

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 8th October, 2019 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor S Corcoran (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors L Jeuda, N Mannion, J Rhodes, B Roberts, A Stott and M Warren

## **Councillors in attendance**

Councillors S Akers Smith, J Barber, M Benson, C Bulman, J Clowes,  
L Crane, S Edgar, J P Findlow, S Gardiner, S Hogben, A Moran, B Murphy,  
J Saunders and L Wardlaw

## **Officers in Attendance**

Kath O'Dwyer, Acting Chief Executive  
Frank Jordan, Executive Director Place  
Mark Palethorpe, Acting Executive Director People  
Jane Burns, Executive Director Corporate Services  
Jan Bakewell, Director of Governance and Compliance  
Alex Thompson, Director of Financial and Customer Services  
Paul Mountford, Executive Democratic Services Officer

## **Apologies**

Councillors D Flude, T Fox and Q Abel.

The Chairman welcomed Jane Burns, Executive Director Corporate Services, to her first meeting of the Cabinet.

## **53 DECLARATIONS OF INTEREST**

Councillor L Jeuda declared a non-pecuniary interest in Item 15 on the agenda – School Nurseries Capital Fund, as a governor of Ash Grove School, Macclesfield.

Councillor M Warren declared a non-pecuniary interest in the same item as a governor of a school within the Aspire Academy Trust.

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

Carol Jones spoke about regeneration, traffic and accidents in Crewe. The Portfolio Holder for Environment and Regeneration outlined progress with the Royal Arcade scheme and the Market Hall and referred to a number of other initiatives in Crewe that the Council was pursuing with partners.

Carrie Alltree asked if the Connected Communities Scheme would provide communities with improved mental health support and public transport to ensure that people of all ages could attend community events and not remain in isolation. The Portfolio Holder for Communities replied that the aim of Connected Communities was to engage with local communities and make services more accessible.

## **55 QUESTIONS TO CABINET MEMBERS**

Councillor A Moran welcomed the ESAR report and in particular the work being done at the Barony Sport Complex in Nantwich. He asked that local members be kept informed. The Portfolio Holder for Communities responded that the works at the Barony were part of the wider Five Towns Plan to increase and enhance leisure provision in Cheshire East.

Councillor B Murphy spoke in support of the Notice of Motion on Council land holdings but said that he would like to see allotment provision and the tree lining of roads included. He also expressed concern about development proposals for Disley and the potential consequences for the road network and pollution levels. The Portfolio Holder for Environment and Regeneration encouraged Councillor Murphy to feed his comments into the consultation on the draft Environment Strategy.

Councillor J Saunders spoke about the meeting of Cabinet on 6<sup>th</sup> August when she had asked for local town council clerks to be involved in the forthcoming multi-agency debriefing event following the flooding at Poynton. Councillor Saunders expressed disappointment that the meeting had not yet taken place. She also asked for FAQs to be prepared and published to assist the public and parish councils.

At the Leader's request, the Executive Director Place responded that arrangements for the multi-agency partnership debriefing would soon be finalised although the Council had no direct control over it. He undertook to advise on the arrangements when final. He also undertook to consider the provision of FAQs. The Portfolio Holder for Highways reported the progress made by Cheshire East Council in clearing gulleys in Poynton and in working with the utility company to clear sewer pipework.

## **56 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 10<sup>th</sup> September 2019 be approved as a correct record.

## **57 NOTICE OF MOTION - COUNCIL LAND HOLDINGS**

Cabinet considered the Notice of Motion appended to these minutes, which had been moved by Councillor J Clowes and seconded by

Councillor J P Findlow at the Council meeting on 18<sup>th</sup> July 2019 and referred to Cabinet for consideration.

Councillor J Clowes spoke on the matter as mover of the motion at Council.

## **RESOLVED**

That Cabinet

1. supports the notice of motion;
2. notes that through an update to the Rural Action Plan approved by Cabinet on 12<sup>th</sup> March 2019, the Council will commit to:
  - (a) review its agricultural land-holdings and on-going work with farm tenants to optimise opportunities to improve soil and livestock management practices; identify appropriate grassland and rough pasture released for tree and hedge planting; review the terms and conditions of all new tenancies on Cheshire East Farms, as they become available, to facilitate these actions;
  - (b) review (either through its own land ownership practice or with appropriate land-owners and Natural England) the effective maintenance and restoration of peatland areas in Cheshire East, including the nationally designated “Nature Improvement Area (Meres and Mosses)” south of Crewe; and
  - (c) work with the Borough’s schools, academies, colleges and associated partners to develop appropriate resources, practical educational and volunteering opportunities to ensure that Climate Change is incorporated into the wider curricula for young people and volunteers;
3. notes that Cabinet approved the draft Environmental Strategy on 10<sup>th</sup> September 2019, that a public consultation is currently under way, and that this Notice of Motion will be considered as part of that consultation; and
4. agrees that the Executive Director Place write to the current Under Secretary of State for Food and Animal Welfare, noting that David Rutley MP no longer holds this role, once the final version of the Environmental Strategy has been approved by Cabinet.

## **58 MID-YEAR REVIEW (FINANCE) 2019/20**

Cabinet considered a report on the Mid-Year Review (Finance) for 2019/20.

The report outlined the budgetary pressures facing the Council and the mitigation measures to manage the forecast outturn.

Annex 1 to the report set out details of how the Council was performing in 2019/20.

Councillor J Clowes, Chairman of the Corporate Overview and Scrutiny Committee, reported that the Committee had considered the report at its meeting on 3<sup>rd</sup> October 2019 and had resolved to make the following comments to Cabinet:

- *That in relation to CCTV, the Committee is of the view that the Council should consider making more use of 'invest to save' initiatives and would therefore request Cabinet to provide more information as to how partners such as Town and Parish Councils, the Police and Fire Authorities work with the Council on such matters;*
- *That Cabinet be requested to lobby the Government regarding the Government's ongoing policy review and anticipated Green Paper on Adult Social Care;*
- *That Cabinet be requested to consider how the Council would mitigate against a potential reduction in business rates revenue in the event that changes to national non-domestic rates arrangements, as announced by the government recently, are introduced.*

The Leader responded that more information would be provided on how the Council worked with its partners in relation to CCTV; the Council would continue to lobby the Government on its review of adult social care policy; and the Council would welcome certainty, and a fair settlement, from Government regarding national non-domestic rates.

## **RESOLVED**

That Cabinet

1. notes the contents of the report and the mitigating actions to manage the forecast outturn;
2. notes the contents of Annex 1 to the report;
3. approves, in accordance with Finance Procedure Rules, fully funded supplementary capital estimates over £500,000 and up to £1m (Appendix 4, Annex C):
  - £628,195 increase to Education and Skills 14-19 due to additional Devolved Formula Grant.

- £533,171 increase to the Highways Investment Programme relating to the pothole fund.
4. approves, in accordance with Finance Procedure Rules, Capital virement over £1,000,000 and up to £5,000,000 (Appendix 4, Annex C):
- £4,830,000 transfer from the Strategic Capital Project to Best4Business to enable the project to continue, whilst recognising that final scheme costs are under review.
5. recommends that Council approve a fully funded supplementary capital estimate above £1,000,000 in accordance with Financial Procedure Rules as detailed in (Appendix 4 Annex D):
- £5,130,000 increase in the Best4Business budget to recognise the further contribution from Cheshire West and Chester towards this shared project.

## **59 CHESHIRE EAST PARTNERSHIP FIVE YEAR PLAN**

Cabinet considered a report on the Cheshire East Partnership Five Year Plan. The report sought the Council's endorsement of the Plan as a key partner in leading the transformation of health and care in Cheshire East.

Councillor L Wardlaw, Chairman of the Health and Adult Social Care and Communities Overview and Scrutiny Committee, reported that the Committee had considered the Five Year Plan at its meeting on 12<sup>th</sup> September 2019 and had asked for its comments to be submitted to the Cheshire and Merseyside Health and Care Partnership for consideration.

### **RESOLVED**

That Cabinet endorses the Cheshire East Partnership Five Year Plan and its submission to the Cheshire and Merseyside Health and Care Partnership.

## **60 A LOCAL INDUSTRIAL STRATEGY FOR CHESHIRE AND WARRINGTON**

Cabinet considered a report on the Local Industrial Strategy for Cheshire and Warrington.

Councillor J P Findlow, Chairman of the Environment and Regeneration Overview and Scrutiny Committee, reported that the Committee had considered a report on this matter at its meeting on 16<sup>th</sup> September 2019 and had made a number of comments which he reported to Cabinet.

## **RESOLVED**

That Cabinet

1. notes the current position in relation to the development of the Cheshire and Warrington Local Industry Strategy;
2. delegates authority to the Deputy Leader of the Council, as the Cheshire East Local Enterprise Partnership Board representative, to consider the Government response, to make appropriate amendments and approve the final draft of the Local Industrial Strategy on behalf of the Council; and
3. notes that the Cheshire East Local Area Industrial Strategy is currently being developed and will form part of the final draft of Economic Strategy for the Borough.

### **61 LOCAL TRANSPORT PLAN AND SOUTH EAST MANCHESTER MULTI-MODAL STRATEGY**

Cabinet considered a report outlining changes to the draft Local Transport Plan for Cheshire East following consultation.

Councillor S Akers Smith, speaking as the Council's Walking and Cycling Champion, commented on the need to strengthen the wording around the travel options of walking, cycling, rail and public transport. She recommended that the vision for strategic routes be re-visited to add further weight to the proposals with tangible, effective statements which would help the Council to achieve its health outcomes.

The Deputy Leader undertook to consider Councillor Akers Smith's comments and provide a written reply.

## **RESOLVED**

That Cabinet

1. recommends to Council that the Local Transport Plan (as outlined at Appendix 1 to the report) be adopted; and
2. notes the development of the emerging South East Manchester Multi-Modal Strategy document.

### **62 MACCLESFIELD TOWN CENTRE REGENERATION - STRATEGIC FRAMEWORK AND FUTURE PROGRAMME**

Cabinet considered a report on the Macclesfield Town Centre Strategic Regeneration Framework.

Councillor J P Findlow, Chairman of the Environment and Regeneration Overview and Scrutiny Committee, reported that the Committee had considered a report on this matter at its meeting on 16<sup>th</sup> September 2019 and had made a number of comments which he reported to Cabinet.

## **RESOLVED**

That Cabinet

1. notes the content of the consultation report as outlined in Appendix A to the report; and
2. approves the Macclesfield Town Centre Strategic Regeneration Framework as outlined in Appendix B.

### **63 EVERYBODY SPORT & RECREATION ANNUAL PERFORMANCE REPORT 2018/19 AND FUTURE INVESTMENT PROGRAMME**

Cabinet considered the Everybody Sport & Recreation Annual Performance Report 2018/19 and Future Investment Programme.

Councillor L Wardlaw asked if the five business cases referred to in the report would be submitted to the Corporate Overview and Scrutiny Committee for consideration. She also referred to some apparent inconsistencies in the financial figures in the report and sought clarification.

The Leader undertook to consider the matters raised and provide a written response.

## **RESOLVED**

That Cabinet

1. notes the progress made by Everybody Sport & Recreation in its fifth year of trading as an independent charitable trust; and
2. delegates authority to the Executive Director Place, in consultation with the Portfolio Holder for Communities, to enter into all necessary contracts to deliver the improvement programme as set out in the report subject to approval by the Finance Portfolio Holder to transfer the capital budget for each scheme from the addendum into the main capital programme.

### **64 RE-COMMISSIONING OF HOUSING RELATED SUPPORT SERVICES**

Cabinet considered a report on the re-commissioning of Housing Related Support Services.

Councillor S Gardiner, as the Council's Equality and Diversity Champion, welcomed the proposals.

**RESOLVED**

That Cabinet

1. agrees to the recommissioning of the services as outlined within this report using an open procurement process for an initial term of 3 years from 1<sup>st</sup> April 2020 with the option to extend for up to a further 2 years; and
2. delegates authority to the Executive Director of Place in consultation with the Portfolio Holder for Environment and Regeneration to award the contracts following the procurement process.

**65 CHESHIRE EAST COUNCIL ENFORCEMENT POLICY**

Cabinet considered a report on the Cheshire East Enforcement Policy 2019.

Councillor J Clowes stressed the need for more resources for planning enforcement and asked about the current strength of the enforcement team. She also asked about the availability of funding to enable parish councils to purchase equipment for litter picking. The Leader undertook to provide a written response on the number of planning enforcement officers, which would be copied to all members of the Cabinet.

**RESOLVED**

That Cabinet

1. approves the overarching Cheshire East Enforcement Policy 2019 as set out in Appendix 1 to the report; and
2. delegates authority to the Portfolio Holders that have specific responsibility for enforcement activity to approve changes to service specific policies as required.

**66 SCHOOL NURSERIES CAPITAL FUND**

Cabinet considered a report which sought approval to accept capital funding from the Department for Education, when confirmed, to enable the Council to expand the offer of childcare provision.

**RESOLVED**

That Cabinet



1. approves the addition of Capital Projects for £226,267 in respect of Ash Grove School, Macclesfield and £700,722.95 in respect of Beechwood School, Crewe to the Council's Capital Addendum;
2. delegates authority to the Executive Director People to accept the Capital Grants from the Department for Education; and
3. delegates authority to the Executive Director People to enter into a contract to deliver and manage the works committed by the grant funding on terms and conditions to be agreed with the Department for Education, subject to approval of the Portfolio Holder for Finance, ICT and Communication and the S.151 Officer to remove the items from the Capital Addendum.

**67 RE-COMMISSION OF SHORT BREAKS SERVICES FOR CHILDREN WITH DISABILITIES**

Cabinet considered a report on proposals to re-commission short breaks services for children with disabilities.

**RESOLVED**

That Cabinet

1. approves the re-commission of Short Breaks Services for Children with Disabilities; and
2. delegates authority to the Executive Director People to award contracts for Short Breaks Services for Children with Disabilities.

**68 DISPOSAL OF THE FORMER VERNON INFANT SCHOOL, POYNTON**

Cabinet considered a report on the disposal of the former Vernon Road Infant School Site, Poynton.

Councillor J Saunders sought a commitment from Cabinet that the funds raised by the disposal of the playing field would definitely be reinvested in local education sports provision in Poynton.

The Acting Chief Executive undertook to seek advice as to whether this could be included in the application to the Secretary of State for consent to the disposal of the playing field.

**RESOLVED**

That Cabinet

1. confirms that the Former Vernon Road Infant School Site can be declared as surplus to the Council's requirements and authorises the advertisement of the intention to dispose of the land delineated 'cross

hatched red', as outlined on Appendix 1 to the report, which is identified as open space, in accordance with section 123 of the Local Government Act;

2. delegates authority to the Executive Director Place to give due and proper consideration to any representations and/or objections made in response to the requisite public open space advertisement and in consequence of such consideration, to decide whether or not the proposed disposal will proceed;
3. subject to either there having been no representations and no objections made in response to the requisite advertisement of the proposal to dispose of open space land or the Executive Director – Place having given due and proper consideration to those responses made and having taken a decision to proceed with the proposed disposal delegates authority to:
  - (a) the Head of Education Infrastructure & Outcomes to undertake the consultation exercise required as detailed in section 8 of this report and to seek and obtain any necessary consents required from the Secretary of State for Education through the Department for Education; and
  - (b) The Head of Estates to seek and obtain any other consents necessary prior to or in respect of the proposed disposal; and
4. subject to either there having been no representations and objections made in response to the requisite advertisement of the proposal to dispose of open space land, or a decision having been taken to dispose of the land in accordance with resolution 2 above and all requisite consents having been obtained under resolution 3 above, delegates authority to the Executive Director for Place in consultation with the Portfolio Holder for Environment and Regeneration to develop a disposals strategy for the Site and to report back to Cabinet with the proposed strategy and recommendations for the method of disposal of the Site.

The meeting commenced at 1.00 pm and concluded at 3.40 pm

Councillor S Corcoran (Chairman)

## APPENDIX

### NOTICE OF MOTION - COUNCIL LAND HOLDINGS (Minute 57 refers)

The following motion was proposed by Cllr Janet Clowes and seconded by Cllr Paul Findlow at the Council meeting on 18<sup>th</sup> July 2019 and referred to Cabinet for consideration:

*“This Council acknowledges that in May 2019 The Government’s Committee on Climate Change recommended that Britain should cease its contributions to global warming by 2050 by reducing greenhouse gas emissions to “net zero”. Earlier this year, in March 2019, this Council made a commitment to ensure its own activities should be carbon neutral by 2025 - a commitment that was re-iterated at Full Council in May.*

*In this context, land use is an essential resource that can sequester and store carbon. However, since the 1940s the United Kingdom has seen a systematic loss of its peatlands and forested areas both of which have a pivotal role in storing carbon.*

*The Climate Change Report highlights the need for fundamental land reform and has identified that to help meet the 2050 net zero target, there must be:*

- *Better soil and livestock management practices.*
- *Changes in agricultural practices (including healthier eating behaviours)*
- *The restoration of Peatlands and*
- *The planting of up to 1.5 million hectares of new woodland and hedgerows. This would raise the land coverage used for this purpose from 13% to 19% by 2050 and require the re-utilisation of between 26% and 35% of land that is currently used as grassland or rough grazing.*

*Cheshire East is a highly rural area and the Council owns or manages a range of agricultural and rural land holdings. This Council therefore has the potential to make a significant contribution to meeting both the Borough’s and thus the wider UK’s climate change targets.*

*This Council therefore resolves to:*

*(1) Review its agricultural land-holdings and on-going work with farm tenants to:-*

- (1.1) Optimise Opportunities to improve soil and livestock management practices.*
- (1.2) Identify appropriate grassland and rough pasture released by 1.1 for tree and hedge planting.*

- (1.3) Review the terms and conditions of all new tenancies on Cheshire East Farms, as they become available, to facilitate (1.1) and (1.2) above.*
- (2) Review (either through its own land ownership practice or with appropriate land-owners and Natural England) the effective maintenance and restoration of peatland areas in Cheshire East, including the nationally designated “Nature Improvement Area (Meres and Mosses)” south of Crewe.*
- (3) Utilising the knowledge and experience of (1) and (2) above, this Council will work with the Boroughs’ schools, academies, colleges and associated partners to develop appropriate resources, practical educational and volunteering opportunities to ensure that Climate Change is incorporated into the wider curricula for young people and volunteers.*
- (4) That the actions identified in (1), (2) and (3) are incorporated into the Cheshire East Council ‘Environment Strategy’ and the Cheshire East ‘Rural Action Plan’.*
- (5) Lobby David Rutley: Member of Parliament Macclesfield and Forestry Minister, and all other Cheshire East Constituency MPs, to support the recommendations of the Climate Change Committee and the expeditious implementation of “help with skills, training and information to implement new uses of land, and support with high up-front costs and long-term pay-backs of investing in alternative uses”. (Recommendation 2, page 11, CCC, 2019)*