

Cabinet Members for Health & Wellbeing and Procurement, Assets & Shared Services

Agenda

Date:	Monday 14th March 2011
Time:	10.00 am
Venue:	The Tatton Room - Town Hall, Macclesfield SK10 1DX

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to its work. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

For requests for further information

Contact: Paul Mountford

Tel: 01270 686472

E-Mail: paul.mountford@cheshireeast.gov.uk with any apologies

4. **Rights of Way Improvement Plan** (Pages 1 - 24)

The Cabinet Member is recommended to approve the Cheshire East Rights of Way Improvement Plan 2011-2026 Implementation Plan 2011-2015, as detailed in the report

5. **The 1st Alsager Scout Group - Surrender and Renewal of Existing Lease Agreement** (Pages 25 - 30)

The Cabinet Member is asked to approve the surrender of the existing lease and granting of a new 50 year lease to 1st Alsager Scout Group on terms and conditions to be determined by the Assets Manager and Borough Solicitor.

6. **Grant of an Easement at Wilmslow Park, Wilmslow** (Pages 31 - 38)

The Cabinet Member is asked to consider authorising the grant of an easement over the land identified in the report on terms and conditions to be determined by the Asset Manager and Borough Solicitor.

7. **Consent for the Surrender and Re-grant of a Ground Lease to the Trustees of Bollington Leisure Centre** (Pages 39 - 42)

To consider a request from the Trustees of Bollington Leisure Centre to surrender their current leases and to grant a new ground lease which would expire on 30 April 2032.

8. **Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Cabinet Members may decide to exclude the press and public 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 likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

9. Disposal of Surplus Assets (Pages 43 - 58)

To consider a proposal to declare a number of properties surplus to Cheshire East Council's requirements and to place them on the open market for disposal on terms and conditions to be determined by the Borough Solicitor and Assets Manager.

10. Proposed Option Agreement/Disposal of land off Canal Street, Congleton (Pages 59 - 66)

To consider entering into an option agreement to dispose of land off Canal Street, Congleton

11. Proposed Option Agreement/Disposal of Land off Windsor Place, Congleton (Pages 67 - 74)

To consider entering into an option agreement in respect of land off Windsor Place, Congleton

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Cabinet Member for Health and Wellbeing

Date of Meeting:	14 th March 2011
Report of:	Green Spaces Manager
Subject/Title:	Cheshire East Rights of Way Improvement Plan 2011-2026: Implementation Plan 2011-2015

1.0 Report Summary

- 1.1 This report presents the Cheshire East Rights of Way Improvement Plan 2011-2026: Implementation Plan 2011-2015.

2.0 Recommendation

- 2.1 **That** the Cheshire East Rights of Way Improvement Plan 2011-2026 Implementation Plan 2011-2015 be approved.

3.0 Reasons for Recommendation

- 3.1 On 13th December 2010, the Public Rights of Way Committee gave the Green Spaces Manager the delegated powers to compile, having consulted with the Chairman of the Public Rights of Way Committee, the Implementation Plan based on a prioritisation methodology that was presented. The Plan has now been finished and is put forward for approval.

4.0 Wards Affected

- 4.1 All Wards affected.

5.0 Local Ward Members

- 5.1 All Local Ward Members.

6.0 Policy Implications

- 6.1 The development of the ROWIP is aligned with the health and wellbeing objectives and priorities of the Council as stated in the Corporate Plan (2.1.1 Encouraging healthier lifestyles), the Local Area Agreement (National Indicator 8 Adult participation in sport and active recreation) and the Health and Wellbeing Service commitment to the Change4Life initiative.
- 6.2 In addition, the ROWIP, as an integrated part of the Local Transport Plan, is set within the context of the Local Area Agreement indicators concerning air quality and CO₂ emissions.

7.0 Financial Implications

- 7.1 Funding sources, which will include external grants, are identified in the Implementation Plan, but are not committed as the funding is unknown and the actual projects developed may vary from those presented in the Plan.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 It is 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.
- 8.2 Non compliance with the requirement for the full integration of the ROWIP with the LTP3 could result in criticism from statutory monitoring bodies and agencies.

9.0 Risk Management

- 9.1 No matters arising.

10.0 Background and Options

- 10.1 On 17th January 2011 the Portfolio Holder approved the Cheshire East Rights of Way Improvement Plan 2011-2026 which sets out the strategy for this period. The projects which are to be delivered over the first 4 years under this strategy are compiled into an Implementation Plan.
- 10.2 Suggestions for improvement projects have been submitted, during the development of the ROWIP, by officers, members of the public, user groups and community groups. These suggestions have then been prioritised by the methodology presented to the Committee in December 2010 which was selected and amended by the Cheshire Local Access Forum. This methodology takes into account the benefits of the scheme in the context of local need.
- 10.3 The highest priority suggestions have been selected for each category of suggestion: walking, cycling, horse riding, transport-related and cross-cutting projects. It is intended that these suggestions be investigated and developed first, with the acknowledgement that some may not be feasible and other opportunities may arise through partnerships and developments that result in alternative projects being taken forward.
- 10.4 On 13th December 2010, the Public Rights of Way Committee gave the Green Spaces Manager the delegated powers to compile, having consulted with the Chairman of the Public Rights of Way Committee, the Implementation Plan based on the prioritisation methodology.
- 10.5 Monitoring and reporting shall be undertaken through annual progress reporting.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Genni Butler
Designation: Countryside Access Development Officer
Tel No: 01606 271817
Email: genni.butler@cheshireeast.gov.uk

This page is intentionally left blank



Rights of Way Improvement Plan 2011 - 2026

Implementation Plan 2011 - 2015

Contents

1 ROWIP policies and initiatives	2
2 Prioritising improvements	7
3 Statement of action	9
4 Monitoring	16

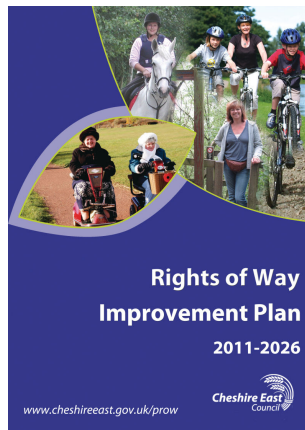
List of tables

Table 1 Prioritised projects 2011-2015 - leisure walking	9
Table 2 Prioritised projects 2011-2015 - leisure cycling	10
Table 3 Prioritised projects 2011-2015 - horse riding	11
Table 4 Prioritised projects 2011-2015 - cross cutting projects	12
Table 5 Prioritised projects 2011-2015 - transport-related	13

1 ROWIP policies and initiatives

Introduction

- 1.1** In April 2011, Cheshire East Council published its Rights of Way Improvement Plan (ROWIP) 2011-2026 which set out the strategy by which the Council aims to improve public rights of way and countryside access across the Borough.



- 1.2** The ROWIP has 5 chapters:-

1. Introduction - an explanation of what the ROWIP is and how it was produced;
2. Evaluation of Cheshire's ROWIP 2006-2011 - an assessment of successes and ongoing challenges;
3. Network assessment - a description of what countryside access is available to the public in Cheshire East;
4. Demand assessment - a description of what people want from public rights of way and countryside access at the present time and future demand trends; and,
5. What we need to do - listing policies and initiatives through which we aim to make improvements. These are common to the Local Transport Plan 3 (LTP3).

- 1.3** The policies and initiatives stated in chapter five state what we need to do and are repeated below. For full background details please read the ROWIP strategy available at www.cheshireeast.gov.uk/prow.

- 1.4** The actual projects to be delivered under the ROWIP strategy will be set out in 4-yearly implementation plans, this being the first.

1 ROWIP policies and initiatives

Policy H2: Promotion of active travel and healthy activities

Work in partnership to promote walking, cycling and horse riding as active travel options and healthy activities

Promote opportunities and facilities: highlight opportunities for active travel and healthy activity by promoting new and existing facilities using appropriate media such as signage, walking and cycling maps, leaflets, events, internet sites and other technologies. This will focus on routes and sites that are accessible by modes of active travel or public transport (such as important leisure routes or key employment locations) and will involve working with health agencies, help to promote active travel and other activities as a lifestyle choice for all ages amongst our residents and visitors. Close working with the Peak District National Park Authority and other visitor organisations to provide helpful information and promote a consistent and warm welcome to visitor attractions.

Organised walks, rides and activities: undertake and support organised walks, rides and other activities which encourage people to partake in healthy activities that they may not otherwise have the confidence or knowledge to do.

Public information on the public rights of way network: enhance the accuracy of the Definitive Map and Statement to provide an up to date and accessible format. This will facilitate changes to the network, through the necessary legal processes, for the benefit of landowners and the public.



1 ROWIP policies and initiatives

Policy H3: Public rights of way and green infrastructure

Protect and enhance our public rights of way and green infrastructure and endeavour to create new links where beneficial for health, safety or access to green spaces

Sustainable access to green spaces: aim to improve access for all members of society, including disabled people, to and within green infrastructure, including the public rights of way network, town parks, public open space, the Peak District National Park and country parks.

Link key services: seek to improve the routes and green infrastructure that link key services (e.g. schools, community centres and tourism destinations) by routes and green infrastructure such as canal towpaths. Investments will include improving surfacing and signage, where appropriate, and creating links where gaps exist in the network.

Leisure routes for cyclists, horse riders and walkers: endeavour to create and enhance leisure routes for cyclists, horse riders and walkers on the public rights of way network and highway network.

Litter, environmental health, safety and security: encourage users to reduce litter and will improve environmental health, safety and other security concerns through education and clean-up campaigns.

Country parks, town parks and public open space: ensure adequate maintenance and improvement of land within the Council's ownership that is used for formal and informal public access and recreation, at a local level and sites which are tourism destinations.



1 ROWIP policies and initiatives

Policy S7: Walking

Work with stakeholders to improve facilities for walking so that it is attractive for shorter journeys

Footway and footpath improvements: promote improvements to the condition of highway footways, footpaths and public rights of way. In particular, support the development, on safety grounds, of low cost measures, such as verge improvements. Consideration will also be given to resurfacing, removal of litter and other environmental health issues, provision of lighting and seating, where appropriate, and the removal of barriers and obstacles to open up more routes for more people, particularly those with pushchairs and disabled people. This initiative will also recognise the environmental and biodiversity benefits of creating attractive green spaces alongside walkways and cycleways.

New walking routes: support the development of new routes where required but not currently provided, such as on rural roads and in villages, and support initiatives to connect up the highway footway and public rights of way networks for greater pedestrian movement, including links to the canal system.

Pedestrian crossing points: support the provision of safe crossing points, wide pavements, dropped kerbs and other pedestrian facilities where necessary to encourage travel on foot and improve perceptions of safety along routes and make routes more accessible to disabled people.

Route signing: promote the signing of dedicated on- and off-road pedestrian routes to encourage greater use by pedestrians. Initiatives will include the provision of signs relaying destination, distance and time information.



1 ROWIP policies and initiatives

Policy S8: Cycling

Work with stakeholders to improve facilities for cycling so that it is attractive for shorter journeys

New cycle routes: seek to provide appropriate highways improvements (e.g. on-road cycle lanes or wide nearside lanes) and off-road routes to make commuter cycling a safe and quick alternative to car use. Focus will be on creating a network of joined-up routes catering for a range of cycle skill levels and will capitalise on the potential of the canal system for cyclists.

Junction and route improvements for cyclists: promote the provision of filter lanes, advanced stop lines and toucan crossings, where applicable, to prioritise and enhance the safety of cyclists at junctions. Undertake surfacing and lighting improvements on existing key links. Such measures will be incorporated into the design of new or amended highways, as well as retrospectively to existing road junctions, where possible.

Cycle facilities: work to provide greater access to cycling facilities (e.g. cycle parking, changing facilities, showers, hire & ride schemes) in town centres, at community facilities (e.g. libraries) and service and employment centres.

Route signing: encourage a greater uptake of cycling through the provision of route signs which state the destination, distance and journey time to selected destinations, to complement other sources of information.



2 Prioritising improvements

Prioritisation

- 2.1** The projects listed here have been collated from suggestions gathered from the public, user groups and other organisations and are recorded in both geographical and database format for ease of interrogation and sharing with other departments and organisations.
- 2.2** The suggestions have been assessed and scored through a prioritisation methodology which was selected and amended by the Cheshire Local Access Forum, the statutory body advising the Council on access to the countryside. The scoring reflects the policies of the ROWIP and the benefits offered by the suggestion in terms of need:
- improving access where current provision is poor;
 - improving access in a community where there is a high level of deprivation;
 - improving access for disabled people, horse riders and cyclists;
 - improving safety of non-motorised users on roads;
 - Improving access to services such as shops and schools
 - Improving access to areas of interest such as water bodies or woodland; and,
 - Improving access which will bring about a benefit to the visitor economy.
- 2.3** The prioritisation methodology also incorporates an assessment of the costs of the scheme in terms of capital and resources, and of the feasibility of delivering the suggestion. In the following tables, the amount of staff time required to deliver the project is indicated by stars: * low, ** medium, *** high. Similarly, the estimated cost of the project is indicated by pound signs: £ low, ££ medium, £££ high.
- 2.4** Those suggestions scoring high in terms of delivering benefits and scoring low in terms of costs have been ranked to be taken forward. The top 5 suggestions in each of the leisure walking, leisure cycling, horse riding and cross-cutting categories have been selected. A large number of transport-related suggestions are listed in the statement of action as these tend to be large scale projects which run for a number of years and in which public rights of way will contribute one part of the whole.

Statement of action

- 2.5** The following statement of action lists an indicative set of projects that the Council aims to deliver within the 4 year period 2011-2015. What can actually be achieved is dependent to varying degrees on the availability of funding and on landowner agreement. The Council will need to retain flexibility in order to take advantage of opportunities arising, for example, from future development proposals or other partnerships. It follows that the Council may deliver alternative projects to the schemes listed here.

2 Prioritising improvements

- 2.6** It is realised that funding from central government, local authority budgets and other sources are likely to be minimal in at least the short term future. Therefore, the importance of partnership working in improving the network and the need to draw in external funds from other sources must not be overlooked.
- 2.7** The delivery of projects will also be subject to the organisational changes occurring within Cheshire East Council. A review of the Council's functions and budgets across Green Spaces and the wider Health & Wellbeing service is anticipated as a result of the Comprehensive Spending Review and other pressures.
- 2.8** Alongside these ROWIP projects, ongoing maintenance works and smaller scale improvements will continue to be undertaken through the maintenance budget of the Public Rights of Way team. These works are aligned to the policies of the ROWIP as well as satisfying the authority's duty to maintain public rights of way. This duty is undertaken in accordance with the authority's prioritisation system for different categories of maintenance and enforcement issues on public rights of way.

3 Statement of action

Table 1 Prioritised projects 2011-2015 - leisure walking

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential funding sources
W41	Salt Line Country Park, Alsager	Investigate improving access to the Alsager end of the Salt Line avoiding roads	Alsager Town Council, Alsager Partnership	**	££	Highways
W67	Nantwich Riverside Loop	Install additional signage at Water Lode bridge over the River Weaver to signal the Loop route to non-regular users	Nantwich Riverside Loop partners, Nantwich Local Area Partnership	*	£	ROWIP budget
W47	Wood Park, Alsager	Improve the link path between the Salt Line and the ATC hut to provide a safe and attractive route for residents to access the facilities	Landowners, Alsager Town Council, Alsager Partnership	*	££	ROWIP budget, External funding bid with partners
W35	Odd Rode Footpath No. 41, Church Lawton	Improve access from footpath and Old Knutsford Road onto the Trent and Mersey Canal towpath, particularly for disabled people	Congleton Disabled Access Group, Landowners, British Waterways	*	£	ROWIP budget, External funding bid with partners
W45	Dane Valley Way, Congleton	Investigate the feasibility of improving the path between between Havannah Street and Havannah Lane	Landowners, Community Group, Congleton Town Council, Environment Agency	**	££	ROWIP budget, External funding bid with partners, Developer contributions

3 Statement of action

Table 2 Prioritised projects 2011-2015 - leisure cycling

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential funding sources
C4	Cycle route to Brereton Local Nature Reserve	Set up a promoted route from Holmes Chapel and Congleton to reach Brereton Local Nature Reserve by bike, using quieter roads and public rights of way	Highways, Landowners, Visitor Economy, Health Improvement	*	£	ROWIP budget
C2	Congleton Bridleway No. 34	Resolve drainage issues on bridleway which connects housing in Buglawton with the Macclesfield Canal towpath	British Waterways, Community Group	*	£	ROWIP budget
C3	Poynton Footpath No. 7	Investigate the possibility of enabling cyclists to use this route on Princes Incline as a means to link Poynton and Hazel Grove with the Middlewood Way	Landowners, Poynton Town Council, CycleWilmslow	**	££	ROWIP budget
C1	Mobberley Footpath Nos. 45 & 52	Investigate the possibility of upgrading these footpaths to bridleways to extend the network of routes available to cyclists	Landowners, CycleWilmslow	**	££	ROWIP budget
C5	Alsager Road, Hassall	Investigate making Alsager Road safer for cyclists to create a circular ride from Alsager	Highways, Alsager Partnership	**	££	Highways

3 Statement of action

Table 3 Prioritised projects 2011-2015 - horse riding

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential sources of funding
H39	Congleton Bridleway No. 31	Create a connection between the bridleway and the Biddulph Valley Way to improve the network of rides available	Border Bridleways Association, Landowner	***	££	ROWIP budget, Developer contributions
H38	St John's Public Open Space, Congleton	Create a bridleway route to link with Havannah Lane and Tommy's Lane and the wider network	Border Bridleways Association, Landowner	**	££	Developer contributions
H30	Poynton Footpath No. 51	Investigate the possibility of upgrading to bridleway status to give access onto the Middlewood Way and surrounding network	Landowners, Horse rider user groups	**	£	ROWIP budget
H20	Seven Sisters Lane, Ollerton	Provide a verge path or field edge path to provide access to Ollerton Bridleway No. 6 for users using Seven Sisters Lane.	Landowners, North Cheshire Riders	**	££	Highways
H23	Specific footpaths in Ollerton Marthall, Moberley & Knutsford	Investigate the possibility of upgrading footpaths to bridleway status to create a valuable area of off-road riding.	Landowners, North Cheshire Riders	**	£	ROWIP budget

3 Statement of action

Table 4 Prioritised projects 2011-2015 - cross cutting projects

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential funding sources
X14	Towns	Develop publicity highlighting available walking and cycling routes within towns to encourage active travel	LTP, user groups, Local Area Partnerships, Town & Parish Councils, Health organisations	**	££	ROWIP budget, External funding bid with partners
X15	Horse riding promoted routes	Transfer North Cheshire Riders' promoted routes on to Discover Cheshire website	North Cheshire Riders, Landowners	*	£	ROWIP budget
X1	Mersey Life Project	Mersey Life Project Improving access to the river for all	Mersey Life Project, Environment Agency, Bollin Valley Partnership	***	£££	External funding bid with partners
X6	Local leisure routes	Develop and publish circular promoted routes with Local Area Partnerships	Local Area Partnerships, Visitor Economy	**	£	ROWIP budget, External funding bid with partners
X7	Promoted 'green routes'	Develop and/or reprint 'Green Walks': promoting routes which use public transport outwards and walking or cycling on the return journey	Public transport providers, Local Area Partnerships	**	£	Public transport providers

3 Statement of action

Table 5 Prioritised projects 2011-2015 - transport-related

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential funding sources
T33	Macclesfield Canal Towpath, Congleton	Improve the surface of the towpath in Congleton, bridges 66-78. The route offers links to the town centre as commuter and leisure route	Congleton Town Council, Community Group, British Waterways	***	£££	External funding bid with partners
T44	Macclesfield Canal Towpath, Macclesfield	Improve the surface of the towpath in Macclesfield, bridges 30-46 as a potential commuter and recreational route close to the town centre	British Waterways, Local community groups	***	£££	External funding bid with partners
T23	Prestbury Footpath No. 37 and Macclesfield Riverside Park	Upgrade the footpath and route through the Country Park from Prestbury to Macclesfield as a joint use path for walkers and cyclists	Prestbury Parish Plan, Local community groups, Bollin Valley Partnership, Sustrans, Local Area Partnership	***	£££	External funding bid with partners
T45	Macclesfield Canal Towpath, Bollington	Improve the surface of the towpath, bridges 26-28 to create good linkages to town and Discovery Centre	Bollington Town Council, British Waterways, Visitor economy	***	£££	External funding bid with partners

3 Statement of action

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential funding sources
T1	Peak Forest Canal Towpath, Disley	Improve the surface of the towpath to create an active travel route to the facilities in Disley and commuter destinations further afield	Disley Parish Council, Disley Footpaths Society, British Waterways	***	£££	External funding bid with partners
T42	Reaseheath College link to Crewe-Nantwich Greenway	Creation of an off-road shared use path between college and Crewe to Nantwich Greenway	Reaseheath College, Sustrans, Highways	***	£££	External funding bid with partners
T25	Cranage to Holmes Chapel link	Creation of an off-road shared use path between Cranage village and playing fields with Holmes Chapel town and facilities	Cranage and Holmes Chapel Parish Councils	***	£££	External funding bid with partners
T21	Salt Line to Wheelock Rail Trail link	Creation of a connecting route between the country parks to create a longer leisure and transport route	Landowners	**	££	ROWIP budget
T28	Middlewich Branch towpath	Upgrade towpath condition as a link between communities and 3 schools	British Waterways	**	£££	External funding bid with partner
T52	Congleton Bridleway No. 31	Tommy's Lane, Congleton: improve surface, signage and maintenance	Congleton Community Group	*	££	ROWIP budget

3 Statement of action

Ref.	Site name	Suggested improvement	Partners	Staff time	Estimated cost	Potential funding sources
T29	Middlewich Footpath No. 19	Upgrade for use by cyclists commuting from town to Midpoint 18 employment centre	Landowner, Developer	**	££	ROWIP budget, Developer contributions
T24	Pickmere Footpath No. 13	Upgrade footpath between Pickmere and Wincham linking school with community	Pickmere Parish Plan, Cheshire West & Chester Council	**	££	ROWIP budget, External funding bid with partners

4 Monitoring

Monitoring and assessment

- 4.1** We will monitor the progress of this ROWIP and the subsequent implementation plans through annual review assessing the delivery of projects against the ROWIP strategy and implementation plans. This review will note improvements made together with usage, travel mode and health statistics, where available. This reporting will be completed as part of LTP3 annual review and reported to the Council's Public Rights of Way Committee and the Cheshire Local Access Forum.
- 4.2** In addition, monitoring may be undertaken through national indicator sets as these are developed and through the results of the National Highways and Transport Network Satisfaction Surveys.
- 4.3** The 'Ease of use' random surveys following the Best Value Performance Indicator 178 methodology, will be conducted internally and used to monitor the maintenance condition of the public rights of way network.
- 4.4** Finally, the CROW Act 2000 set the requirement for ROWIPs to be reviewed at intervals of not less than 10 years. Given that the strategy extends beyond that timeframe, it is recognised that periodic review will be required and that these Implementation Plans will in effect enact that appraisal.

Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

www.cheshireeast.gov.uk

This information is available in other formats on request

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Cabinet Member for Procurement, Assets and Shared Services

Date of Meeting:	14 th March 2011
Report of:	Assets Manager
Subject/Title:	The 1 st Alsager Scout Group - Surrender and Renewal of Existing Lease Agreement.

1.0 Report Summary

To consider a request from the 1st Alsager Scout Group to surrender their existing lease agreement of 7 years unexpired and to enter into a new 50 year lease agreement. This will allow the group to apply for grant funding and provide the security to continue to improve the existing facilities.

2.0 Recommendation

- 2.1 That the Cabinet Member for Procurement, Assets and Shared Services approve the surrender of the existing lease and granting of a new 50 year lease to 1st Alsager Scout Group on terms and conditions to be determined by the Assets Manager and Borough Solicitor.
- 2.2 The first 5 years will be at the existing rent with a rent review to market value thereafter on a 5 yearly review pattern.

3.0 Reasons for Recommendations

The 1st Alsager Scout Group have been in occupation of the current site since approximately 1968 with their current lease agreement due to expire in 2017.

The current lease held by the Scouts is contracted within the security of tenure provisions of the Landlord and Tenant Act 1954 and as such upon expiry they have rights of renewal.

The club have extended and improved the existing accommodation over the years including:-

- Additional storage space
- Double glazing and roof insulation
- Additional meeting room
- Change the heating system to give greater efficiency (condensing boiler)
- Upgrade of toilets.

- Enclose the rear grassed area to provide a secure area for activities by the boys and Girls

The group currently has a waiting list with a membership of approximately 160 scouts. Due to the current level of membership and looking ahead to the potential redevelopment of the University site as residential the club would like to extend their current premises. Although this would take place within the existing boundaries of the current site however in order to attract the required funding the club require a longer term lease agreement.

Planning have confirmed that:-

“the site is within the Settlement Zone Line of Alsager, where the presumption is in favour of development and residential may be acceptable, however Policy RC12 states that: “Planning permission will not be granted for any proposed development which would result in the loss of any community facility which makes a positive contribution to the social or cultural life of a community, unless suitable alternative provision is made”. The officer opinion was that the building clearly provides a valuable community facility, I could not offer encouragement for other development on the site unless an acceptable alternative was provided.”

Following the above advice the author is of the opinion that the land has no real alternative use and in this respect a red book valuation has been carried out in accordance with RICS Valuation Standards 6th Edition (the “RICS Red Book”) April 2010 confirming a nominal site value.

4.0 Wards Affected

4.1 Alsager

5.0 Local Ward Members

5.1 Cllr Rod Fletcher
Cllr Derek Hough
Cllr Shirley Jones

6.0 Policy Implications

6.1 N/A

7.0 Legal Implications (Authorised by the Borough Solicitor)

7.1 Local Authorities are given powers under S123 of the Local Government Act 1972 to dispose of land in any manner they wish subject to the constraint that the disposal must be for the best consideration obtainable unless the Secretary of State consents to the disposal.

- 7.2 By virtue of the General Consent Order 2003, the Secretary of State has given consent to disposals where, in the local authority's view, such disposal would help it secure the promotion or improvement of the economic, social or environmental well being of the area and such matters set out in its community strategy. In those circumstances an interest in land may be disposed of at less than best consideration providing that the undervalue does not exceed £2,000,000. The rent recommended to be reserved by the 50 year lease may be less than the best consideration obtainable but this disposal satisfies the Secretary of State's criteria.

8.0 Risk Management

- 8.1 The Scout Group have been in occupation of the site since approximately 1968. Planning have confirmed in principle that any alternative use for the site would require the relocation of the existing Scout Hall. Based on a like for like replacement a commercially viable alternative use for the site is unlikely.

9.0 Background and Options

As detailed in 3.0 above.

10.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

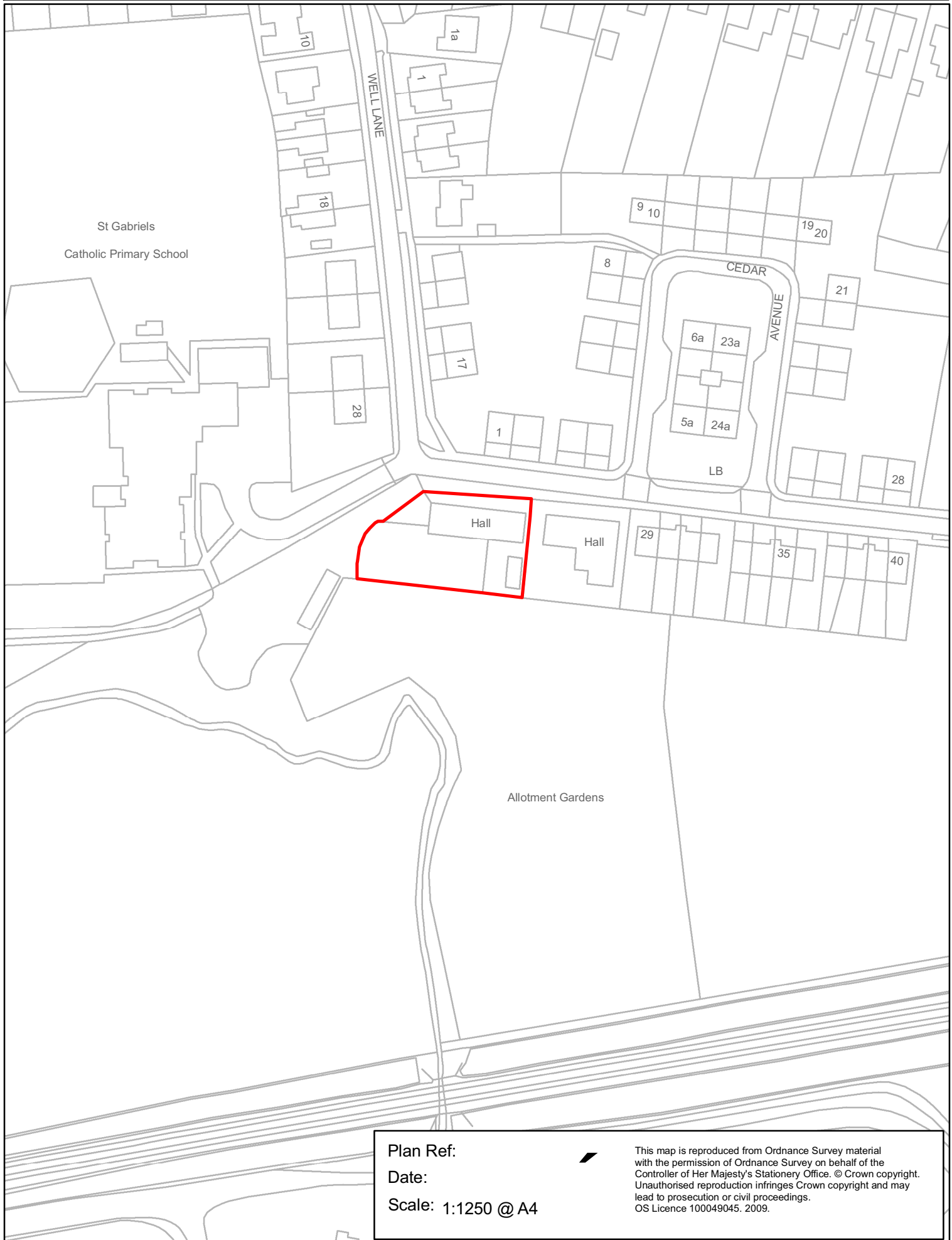
Name: Marc Jones

Designation: Senior Valuer

Tel No: 01270 686134

Email: marc.jones@cheshireeast.gov.uk

This page is intentionally left blank



Plan Ref:

Date:

Scale: 1:1250 @ A4

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. OS Licence 100049045. 2009.

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Cabinet Member for Procurement, Assets and Shared Services

Date of Meeting:	14/03/2011
Report of:	Assets Manager
Subject/Title:	Grant of an Easement at Wilmslow Park, Wilmslow
Portfolio Holder:	Councillor Peter Mason

1.0 Report Summary

- 1.1 The purpose of this report is to consider a request from National Grid for the Council to grant an easement to install a pipeline on land at Wilmslow Park, as shown in red on the attached plan.

2.0 Recommendation

- 2.1 Following consultation with our Health & Wellbeing Department, to approve the grant of the easement over the land on terms and conditions to be determined by the Asset Manager and the Borough Solicitor.

3.0 Reasons for Recommendations

- 3.1 The Council will receive a consideration for granting the right.
- 3.2 The existing gas pipe needs to be replaced.
- 3.3 The easement will not adversely affect the land. National Grid will be responsible for reinstating the condition of the land following completion of any works.

4.0 Wards Affected

- 4.1 Wilmslow North

5.0 Local Ward Members

- 5.1 Councillor Jim Crockatt
Councillor Don Stockton
Councillor Paul Whiteley

6.0 Policy Implications

None

7.0 Financial Implications

- 7.1 National Grid will pay the Council a contribution of £3,024 for the easement as well as £969 towards legal and surveyor's fees.

8.0 Legal Implications

- 8.1 Section 123 of the Local Government Act 1972 provides that a local authority may dispose of land it holds on such terms as it chooses but the Secretary of States consent is required if the disposal is for less than the best consideration reasonably obtainable. "Land" is defined as including any "any interest in land and any easement or right in, to or over the land".

9.0 Risk Management Implications

- 9.1 There are no risks associated with the grant of an easement to National Grid.

10.0 Background and Options

- 10.1 The land is designated as public open space and is currently managed by the Council's Health and Wellbeing Department. The land is currently used for recreational purposes and is not subject to any other leases or licences to third parties.
- 10.2 The works are part of National Grid's larger replacement scheme in the area and the majority of works will be taking place this year. A number of the steel gas pipes have now come to the end of their life span and require replacing.
- 10.3 In some cases the plastic pipe can be slip lined into the old steel pipe but this will not be suitable for this route as it would result in lengthy cut offs and disruptions to the local gas supply.
- 10.4 The laying of this proposed route is scheduled to commence in the spring, with the route taking around a month to lay and back fill. The working area needed will be securely fenced for both security and safety and this will allow the footpath through the park to remain open.
- 10.5 The route National Grid has developed aims to cause minimum disruption to the park and its users.
- 10.6 A schedule of condition will be undertaken prior to the commencement of the works to ensure that the land is not damaged during the works.
- 10.7 National Grid will ensure that the land remains stock proof at all times.
- 10.8 National Grid will pay the Council a contribution of £3,024 for the easement as well as £969 towards legal and surveyor's fees.

11.0 Access to Information

- 11.1 The background papers relating to this report can be inspected by contacting the report writer:

Name: Charlotte Roper

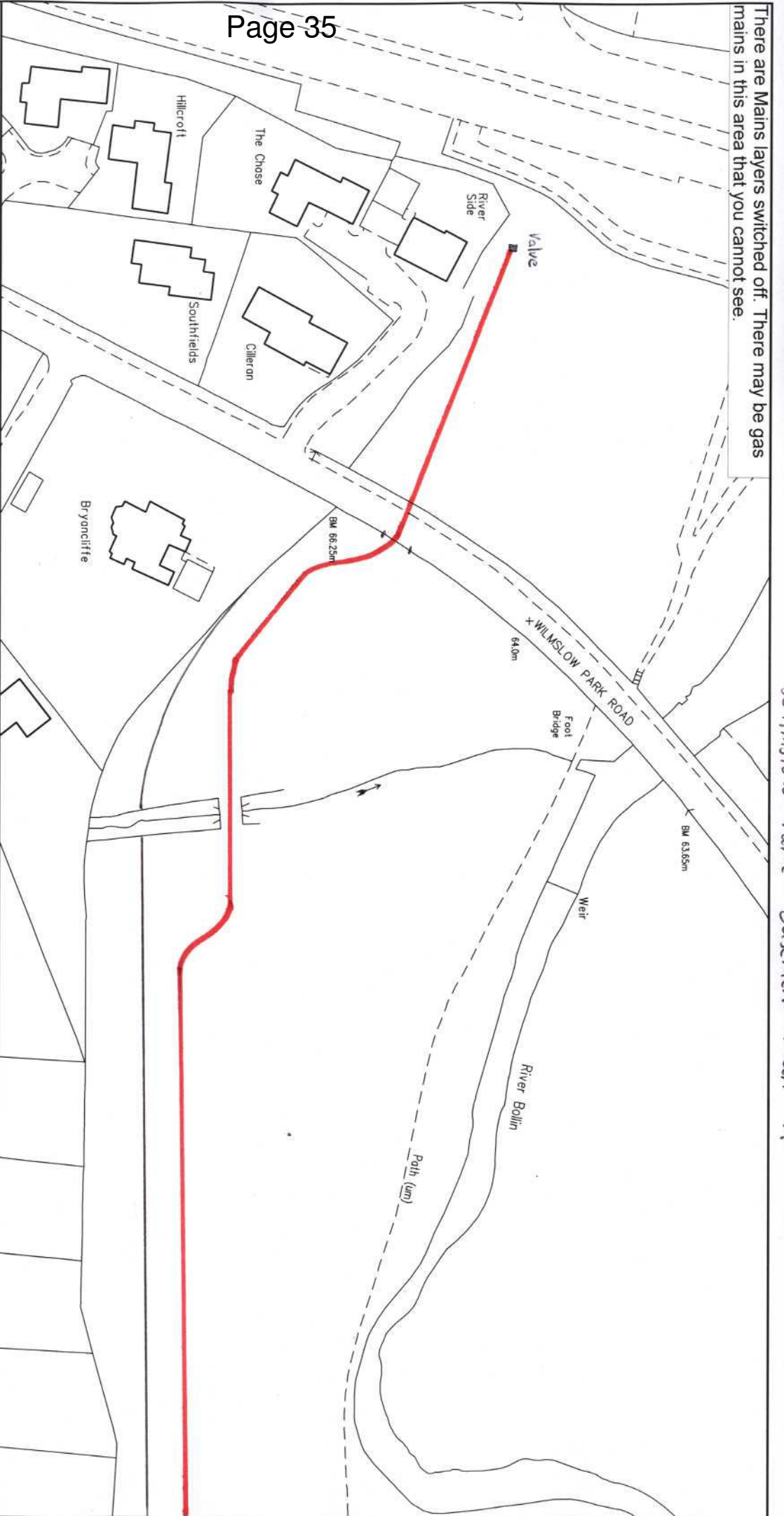
Designation: Surveyor

Tel No: 01270 686 148

Email: charlotte.roper@cheshireeast.gov.uk

This page is intentionally left blank

There are Mains layers switched off. There may be gas mains in this area that you cannot see.



Warning: ALL AS-LAID MAINS LAYERS MAY NOT BE SHOWN

SCALE: Not to scale	LP MAINS
USER ID: james.dean	IP MAINS
DATE: 06/05/2010	LHP MAINS
INTERNAL USE ONLY	NHP MAINS
MAP REF: SJ8581	HISTORY MAINS
CENTRE: 385296, 381186	GTs
Some examples of Plant Items:	SSSIs
Valve	Diameter Change
Depth of Cover	Material Change
Syphon	

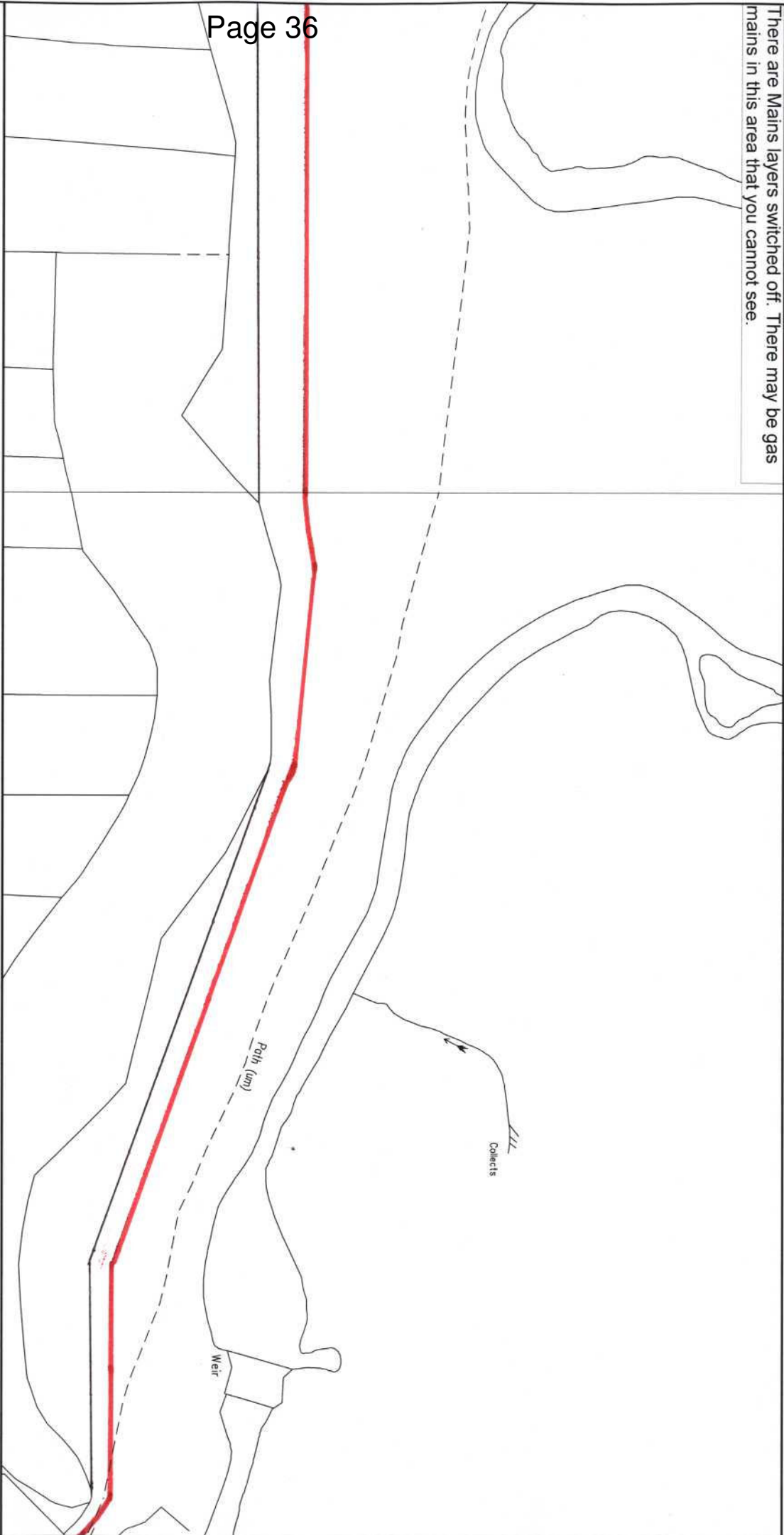
This plan shows those pipes owned by National Grid Gas plc in their role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Desktop MAPS Version 5.1.2.0

Hinckley Server

This plan is reproduced from or based on the OS map by National Grid Gas plc, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved.

There are Mains layers switched off. There may be gas mains in this area that you cannot see.



Warning: ALL AS-LAID MAINS LAYERS MAY NOT BE SHOWN

SCALE: Not to scale	
USER ID: james.dean	
DATE: 06/05/2010	
INTERNAL USE ONLY	
MAP REF: SJ8581	
CENTRE: 385554, 381165	
Some examples of Plant Items: Valve Depth of Cover Syphon Diameter Change Material Change	LP MAINS IP MAINS LHP MAINS NHP MAINS HISTORY MAINS LVS GTs SSSIs

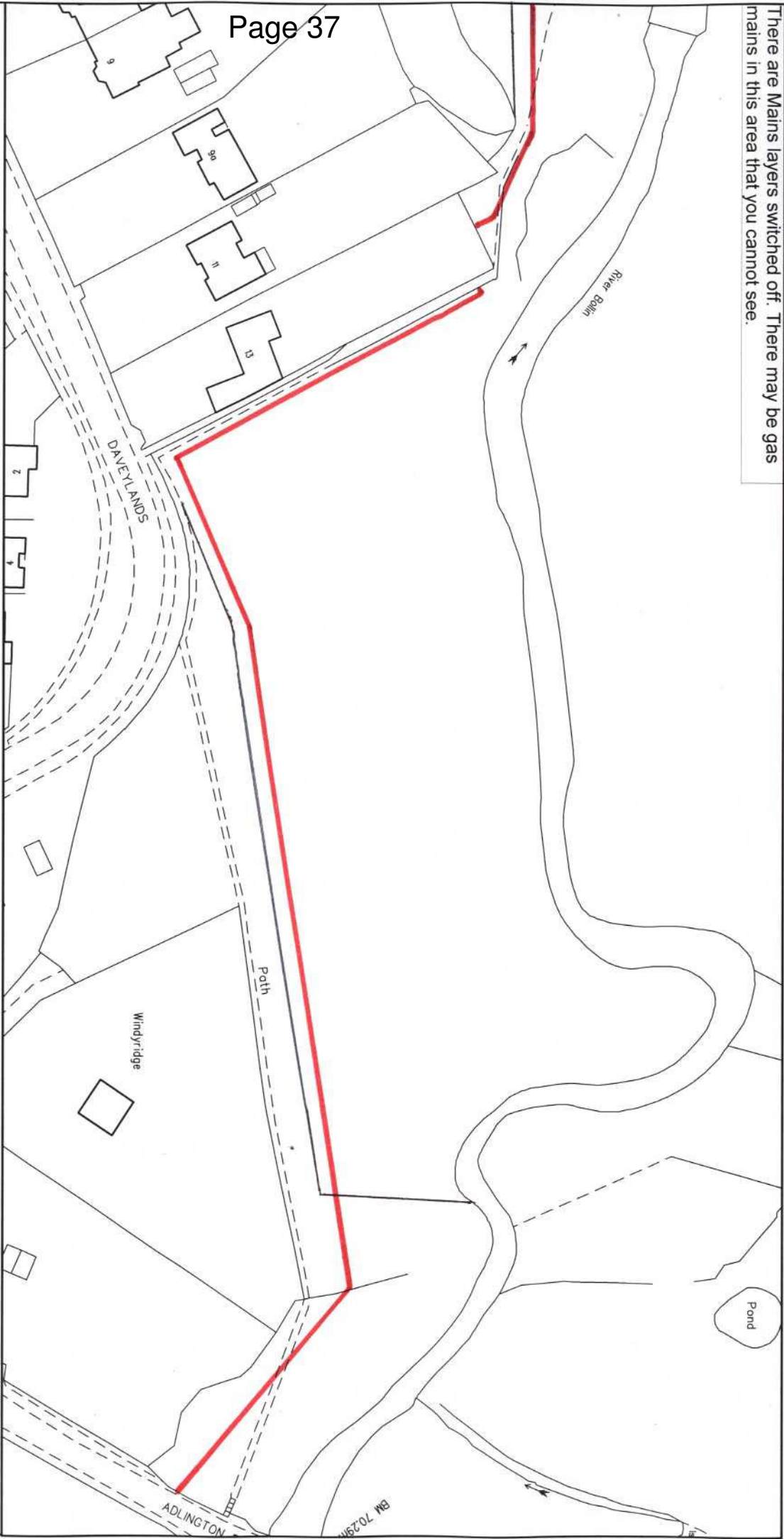
This plan shows those pipes owned by National Grid Gas plc in their role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HSE(G47), must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Desktop MAPS Version 5.1.2.0

Hinckley Server

This plan is reproduced from or based on the OS map by National Grid Gas plc, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved.

There are Mains layers switched off. There may be gas mains in this area that you cannot see.



Warning: ALL AS-LAID MAINS LAYERS MAY NOT BE SHOWN

SCALE: Not to scale	LP MAINS
USER ID: james.dean	IP MAINS
DATE: 06/05/2010	LHP MAINS
INTERNAL USE ONLY	NHP MAINS
MAP REF: SJ8581	HISTORY MAINS
CENTRE: 385823, 381082	LTs
	SSSIs
	GTs

This plan shows those pipes owned by National Grid Gas plc in their role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc, are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by National Grid Gas plc or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HSG47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Valve	Depth of Cover	Syphon	Diameter Change	Material Change

Desktop MAPS Version 5.1.2.0	Hinckley Server
This plan is reproduced from or based on the OS map by National Grid Gas plc, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved.	

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Cabinet Member for Procurement, Assets and Shared Services

Date of Meeting:	14/03/2011
Report of:	Assets Manager
Subject/Title:	Consent for the surrender and re-grant of a ground lease to the trustees of Bollington Leisure Centre.
Portfolio Holder:	Councillor Peter Mason

1.0 Report Summary

- 1.1 To consider a request from the Trustees of Bollington Leisure Centre to surrender their current leases and to grant them a new ground lease, expiring on 30th April 2032.

2.0 Recommendation

- 2.1 To approve the surrender and regrant of a new ground lease, incorporating an additional piece of land to allow them to extend the gymnasium (subject to planning permission).

3.0 Reasons for Recommendations

- 3.1 To allow the Leisure Centre to remain operational.
- 3.2 To allow the Trustees to build an extension to the gymnasium, at a cost of £1.3 million, to improve the facilities for local people. A planning application 04/0881P was approved on 14^h June 2004 but this has now lapsed. I understand that the trustees are due to submit another planning application shortly.

4.0 Wards Affected

- 4.1 Bollington

5.0 Local Ward Members

- 5.1 Councillor Harold Davenport
Councillor Matthew Davies
Councillor Diana Thompson

6.0 Policy Implications including

None

7.0 Financial Implications

- 7.1 The annual rent for the land and car parking is £2,695. This rent will be reviewed periodically to check that the rental rates are competitive and also if the extension of the gymnasium is granted.

8.0 Legal Implications

- 8.1 Section 123 of the Local Government Act 1972 provides that a local authority may dispose of an interest in land as it chooses but the Secretary of State's consent is required if the disposal is for less than the best consideration that can reasonably be obtained.

9.0 Risk Management

- 9.1 If the Council does not consent to the surrender and re-grant it will affect the operation of the Leisure Centre.
- 9.2 The new ground lease is due to expire on 30th April 2032, which is the same expiry date as the existing agreement. We are not offering the trustees a longer term, merely a change in the demise. The extra area they require for the extension forms part of the ancillary space to the side of the Leisure Centre.

10.0 Background and Options

- 10.1 Bollington Leisure Centre was established by trust deed and is a registered charity. The trustees manage and operate the centre to deliver a range of leisure services for the benefit of the local community.
- 10.2 The centre is situated on land owned and leased out by Cheshire East Council. The Trustees are proposing to extend, build and fit out the gym on an income share agreement by Competition Line Ltd, who are their gym partners and have been for the last 20 years.
- 10.3 In addition to the proposed lease Competition Line have asked for "step in rights" in the unlikely event of Bollington Leisure experiencing financial difficulties. We are party to a supplemental agreement with Bollington Leisure Centre and Competition Line (UK) Limited which is an agreement outlining the circumstances in which Competition Line will step into the lease.
- 10.4 Under the proposed new ground lease the trustees will hold the premises for a term of 22 years expiring on 30th April 2032. A market rent of £2,695 will be payable until the first review on 1st May 2011. The lease will be subject to 7 year rent reviews at RPI from 1st May 2011.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Charlotte Roper

Designation: Valuer

Tel No: 01270 686 148

Email: charlotte.roper@cheshireeast.gov.uk

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank