

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 9th April, 2019 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor L Wardlaw (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes, J P Findlow, J Saunders and
D Stockton

Councillors in attendance

Councillors S Corcoran, M Deakin, S Edgar, I Faseyi, R Fletcher, B Moran,
J Rhodes, B Roberts and G Williams

Officers in Attendance

Kath O'Dwyer, Acting Chief Executive
Mark Palethorpe, Acting Executive Director of People
Mark Taylor, Interim Executive Director of Corporate Services
Catherine Parkinson, Interim Director of Governance and Compliance
Andrew Ross, Director of Infrastructure and Highways
Sara Barker, Head of Strategic HR
Paul Mountford, Executive Democratic Services Officer

The Chairman referred to the fact that this would be the last Cabinet meeting before the Borough Council elections in May. She thanked all of those who had supported and participated in meetings of the Cabinet over the last year. She also wished those councillors well who would not be seeking re-election.

The Chairman welcomed Catherine Parkinson, Interim Director of Governance and Compliance, to her first meeting of the Cabinet.

105 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

106 **PUBLIC SPEAKING TIME/OPEN SESSION**

Peter Kent spoke in relation to the Notice of Motion on building regulations to be considered later in the meeting and indicated his support for the proposals set out in the report.

Mike Benson asked about the current position with the delivery of the Middlewich Eastern Bypass. The Portfolio Holder for Environment responded that the Council continued to make good progress towards delivering the Bypass. Based on the programmes developed with Balfour

Beatty, the main construction works were expected to start in January 2021 with the bypass opening to traffic by October 2023. All dates remained subject to review pending final confirmation of planning permission, land acquisition and Government funding for the scheme, which was expected at the end of 2020.

Sue Helliwell asked if the Council had a policy on netting used on hedges in connection with new housing developments. The Portfolio Holder for Housing, Planning and Economic Development responded that netting had not been a significant issue in the Borough to date. However, the Council did have wide ranging policies through its Local Plan to support biodiversity, protect trees and hedges and encourage responsible development. Whilst the Council could not retrospectively control sites that already enjoyed planning permission, it did have powers to impose suitable conditions to restrict or limit netting should that become necessary.

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QUESTIONS TO CABINET MEMBERS

Councillor R Fletcher referred to the need for signage to be provided and a 40 mph speed limit to be made permanent at a new roundabout in Linley Lane, Alsager.

Councillor Fletcher also referred to an overgrown hedge in Arrowsmith Drive, Alsager which obscured a lamppost. The Council had previously indicated that the owner of the hedge would be asked to cut it but no action had yet been taken.

Councillor Fletcher also referred to the need for a pedestrian crossing to be provided in Crewe Road, Alsager near Goss Place. This had been raised previously but a response was still awaited.

Finally, Councillor Fletcher indicated that he was still awaiting a reply to a question regarding car parks in Alsager and inconsistencies in the conditions of use compared with other parts of the Borough.

The Leader gave an undertaking that a written reply would be provided for the first three questions. The issue regarding Alsager car parks was still under consideration and a full reply would be made in due course. The Leader reminded Councillor Fletcher that such matters should in future be raised and pursued through the Member Enquiry Service.

Councillor S Corcoran asked the Leader to reveal the full amount paid to the former S151 Officer on his departure from the Council. The Leader referred to the requirements of the constitution and Member Code of Conduct and advised that she was not in a position to share information relating to staff or former employees. Councillor L Wardlaw added that it was necessary to be compliant with HR rules and to protect the privacy of staff.

108 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 12th March 2019 be approved as a correct record.

109 **NOTICE OF MOTION - BUILDING REGULATIONS AND FIRE SAFETY**

Cabinet considered the following motion which had been moved by Councillor N Mannion and seconded by Councillor B Roberts at the Council meeting on 21st February 2019 and referred to Cabinet for consideration:

“This Council notes the conclusions that have been reached so far concerning the Grenfell Tower disaster. In particular it notes the section in the Hackitt report which highlights the “mindset of doing things as cheaply as possible and passing on responsibility for problems and shortcomings”. One longstanding and illogical result of this is that building control remains the only regulatory function of local government to be subjected to competition. Commercially compromised regulation sees safety margins engineered out and corners cut.

The private sector recruits people who have been trained at public expense, and cherry-picks the most lucrative schemes, while leaving the rest to councils – who of course pick up the bill for enforcement and other essential regulatory Tasks

We call for:

- (a) the use of inflammable cladding materials on high rise residential buildings to be banned without further delay*
- (b) adequate compensation for councils faced with essential but significant costs in remediation*
- (c) local authorities to be the sole provider of building control services in high residential buildings*
- (d) recognition of the essential role of regulation and an end to the constant denigration of Health and Safety*
- (e) the eventual return of this essential regulatory service to local authorities”*

The report responding to the motion indicated that Points (a) – (d) in the motion had already been addressed by Government actions. Point (e) in the motion was supported by the recommendations in the report.

Councillor B Roberts attended the meeting and spoke in support of the motion.

RESOLVED

That Cabinet

1. rejects the motion by Cllr Mannion as worded, but supports the spirit of the motion; and
2. agrees that the Portfolio Holder for Housing, Planning and Regeneration write to the Secretary of State for Housing, Communities and Local Government to:
 - (a) support the Government's decision to take forward all the recommendations in the Hackitt review;
 - (b) support the changes in the Building Amendment Regulations 2018 requiring the use of non-combustible cladding materials on high rise buildings;
 - (c) support the Government's decision to compensate councils faced with remediation costs in relation to high-rise buildings with ACM cladding;
 - (d) advocate that local authorities should be the sole provider of building control services in high residential buildings; and
 - (e) advocate that the Government consider the return of this essential regulatory service to local authorities in relation to all development as, in the interests of health and safety and the wellbeing of residents, it should not be possible for a developer to choose their own building control regulator.

110 **EXCLUSION OF THE 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 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

111 **SUPPORTED LOCAL BUS SERVICE REVIEW - PROPOSALS
FOR LITTLE BUS SERVICE**

Cabinet considered a report on proposals for the Little Bus Service.

The Portfolio Holder for Finance and Communication reported receipt of correspondence which had a bearing on the matter now before Cabinet. The Chairman adjourned the meeting at 2.35 pm to enable Cabinet members to consider the correspondence and to receive the advice of officers. The meeting resumed at 3.00 pm.

The Acting Chief Executive indicated that she was satisfied that Cabinet had given full consideration to the matters referred to in the correspondence and that Cabinet could now proceed to consider the report.

RESOLVED

That Cabinet

1. notes the correspondence received in relation to the matter referred to in the report;
2. notes that the current contract for the provision of the Little Bus service expires in July 2019;
3. approves the recommendations set out in the report; and
4. invites the Environment and Regeneration Overview and Scrutiny Committee to review the proposals prior to their implementation to provide assurance that due process has been followed.

The meeting commenced at 2.00 pm and concluded at 3.24 pm

Councillor Rachel Bailey (Chairman)