11 Reward Grant, as set out in Section 11.3 of the report;
 - the revised in-year capital budget for 2009-10 as set out in Section 14 of the report, including;
 - Supplementary Capital Estimates (SCE)/Virements over £500,000 and up to and including £1.0m, as shown in Appendix 2a of the report;
 - Reductions in approved budgets, as shown in Appendix 2c of the report.
3. That Council be recommended to approve the following SCE and Virement requests over £1.0m, those which require funding from later years and those funded from reserves, as detailed in Appendix 2a of the report:-
- | | |
|--|------------|
| • Christ the King Catholic & C of E Primary School | £3,039,000 |
| • Stapely Broad Lane Primary School | £906,000 |
| • Offley Primary School | £845,000 |
| • Energy Efficiency – Invest to Save | £75,000 |
4. That Council be recommended to approve the use of General Reserves to fund the following items as detailed in Section 15 of the report:-
- (a) £75,000 in 2009-10 for energy efficiency measures to reduce Carbon Emissions.
 - (b) Round 2 Voluntary Redundancy costs of up to £5m, together with the additional future payment of actuarial costs.
5. That Council be recommended to approve the use of General Reserves to create the following new earmarked reserves as detailed in Section 15 of the report: -
- (a) Invest-to-Save Projects (£2m)
 - (b) Enabling Local Working (£625,000)

142 **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 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

MANAGING WORKFORCE CHANGE

Consideration was given to the report of the Head of Human Resources and Organisational Development.

RESOLVED

For the reasons set out in the report: -

That Cabinet supports the decision of the Chief Executive to release the employees whose roles are listed in Appendix A of the report under the arrangements agreed in relation to severance provisions for employees in the Council.

The meeting commenced at 2.00 pm and concluded at 4.25 pm

W Fitzgerald (Chairman)