

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 16th September, 2014 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Jones (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors Rachel Bailey, J Clowes, J P Findlow, L Gilbert, P Raynes,
D Stockton and D Topping

Members in Attendance

Councillors Rhoda Bailey, L Brown, S Corcoran, O Hunter, P Mason,
R Menlove, B Murphy, D Newton, L Smetham, A Thwaite and J Wray

Officers in Attendance

Mike Suarez, Peter Bates, Anita Bradley, Caroline Simpson, Heather
Grimbaldeston, Brenda Smith, Steph Cordon and Paul Mountford

Apologies

Councillor B Moran

49 DECLARATIONS OF INTEREST

There were no declarations of interest.

50 PUBLIC SPEAKING TIME/OPEN SESSION

Sue Helliwell referred to a report on the agenda relating to key worker accommodation and sought assurances that the proposed approach would not lead to the loss of green belt and countryside. The Leader of the Council responded that the Council had a strong commitment to protecting the green belt.

Sylvia Dyke expressed similar concerns about the matter and pointed out that many housing estates now extended well out into the countryside and that most professional people were able to drive to work. The Leader responded that the Council would support key workers but that there would be a clearly defined process and the policy would not provide a back door way of developing the green belt and countryside.

51 QUESTIONS TO CABINET MEMBERS

Councillor S Corcoran asked when the Notice of Motion on a Peace Pole on Sandbach Common would be considered by Cabinet. The Leader responded that the matter would be considered at the next meeting.

Councillor L Brown asked if the Council could produce a supplementary planning document for the provision of community facilities, as had been done by other local authorities. In response, the Leader asked the Portfolio Holder for Housing and Jobs to bring forward a paper on the matter.

Councillor D Newton referred to the recent approval of a £900,000 fund for the benefit of Cheshire East residents and asked for details of the bidding process. The Leader responded that applications should be made to Steph Cordon, the Head of Communities, or to Tina Jones, the Partnership Support Manager.

Councillor J Wray asked about progress in providing a gypsy and traveller site in Cheshire East. The Leader responded that the Council was underway with the purchase and development of a transit site and it was anticipated that this would become available for use by spring/summer 2015. Work was also continuing to identify a potential permanent site.

52 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 2nd September 2014 be approved as a correct record.

53 NOTICE OF MOTION - PLANNING INSPECTORATE DECISIONS

Cabinet considered the following motion which had been moved by Councillor B Burkhill and seconded by Councillor D Brickhill at the Council meeting on 17th July 2014 and referred to Cabinet for consideration:

“In a time when we are trying to secure public trust and restore confidence in a system of democracy and priorities of acceptable locations, this Council deplores the planning inspectorate making decisions in the face of the wishes of our local committees and our parish councils. It therefore condemns the Government at Westminster for its policy on granting planning permission for sites not within the submitted local plan. It strongly recommends and requests that the Chief Executive and the Leader contact all local MPs to press them to urge withdrawal of the policy which causes this excess pressure on some Cheshire East communities.”

The Council had refused permission for many applications since it had adopted the latest Housing Position Statement in February this year which demonstrated a five year supply. However, the Council had received a number of decisions that had granted permission, citing that the supply position had not been demonstrated. The Council had sought to challenge some of the appeal decisions.

The Leader and senior officers had been in regular discussions with the Planning Minister and local MPs to highlight the issues in Cheshire East, focussing on the inconsistencies of the appeal decisions. It was therefore evident that Ministers and Local MPs were well aware of the issue of unplanned development in Cheshire East and the implications that it had for its residents. The Leader and senior Officers would continue to highlight these matters and keep the profile of Cheshire East at the highest level.

Councillor Murphy spoke on the motion in the absence of the mover and seconder.

RESOLVED

That having noted the report, Cabinet rejects the motion.

54 NOTICE OF MOTION - DEFINITION OF SUSTAINABLE DEVELOPMENT

Cabinet considered the following motion which had been moved by Councillor S Corcoran and seconded by Councillor S Hogben at the Council meeting on 17th July 2014 and referred to Cabinet for consideration:

“This Council should provide a working definition of sustainable development in Cheshire that our planning officers could use and justify objectively when assessing planning applications.”

The concept of sustainability was an extremely complicated one with many interwoven factors needing to be addressed to ensure a successful approach. The UK Sustainable Development Strategy Securing the Future set out five guiding principles of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. The National Planning Policy Framework (NPPF) itself was built around supporting sustainable development.

There were now two specific policies within the Submission Version of the Cheshire East Local Plan Strategy which built on the advice within the NPPF:

Policy SD1 – Sustainable Development in Cheshire East
Policy SD2 – Sustainable Development Principles

Councillor Corcoran spoke on the motion, calling for a working definition of sustainability which planning officers could use and justify, building on the foundations of SD1 and SD2. The Deputy Leader and Portfolio Holder for Strategic Outcomes responded that he was willing to meet Councillor Corcoran at any time to discuss ways to make further improvements.

RESOLVED

That Cabinet notes the report and the current and emerging policies that exist for assessing sustainability in planning applications.

55 ALDERLEY PARK INVESTMENT FUND (REF CE 14/15-6)

Cabinet considered a report seeking approval to establish an investment fund in relation to Alderley Park.

Through the Council's continued close collaboration with its partners, a clear need had been identified for collective action to ensure that new start-ups and growing SMEs on site were fully supported and nurtured. In addition to the business support services already available, there was growing demand for early-stage investment funding.

It was proposed that investment funds target the following:

- § Spin outs from AstraZeneca and academic institutions wishing to establish at Alderley Park
- § SMEs in the UK looking to relocate to Alderley Park in order to grow and expand
- § Inward investors

The provision of such investment funding had the potential, alongside other interventions, to increase significantly the number of jobs on site.

Cabinet was asked to approve an investment in a fund by Cheshire East Council of £5million. This would be used to attract further high net worth investors.

RESOLVED

That

1. Cabinet delegates to the Portfolio Holder for Finance, subject to the findings of the independent adviser's final report and the determination of detailed investment policies and appropriate fund structure, the authority to make the investment; and
2. subject to the decision of the Portfolio Holder for Finance, budget be provided and officers be authorised to take all necessary actions to set up the Fund and undertake the proposed investment, including the procurement and appointment of a Fund Manager, and in line with the findings of the independent adviser's final report and the determination of detailed investment policies and appropriate fund structure.

56 BROWNFIELD DEVELOPMENT (REF CE 14/15-20)

Cabinet considered a report setting out proposals to facilitate the development of more brownfield sites in Cheshire East, focussing on Macclesfield as a pilot area.

Cheshire East Council had adopted a “brownfield first” development policy with over 77% of housing development being delivered on brownfield sites over the last 5 years. However, housing restraint in Cheshire was no longer supported by national and regional policy and could therefore no longer be justified as an aim in itself by local policy.

The Chancellor had demanded that councils establish local development orders (LDO) on brownfield land, providing sites with outline planning permission to speed up development. Councils would be required to put LDOs on more than 90 per cent of the brownfield sites suitable for housing by 2020. The Treasury had now created a £5million fund to help create the first 100 LDOs.

It was proposed that the following actions take place:

- Cheshire East Council to be at the forefront in the development of Local Development Orders by establishing a cross departmental Task Group to develop a pilot within Macclesfield, identifying and working with the owners of brownfield sites.
- Work with Government to explore the creation of a fund to build capacity to develop knowledge and understanding of smaller sites likely to be beneficiaries of Local Development Orders.
- Explore the potential for the development of an Equity share or grant schemes, delivered through a public / private partnership approach.
- Work with the Government on the development of tax incentives targeted at brownfield sites that were identified within the Local Development Order sites or in existing town centre boundaries.

RESOLVED

That Cabinet endorses the approach set out in the report with a focus on Macclesfield as a pilot area for research and bid development in consultation with local members.

57 KEY WORKER ACCOMMODATION (REF CE 14/15-22)

Cabinet considered a report outlining a suggested interim approach to secure key worker accommodation on new development sites whilst a formal Supplementary Planning Document was developed.

Key Workers had a fundamental role to play within communities, and may struggle in higher value and rural areas to access affordable housing. The report outlined a suggested interim approach to secure key worker accommodation on new development sites while a formal Supplementary Planning Document was developed. The interim approach would be to pilot the requirement for Key Worker accommodation on new development sites. This would form part of the Section 106 agreement.

The definition of a key worker in Cheshire East was set out in the report. Staff would not qualify for Key Worker accommodation if they had a household income of more than £50,000 per annum.

RESOLVED

That the approach outlined in the report be approved, including:

- (a) the approval of an interim approach including the definition of a Key Worker;
- (b) that Officers carry out the primary research to establish the need for Key Worker provision; and
- (c) the need for Key Worker provision once established to be incorporated into the development of the Affordable Housing Supplementary Planning Document, subject to consultation.

58 THE INDEPENDENT LIVING FUND

Cabinet considered a proposal that the transfer of Independent Living Fund funding into the Council budget in 2015 be ring-fenced to the Adult Social Care commissioning budget to ensure that the Council continued to meet eligible need.

Following the Government's consultation on the future of the Fund, the Minister for Disabled People had announced that the Fund would close on 30th June 2015. From this date local authorities would have responsibility for meeting all of the eligible care and support needs of current Fund users. This meant that on 30th June 2015 Fund payments currently paid direct to service users would cease.

There would be a transfer of funds from the Independent Living Fund scheme into the Local Authority baseline budget to allow the Authority to meet the service users' needs previously met by the Fund, subject to their meeting the current eligibility criteria of the Council.

RESOLVED

That the transfer of the Independent Living Fund funding into the Council budget in 2015 be ring-fenced to the Adult Social Care commissioning

budget to ensure that the Council continues to meet eligible need for those individuals previously in receipt of Independent Living Fund.

59 AWARD OF CONTRACTS FOR SUPPORTED LOCAL BUS SERVICES

Cabinet considered a report seeking approval to award a number of contracts for local bus services.

The seven year contracts for local bus services were set out in paragraph 1.1 of the report. The fully compliant procurement and tender evaluation had identified GHA Coaches as the preferred bidder for all four contracts.

RESOLVED

That Cabinet approves the award of seven year contracts for local bus services to GHA Coaches as set out in paragraph 1.1 of the report.

60 TREASURY MANAGEMENT ANNUAL REPORT 2013/14

Cabinet considered the Treasury Management Annual Report for 2013/14.

The report dealt with the Council's treasury year-end position, interest rates and prospects for 2013/14, compliance with treasury limits, the Council's investment and borrowing strategies, economic events of 2013/14 and prudential indicators.

The Portfolio Holder for Finance drew attention to the Council's healthy cash balances. He also stressed that the Council's ambitious capital programme would be funded from receipts.

RESOLVED

That the Treasury Management Annual Report for 2013/14 as detailed in Appendix A to the report be received.

61 2014/15 FIRST QUARTER REVIEW OF PERFORMANCE

Cabinet considered a report on the Council's financial and non-financial performance at the first quarter stage of 2014/15.

The detail of the report was set out in Annex 1 which set out further details of how the Council was performing in 2014/15. It was structured into three sections:

- Section 1 Summary of Council Performance
- Section 2 Financial Stability
- Section 3 Workforce Development

In 2014/15 the Council would operate on an annual budget of more than £750m. At First Quarter, a small overspend of £1.7m was projected; this

represented only 0.7% of the Council's net revenue budget of £253.8m and was considerably lower than previous years' forecasts at the Quarter 1 stage.

RESOLVED

That

1. Cabinet notes:

- § the summary of performance against the Council's five Residents First outcomes (Section 1 of the Annex to the report);
- § the projected service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);
- § the delivery of the overall capital programme (Section 2, paragraphs 152 to 161 and Appendix 4);
- § fully funded supplementary capital estimates and virements up to £250,000 in accordance with Finance Procedure Rules (Appendix 5);
- § reductions to Capital Budgets (Appendix 8);
- § treasury management investments and performance (Appendix 9);
- § the Council's invoiced debt position (Appendix 11);
- § the workforce development and staffing update (Section 3).

2. Cabinet approves:

- § supplementary capital estimates and virements over £250,000, in accordance with Finance Procedure Rules, (Appendix 6);
- § supplementary revenue estimates to be funded by additional specific grant (Appendix 10);

3. Cabinet recommends that Council approve:

- § supplementary capital estimates and virements over £1,000,000, in accordance with Finance Procedure Rules, (Appendix 7).

The meeting commenced at 2.00 pm and concluded at 3.30 pm

M Jones (Chairman)