

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Cabinet Members for Health & Wellbeing and Procurement, Assets & Shared Services

held on Monday, 17th January, 2011 at The Capesthorpe Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor Andrew Knowles, Cabinet Member for Health and Wellbeing
Councillor Peter Mason, Cabinet Member for Procurement, Assets and
Shared Services

Officers

Genni Butler, Acting Countryside Access Development Officer
Phil Sherratt, Head of Environmental Services
Paul Mountford, Legal and Democratic Services
Kathryn McKeivith, Solicitor
Joanne Jones, Property Services Manager
Marc Jones, Property Services
Stuart Harradine, Property Services
Patrick Tansey, Property Services
Mandy Clarke, Highway Land Officer

1 DECLARATIONS OF INTEREST

No interests were declared.

2 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

3 CHESHIRE EAST RIGHTS OF WAY IMPROVEMENT PLAN 2011-2026

The Cabinet Member for Health and Wellbeing considered a report on the
Cheshire East Rights of Way Improvement Plan 2011-2026.

It was a statutory duty under section 60 of the Countryside and Rights of
Way Act 2000 for every local highway authority to prepare and publish a
Rights of Way Improvement Plan. The current Plan covering Cheshire
East was due to expire in March 2011 and therefore a new Plan was
required.

The public had been consulted on the draft Rights of Way Improvement
Plan and amendments had been made accordingly. The Public Rights of
Way Committee on 13th December 2010 had resolved to recommend to
the Portfolio Holder that the revised Cheshire East Rights of Way
Improvement Plan be approved.

RESOLVED

That the Draft Cheshire East Rights of Way Improvement Plan 2011-2026 be approved.

4 APPROPRIATION OF LAND FOR HIGHWAY PURPOSES - LYCEUM SQUARE, CREWE

The Cabinet Member for Procurement, Assets and Shared Services considered a report on the appropriation of Council land from public car park/market to highway and for that land to be dedicated as publicly maintainable highway.

On 30th March 2009 the former Crewe and Nantwich Borough Council had granted planning permission for the redevelopment of Lyceum Square, Crewe. The redevelopment had created a vibrant, state-of-the-art pedestrian space for Crewe town centre.

Appropriation of land to highway purposes was a necessary part of the redevelopment. The areas of land referred to in the report were no longer required for their present purpose as all traders had been accommodated on the redeveloped square in conjunction with existing facilities. The land to be appropriated to highway would enable unobstructed vehicular access through the area (subject to any relevant traffic regulation restrictions).

RESOLVED

That in accordance with Section 122 of the Local Government Act 1972, the land shown coloured pink on the plan at Appendix A be declared no longer required for its present purposes, and public notice be given of Cheshire East Borough Council's intention to appropriate the land to highway purposes, and in the event of no objections being received within the date specified in the public notice (or if received they are withdrawn), upon the day immediately following the date specified in the public notice the land be appropriated to highway purposes as publicly maintainable highway.

5 DISPOSAL OF LAND AT BROOK STREET, CREWE

The Cabinet Member for Procurement, Assets and Shared Services considered a report on the proposed disposal of two plots of land at Brook Street, Crewe.

Alchemy Dental Practice wished to purchase two plots of land within the Council's ownership to incorporate within the car park redevelopment planned for the adjacent land.

The land was considered surplus to the operational requirements of the Council. The disposal of the land would help combat antisocial behaviour and fly tipping currently occurring on the land. Alchemy Dental Practice had recently secured freehold ownership of adjacent land and wished to acquire the Council's land with a view to redeveloping the whole site to provide secure car parking. The proposal included resurfacing, the installation of floodlights and security cameras which would improve the appearance of Brook Street.

RESOLVED

That the land at Brook Street, Crewe as referred to in the report be sold to Alchemy Dental Practice on terms and conditions to be determined by the Assets Manager and the Borough Solicitor.

6 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the disclosure of exempt information as defined in Paragraphs 1, 2 & 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

7 DISPOSAL OF SURPLUS ASSETS

The Cabinet Member for Procurement, Assets and Shared Services considered a report on the freehold disposal on the open market of a number of surplus properties.

Following the creation of Cheshire East Council on 1st April 2009 and the amalgamation of the three former District Councils and the former Cheshire County Council, Cheshire East Council had been undertaking extensive internal reviews and rationalisation of its Services and Assets Portfolio.

Any properties formally declared surplus by any of the legacy authorities or declared surplus by the new authority had been re-circulated and the internal Services and Local Area Partner Organisations consulted to determine if any re-use of the surplus properties could be found prior to disposing of the sites on the open market.

The relevant parties associated with the properties listed in the report had been consulted.

At the meeting, the Officers reported that following further discussions with Services, the property referred to in paragraph 1.1.1 and Appendix 1 of the

report was no longer considered surplus to Council requirements and it was recommended that the property be retained in Council ownership.

RESOLVED

That

- (1) subject to (2) below, the surplus properties referred to in the report be declared surplus to the requirements of Cheshire East Council and placed on the open market for disposal on terms and conditions to be determined by the Borough Solicitor and Assets Manager;
- (2) the property referred to in paragraph 1.1.1 and Appendix 1 of the report be retained in Council ownership for internal re-use.

8 SITE ISSUES - LEASE OF LAND TO GOOSTREY PARISH COUNCIL AT GOOSTREY COMMUNITY PRIMARY SCHOOL, MAIN ROAD, GOOSTREY

The Cabinet Member for Procurement, Assets and Shared Services considered a report on the granting of a 99 year ground lease to Goostrey Parish Council at Goostrey Community Primary School, Goostrey, to erect a new building for the Goostrey Young People's Project.

The land in question was a piece of disused shrub land at the edge of the school playing field. The new building would provide Goostrey Parish Council with a replacement youth centre for community use.

RESOLVED

That a 99 year ground lease be granted to Goostrey Parish Council in respect of an area of land at Goostrey Community Primary School as referred to in the report to enable a new building to be erected for the Goostrey Young People's Project, the lease to be subject to a break clause and agreed heads of terms to be determined by the Borough Solicitor and Assets Manager.

9 PROPOSED DISPOSAL OF LAND TO THE REAR OF 22/24 PRINCESS STREET, KNUTSFORD

The Cabinet Member for Procurement, Assets and Shared Services considered a request to acquire land to the rear of 22/24 Princess Street, Knutsford.

The land in question was currently used as fly parking to avoid parking charges on the Princess Street Car Park. The Car Parks Manager had confirmed that the land was not suitable to be included as chargeable spaces and in this respect the land was considered surplus to Council requirements.

RESOLVED

That the land edged red on the plan attached to the report be disposed of to the applicants at the agreed purchase price referred to in the report and subject to such other terms and conditions as are determined by the Assets Manager and the Borough Solicitor.

10 ALSAGER SCHOOL - DISPOSAL OF LAND

The Cabinet Member for Procurement, Assets and Shared Services considered a report on the proposed return and sale of land at Alsager School.

The two areas of land were shown on the plan attached to the report as green and orange respectively for identification purposes.

The return of the 'green land' to the owners followed the identification of a boundary discrepancy.

The 'orange land' had been declared surplus to the operational requirements of the Children's Services Department and was required by the applicants in order to extend the gardens of two recently-developed residential properties. A suitable valuation had been determined on the basis of garden value only.

RESOLVED

That

- (1) the area of land measuring approximately 28 sq/m and shown coloured Green on the plan attached to the report (the Green land) be returned to the owners, Mr F Byatt and Mr B Leese; and
- (2) the area of land measuring approximately 52 sq/m and shown coloured Orange on the plan (the Orange land) be disposed of to Mr Byatt and Mr Leese on the basis recommended in the report, subject to such other terms and conditions as are deemed appropriate by the Borough Solicitor and Assets Manager.

11 REDROOFS, BROOK LANE, ALDERLEY EDGE

The Cabinet Member for Procurement, Assets and Shared Services considered a report on the disposal of a property known as Redroofs, Alderley Edge.

The Property, which was currently occupied by an individual under a tenancy agreement, was a large detached 4 bedroom dwelling set in grounds extending to approximately half an acre.

The Property was acquired by the former Cheshire County Council in November 1976 in connection with the A34 Alderley Edge and Nether Alderley Bypass Compulsory Purchase Order (the Scheme). Now that the Scheme was complete, there was no requirement for the Council to retain the property which was surplus to operational need and currently held on the interim managed property portfolio.

RESOLVED

That notice be served to terminate the tenancy of Redroofs, Brook Lane, Alderley Edge, a Council-owned property surplus to operational needs, to allow disposal of the property with vacant possession to maximise consideration.

The meeting commenced at 10.00 am and concluded at 10.30 am

Councillor Andrew Knowles