

# CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Members for Communities & Regulatory Services and Prosperity & Economic Regeneration** held on Monday, 18th June, 2012 at Committee Suite 1 & 2, Westfields, Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor Rachel Bailey and J Macrae, Cabinet Member for Prosperity and Economic Regeneration

## **Councillors in attendance**

Councillor Peter Groves, Cabinet Support Member  
Councillor Frank Keegan, Local Ward Member  
Councillor David Marren

## **Officers**

Vivienne Quayle, Head of Performance, Customer Service and Capacity  
Paul Mountford, Democratic Services Officer  
Tessa Leonard, Solicitor  
Chris Allman, Project Manager

## **1 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **2 PUBLIC SPEAKING TIME/OPEN SESSION**

Mr J Tomlinson spoke in relation to the item on Alderley Edge allotments. He referred to Appendix B to the report which he said appeared to be a representation from Alderley Edge Parish Council. He went on to say that as the matter had not been discussed or voted upon by the Parish Council, or any of its committees, the representation should be seen only as the view of its author and not as the view of the Parish Council. Mr Tomlinson also referred to the tenancies of current allotment-holders who lived within the boundary of Cheshire East but not within Alderley Edge Civil Parish. He referred to indications from Parish councillors that they would restrict tenancies to residents of the parish, and requested that if Cheshire East Council were minded to transfer management of the allotments to the Parish Council, in line with the recommended Option 1, the draft agreement with the Parish Council should be amended to protect the existing tenancies of those who lived outside the parish.

## **3 OPTIONS FOR THE TRANSFER OF ALDERLEY EDGE ALLOTMENTS**

On 5<sup>th</sup> September 2011 a decision was taken by Cabinet to transfer a number of assets and services to the relevant town and parish councils.

This included the transfer of three allotment sites in Alderley Edge at Heyes Lane, Chorley Hall Lane and Beech Close. As part of this decision, Cabinet had given delegated authority to the Strategic Director (Places and Organisational Capacity), Section 151 Officer and the Monitoring Officer to finalise agreed legal and financial terms for a package of transfers (or leases) of the assets and functions to Town and Parish Councils.

In accordance with Section 123 (2A) of the Local Government Act 1972 the Council had published notice of its intention to dispose of the Alderley Edge allotment sites. This resulted in 129 objections being received. The three decision-making officers had decided to refer the decision as to whether to dispose of the sites to the relevant Portfolio Holders together with the decision as to the method and terms of disposal.

The objections and representations received were summarised in Appendix A to the report. Representations from Alderley Edge Parish Council were set out in Appendix B and a specific request from the Allotment and Garden Society in terms of considering the transfer was set out in Appendix C. The report also provided background information on the Council's understanding of the Parish Council's aspirations for Heyes Lane.

Councillors F Keegan and D Marren attended the meeting and spoke on this matter.

## **RESOLVED**

That having considered the objections and representations received, and the options set out in the report, the Cabinet Members for Communities & Regulatory Services and Prosperity & Economic Regeneration approve the disposal of the allotment sites at Heyes Lane, Chorley Hall Lane and Beech Close, Alderley Edge to Alderley Edge Parish Council in accordance with the agreed Cabinet decision on 5<sup>th</sup> September 2011 and on the basis of Option 1, namely that the allotments be transferred by long leases of 125 years containing restrictive covenants to preserve their use as allotments for nil value.

The meeting commenced at 9.00 am and concluded at 9.42 am

Councillor Jamie Macrae (presiding)