

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 1st February, 2010 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor B Silvester (Vice-Chairman)

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

Councillors in attendance:

Councillors A Arnold, Rhoda Bailey, D Flude, D Hough, O Hunter, A Moran, B Moran, L Smetham and A Thwaite.

Officers in attendance:

Chief Executive, Borough Solicitor, Borough Treasurer and Head of Assets, Head of Safer and Stronger Communities, Human Resources Delivery Manager, Strategic Director People and Strategic Director Places.

176 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors W Fitzgerald, P Mason and R Menlove.

177 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

178 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from members of the public. Mr L Murgatroyd made a statement to the Cabinet on the proposed car parking charges in Congleton, and on the public consultation that had been carried out.

179 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 19 January 2010 be approved as a correct record.

180 **APPROPRIATION OF LAND FOR CAR PARKING PURPOSES**

In accordance with Access to Information Procedure Rule 14 Members had been asked to note that this matter has not been included in the Forward Plan of Key Decisions to be taken between 1 January 2010 and 30 April 2010. Prompt action was, however, required in order to meet the

planned implementation date and it would be impracticable to defer the decision until it could be included in the next Forward Plan.

The Chairman of the Environment and Prosperity Scrutiny Committee had agreed that in accordance with Scrutiny Procedure Rule 13 this decision would be considered as urgent. The decision was therefore exempt from call-in on the basis that any delay caused by the call-in process would be likely to seriously prejudice the Council's or the public's interest and would mean that the Council's timetable for implementation of the proposed off-street parking places order could not be met.

Consideration was given to the report of the Borough Treasurer and Head of Assets on the appropriation for car parking purposes of certain parcels of land belonging to the Council. The report included details of objections received to the proposed appropriation and these were considered by the Cabinet .

RESOLVED

For the reasons set out in the report: -

In accordance with section 122 of the Local Government Act 1972, and following consideration of the objections received in relation to the proposed appropriation of the land described within Appendix 1 to this report, that approval be given to the appropriation of the land for parking purposes.

181 **PROPOSED OFF-STREET PARKING PLACES ORDER FOR THE FORMER CONGLETON BOROUGH COUNCIL AREA**

In accordance with Access to Information Procedure Rule 14 Members had been asked to note that this matter has not been included in the Forward Plan of Key Decisions to be taken between 1 January 2010 and 30 April 2010. Prompt action was, however, required in order to meet the planned implementation date and it would be impracticable to defer the decision until it could be included in the next Forward Plan.

The Chairman of the Environment and Prosperity Scrutiny Committee had agreed that in accordance with Scrutiny Procedure Rule 13 this decision would be considered as urgent. The decision would therefore be exempt from call-in on the basis that any delay caused by the call-in process would be likely to seriously prejudice the Council's or the public's interest and would mean that the Council's timetable for implementation of the proposed off-street parking places order could not be met.

Consideration was given to the report of the Strategic Director Places. In the light of additional information the Cabinet was asked to consider amending its decision of 10 November 2009 in relation to the approval of

an off street parking places order for the former Congleton Borough Council area.

Cabinet was requested to make the Order in part on the basis set out within Appendix 2 of the report.

RESOLVED

For the reasons set out in the report: -

That the decision of 10 November 2009 be substituted with the decision to authorise the Borough Solicitor to make the Cheshire East Borough Council (Off-Street Parking Places)(Congleton Area) Order 2010 on the basis set out within Appendix 2 of the report, and that a decision on the remainder of the proposals within Appendix 1 of the report be deferred.

182 APPOINTMENT OF CABINET SUPPORT MEMBER

Cabinet was requested to approve the appointment of Councillor D Stockton as Cabinet Support Member in place of Councillor Menlove. In addition it was proposed that a further Cabinet Support Member role be created to support Prosperity and that Councillor D Thompson be appointed to that position.

RESOLVED

1. That Councillor D Stockton be appointed as Cabinet Support Member in place of Councillor R Menlove.
2. That a further Cabinet Support Member role be created to support Prosperity and that Councillor D Thompson be appointed to the position.

183 EXCLUSION OF 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.

184 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: -

1. That 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 be supported.
2. That the employees, whose roles are listed in Appendix B of the report, who may become compulsorily redundant and would receive payments under the arrangements agreed in relation to severance provisions for employees in the Council, be noted.

The meeting commenced at 2.00 pm and concluded at 2.50 pm

(none)