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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Tuesday, 27th February, 2024 in the The Assembly Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor R Fletcher (Chair)
Councillor M Houston (Vice-Chair)

Councillors S Adams, L Anderson, R Bailey, M Beanland, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, D Brown, C Browne, L Buchanan, C Bulman, A Burton, R Chadwick, C Chapman, D Clark, J Clowes, A Coiley, N Cook, S Corcoran, L Crane, T Dean, B Drake, S Edgar, D Edwardes, K Edwards, M Edwards, H Faddes, A Farrall, A Gage, S Gardiner, E Gilman, M Goldsmith, M Gorman, E Hall, A Harrison, G Hayes, A Heler, C Hilliard, S Holland, T Jackson, D Jefferay, R Kain, A Kolker, N Mannion, G Marshall, A Moran, R Moreton, R Morris, H Moss, M Muldoon, C Naismith, C O'Leary, J Pearson, J Place, B Posnett, J Pratt, J Priest, B Puddicombe, P Redstone, J Rhodes, J Saunders, H Seddon, M Sewart, M Simon, L Smetham, G Smith, J Smith, J Smith, L Smith, J Snowball, R Vernon, L Wardlaw, M Warren, F Wilson and J Wray

65 APOLOGIES FOR ABSENCE

Apologies were received from Councillors P Coan, K Hague and H Whitaker.

66 DECLARATIONS OF INTEREST

The Mayor advised Members that they did not have to declare an interest as a Council Tax payer, or as a member of a town or parish council, on the item of business relating to the Council Tax, as there was a dispensation in place which removed this requirement. The Mayor further advised that there was a dispensation in place for members in respect of any disclosable pecuniary interest which would arise as a result of a receipt of an allowance or other remuneration in respect of Council duties or directorship of Council owned ASDVs. Such Members were therefore permitted to participate and vote on the Medium-Term Financial Strategy 2024/25 – 2027/28 item.

67 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 13 December 2023 be approved as a correct record.

68 MAYOR'S ANNOUNCEMENTS

The Mayor, in summary: -

- 1 reported the death of Honorary Alderman Tony Ranfield and stated that it had been his privilege to represent the Council at his funeral on 31 January. He invited all present to stand in a minute's silence in remembrance.
- 2 welcomed Councillor Roger Morris to his first meeting of Council following his success at the recent byelection for the Crewe Central Ward.
- 3 reported that this was Rob Polkinghorne, new Chief Executive's, first Council meeting, and invited him to address Council.

Rob Polkinghorne responded by stating that it had been an absolute honour and pleasure to be the Council's new Chief Executive. He thanked Members and officers for making him feel welcome. He had enjoyed meeting with Council employees, public and private sector partners and seeing the fantastic work which was being undertaken across the Borough to deliver great services. He felt the Cheshire East was an amazing place to both live and work.

- 4 reported that he, along with the Mayoress and the Chief Executive, had the pleasure of meeting HRH The Princess Royal, when she visited Jodrell Bank to mark the opening of the First Light Pavilion. Whilst at Jodrell Bank, Her Royal Highness planted a sapling apple tree, grown from a pip which originated from the 'Flower of Kent'; the apple tree within Sir Isaac Newton's Lincolnshire Garden, said to have inspired his Theory of Gravity. The pip, one of eight, had been taken on board the International Space Station as part of Astronaut Tim Peake's mission in 2016. On their return to earth, the eight pips were taken to Kew Gardens where they were germinated. Jodrell Bank were successful in bidding for one of these amazing 'Space Saplings'.
- 5 thanked Mr Ernie Hunter, from the Northern Holocaust Education Trust, who was the guest speaker at Cheshire East's Holocaust Memorial Day Service, held at the end of January. Mr Hunter told the very moving story about his mother's escape from Nazi Germany and the fate of many of his family in the death camps.
- 6 reported that on 7 February he had been privileged to attend, in Crewe, the 100th birthday celebrations for Bernard Morgan. Mr Morgan was the youngest RAF sergeant to land on Gold Beach on D-Day, 6 June 1944. His birthday celebrations were attended by the RAF, The Royal British Legion, Bentley Motors, Granada TV, and his beloved Crewe Alexandra Football Club, who presented him with a football shirt, with "Morgan 100" on the back. Mr Morgan

planned to visit Normandy in June this year to take part in the 80th anniversary of the D-Day landings.

- 7 reported that he had attended a 107th birthday party for an amazing lady called Marie who lived at Twyford House Care Home in Alsager.
- 8 reported that on hearing the news of His Majesty the King's illness, the Mayor had written to him to give his own, and the Council's, best wishes for a speedy recovery.
- 9 in relation to Item 8 on the agenda - Medium Term Financial Strategy 2024/25 - 2027/28, asked Members in order to ensure clarity during the meeting to refer to the small page numbers within the MTFS documents, rather than the Modern.gov pagination.
- 10 reported that he had agreed for reasons of urgency an additional report to be considered at the meeting, arising from the recent announcement of the Section 151 Officer that they would be leaving the Council. The report would be dealt with at the end of the substantive items on the agenda.

69 PUBLIC SPEAKING TIME/OPEN SESSION

Annabelle and Bella, Year 5 Pupils from Mossley Primary School, Congleton, spoke in relation to safer walking to school and requested that consideration be given to either installing a pedestrian or zebra crossing or appointing a Lollipop Lady, on Leek Road, Congleton. They stated that those who crossed the road to get to school and home felt that the road was very busy, very dangerous and took a long time to cross. They requested that measures were put in place to ensure children and adults crossing the road felt safe.

In response, Councillor C Browne, Chair of Highways and Transport Committee, congratulated both Annabelle and Bella for addressing Members and the efforts undertaken to gather evidence to support the request for a better crossing. Councillor Browne confirmed that he would ask officers responsible for Safe Travel to Schools to investigate the issue further and that officers contact the school to ensure both Annabelle and Bella be involved in discussions to identify a solution to help children to carry on walking to school safely. Councillor Browne reminded all Members that the Council's updated Pedestrian Crossings Strategy was out for consultation until 10 March and encouraged Members and residents to respond via the Council's consultation webpage.

Mr Richard Slater spoke in relation to the Broken Cross Junction, Macclesfield, and expressed his concerns in relation to the incomplete works. Mr Slater highlighted that it had been 75 weeks since improvements started and 52 weeks since contractors had left the junction with the works unfinished, leaving the junction dangerous for residents. Mr

Slater asked questions relating to the lack of reference to the Tesco Express in outline planning permission, the outstanding 20 safety issues, the width of lanes on Chelford Road, positioning of arrows and lack of pedestrian crossing signals.

In response, Councillor M Warren, Chair of Environment and Communities Committee, stated that the highways work at Broken Cross were substantially completed, and the Council had now received a request from Bellway Homes for works to go ahead between 1 – 12 April, to address the outstanding matters concerning the highways safety audit. Councillor Warren undertook to provide a written response to Mr Slaters additional questions.

Ms Laura Turner addressed the Council in relation to the Council's budgetary position. Ms Turner queried if Cheshire East would have the same level of budget pressures if sound financial decisions and rigid financial management had taken place over the last three years. Ms Turner felt that the Council's reporting of setting a balanced 4-year budget was misleading for residents as it failed to reference underfunding, inflation, SEND costs and loan interest rates, leading to a false sense of security for members of the public and service users. She highlighted that member allowances increases caused further concern amongst local residents and it was asked why new innovative ways of working had not been put forward sooner.

In response, Councillor S Corcoran stated that he recognised the problems at Middlewich Town Council since Labour lost control 2 years ago. The precept had been increased by 39.5% making it only second to Nantwich with the highest council tax in Cheshire East. Councillor Corcoran gave examples of positive news within Middlewich such as the funding provided for the Middlewich Eastern Bypass and Leadsmithy Street schemes.

Ms Laura Turner spoke also on behalf of Ms Maggie Robinson in relation to the Middlewich Eastern Bypass and asked if this would be completed by Summer 2025 and highlighted the positive benefits this would have on the Middlewich and for local residents. Ms Turner, on behalf of Ms Robinson, also queried S106 and Section 278 monies and how much Middlewich was owed. She stated that this information should be made available on the Council website. She asked about the future leisure facilities in Middlewich and the transfer of assets to the Town Council.

In response, Councillor C Browne, Chair of Highways and Transport Committee, confirmed that Cheshire East had submitted the full business case for the Middlewich Eastern Bypass to the Department of Transport (DfT) following approval at the September 2023 meeting of the Highways and Transport Committee. Councillor Browne stated that the Council was awaiting final funding approval, and this needed to be in place prior to the grant being released and construction contacts commenced. The DfT had been made fully aware of the impact that any delay of funding would have.

Councillor Browne stated that it was the Council's intention to open to road in 2026, however this was dependent on any further delays to the DfT's decision.

Councillor M Warren, Chair of Environment and Communities Committee, confirmed that S106 updates had been provided to local ward Councillors and Town Councillors in Middlewich, and that over £7m had been committed to the Middlewich Eastern Bypass. He also confirmed that the business case for leisure facilities to be built at Sutton Lane, Middlewich, was no longer viable due to high interest rates and the difficult financial position facing the local authority. There were therefore no plans to move forward with its construction.

Councillor Lawrence Clarke spoke on behalf of Poynton Town Council in relation to the proposed temporary closure of the Poynton Household Waste and Recycling Centre (HWRC). Councillor Clarke highlighted that any closure would deprive local residents of a well-used community asset, affecting approx. 25,000 individuals. He stated that the HWRC MTFs budget proposal had received negative feedback and asked why the Council was still progressing with this proposal. He felt that the temporary closure would lead to less recycling, more fly tipping, congestion on road, air pollution and costs and urged Members to reconsider this proposal.

In response, Councillor M Warren, Chair of Environment and Communities Committee, confirmed that mitigation options were being explored which included the introduction of a mobile HWRC provision. He stated that this would be undertaken on a trial basis, the results of which would inform future, more permanent provision. The recommendations following the trial would be presented to the Environment and Communities Committee later in 2024 and that the details of how the mobile service would operate remained in development.

Councillor Andy Lindsay, Chair of Brereton Parish Council, spoke in relation to the Electoral Review Warding Proposals. Councillor Lindsay urged Members to reconsider the proposals put forward to split the Brereton Ward with Dane Valley and highlighted the detrimental impact this would have on community identity. Councillor Lindsay stated that the proposals also did not align with the objectives of the boundary review.

70 LEADER'S AND DEPUTY LEADER'S ANNOUNCEMENTS

The Leader, in summary:

- 1 reported that he had taken on a new role as the Local Government Association representative at the Centre for Governance and Scrutiny. He commended their work to Members, particularly the 10 Questions Guides which covered a range of topics such as cybersecurity, climate change and looked after children.

- 2 reported that the Ofsted Inspection had commenced on Monday 26 February and that the inspectors would be with the Council until Friday 8 March.
- 3 referred to climate change and the Council's commitment to being carbon neutral by 2025 and highlighted the progress made towards the target, with the solar farm under construction, over 50,000 trees planted on council land, use of heat source pumps in Macclesfield Town Hall and the use of low energy light bulbs in street lighting. These were all saving money as well as reducing carbon emission. He stated that it was a measure of the severity of the financial challenges faced by the Council that he has agreed that the target date be put back to 2027.
- 4 referred to the garden waste permit scheme and that the take up was exceeding expectations with nearly 70,000 households signed up.
- 5 referred to cybersecurity and an article in the LGA First magazine on the lessons learnt from the Gloucester City Council attached. The initial breach of security had been a single spear phishing email that had been inserted into an existing email chain with a supplier. Since reading the article he had been wary of using his private email address to any Council email address and asked people to be wary of any email purporting to be from him which was not from his official email address. He asked if anybody clicked on a link that did not respond as expected to report this, as there were 2.7m attempted cyber-attacks on councils in 2022 and 90% of successful attacks were due to human error and that phishing was the most common form of attack.

The Deputy Leader, in summary:

- 1 reported that on the 4 March, the Council would be hosting both the Mayor of Manchester, Andy Burnham and the Mayor of Liverpool, Steve Rotheram, alongside local and regional businesses, and political leaders at an event at Crewe Market Hall to demonstrate the importance of Crewe for the future of rail and the economic ambitions of the North West. He stated that with HS2 cancelled, it was more important than ever that the right level of investment at Crewe station and connectivity to/from and through Crewe was at the heart of current and future discussions about investment in the rail network north of Birmingham. A selection of representatives of the local business community had been invited to the event where they would have the opportunity to raise questions and highlight how the cancellation of HS2 was impacting business confidence and investment decisions in Crewe and the asks that are needed of Government to remedy this.

- 2 reported that work had continued throughout the winter on the North West Crewe highway package which would greatly improve the highway network around Leighton Hospital and enable the delivery of key local plan housing sites. Progress had been affected by exceptional rainfall levels and some unexpected ground conditions. However, the roads were still expected to be open to traffic this summer. He thanked the local residents and travelling public for coping with the unavoidable disruption whilst the work was carried out.
- 3 reported that the Council had received notification that following an application to Government's Local Electric Vehicle Infrastructure (LEVI) Fund, the Department for Transport had awarded £2.17million funding to support delivery of public EV charge-points across Cheshire East. The funding would enable the Council to partner with commercial charge point operators to provide EV points in many of the car parks, community facilities and at other hub sites. The aim is to ensure that the growing number of EV drivers have choices about where they can re-charge - reducing "charge point anxiety" for motorists. Currently, Cheshire East had a low number of charge points compared to other areas, especially cities such as Manchester. LEVI was a key part of the Council's action plan for transition to net zero.
- 4 reported that he had chaired the quarterly meeting of Cheshire East's Enhanced Partnership Board, which engaged with Bus Operators to deliver our Bus Service Improvement Plans. The Board's membership had recently been expanded to include all operators of public bus services in the Borough and it was good to see companies take up the opportunity to participate. As part of the plan to invest in local bus services the aim was to ensure that funding on shelters, stops and passenger information complemented operator investment in new vehicles and driver training. The key topics at the meeting were a commitment to refresh the Improvement Plan to demonstrate local priorities to Government; delivery of initiatives using current funding including enhancing Route 38 which links Crewe – Sandbach – Congleton and Macclesfield; plans to consult on a review of Council supported bus services this Summer and the future roll-out of smart ticketing on buses through Project Coral, a national initiative sponsored by DfT.
- 5 as this was his last announcements as Deputy Leader, he thanked elected members and officers for the support provided to him in this role.

71 ELECTION OF DEPUTY LEADER OF THE COUNCIL

Nominations were sought for the position of Deputy Leader.

It was proposed and seconded that Cllr Michael Gorman be appointed as Deputy Leader.

The motion was put to the vote and declared carried.

RESOLVED:

That Councillor Michael Gorman be appointed as Deputy Leader of the Council, with effect from 1 March 2024.

The Mayor invited the Deputy Leader Elect to speak.

Cllr M Gorman thanked Members for electing him as the Deputy Leader elect and paid tribute to his predecessor Cllr C Browne. Cllr Gorman pledged as the Deputy Leader to work with all members of the Council building trust, respecting differences, and promoting co-operation.

The Mayor invited Deputy Leader to announce the Independent Group chair and vice chair changes.

Cllr C Browne reported the following changes to the Independent Group chairs and vice chairs:

Chair of Economy and Growth Committee –Councillor Michael Gorman
Chair of Highways and Transport Committee – Councillor Mark Goldsmith
Vice Chair of Finance Sub Committee – Councillor Lata Anderson
Vice Chair of Children and Families Committee – Councillor Emma Gilman
Vice Chair of Corporate Policy Committee – Councillor Michael Gorman.

**72 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
MEDIUM TERM FINANCIAL STRATEGY 2024/25-2027/28**

The Corporate Policy Committee, at its meeting on 13 February 2024, had considered a report on the Medium-Term Financial Strategy for Cheshire East Council for 2024/25 – 2027/28.

The Corporate Policy Committee had recommended to Council the recommendations set out in Appendix A to the report.

Following debate, the recommendations were put to the vote, and in accordance with legislation, a recorded vote was carried out with the following results:

FOR

Councillors L Anderson, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, C Browne, L Buchanan, C Bulman, A Burton, C Chapman, D Clark, Coiley, N Cook, S Corcoran, L Crane, B Drake, D Edwardes, K Edwards, M Edwards, H Faddes, A Farrall, E Gilman, M Goldsmith, M Gorman, C Hilliard, D Jefferay, N Mannion, G Marshall, A

Moran, R Moreton, C Naismith, J Place, B Puddicombe, J Rhodes, H Seddon, G Smith, John Smith, Julie Smith, J Snowball, R Vernon, M Warren and F Wilson.

AGAINST

Councillors S Adams, R Bailey, M Beanland, D Brown, R Chadwick, J Clowes, T Dean, S Edgar, A Gage, S Gardiner, E Hall, A Harrison, G Hayes, A Heler, S Holland, T Jackson, R Kain, A Kolker, R Morris, H Moss, M Muldoon, C O'Leary, J Pearson, B Posnett, J Pratt, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, L Wardlaw and J Wray.

NOT VOTING

Councillors R Fletcher, M Houston and L Smith.

The motion was declared carried with 43 votes for, 32 against and 3 not voting.

RESOLVED:

That Council notes

- 1 the Report of the Council's Chief Finance Officer (Section 151 Officer), contained within the MTFS Report, regarding the robustness of estimates and level of reserves held by the Council based on these budget proposals (Appendix C, Report from the Section 151 Officer).

That Council, having given due regard to the report of the Chief Finance Officer, approves:

- 2 the Revenue estimates for the 2024/25 budget and the medium-term Capital Programme estimates 2024-2028, as detailed in the Medium-Term Financial Strategy Report (MTFS) 2024-2028 (Appendix C to the report).
- 3 Band D Council Tax of £1,792.59 representing an increase of 4.99%. This is below the referendum limit (including 2% ringfenced for Adult Social Care) and arises from the provisional finance settlement (Appendix C to the report, Section 2).
- 4 the 2023/24 planned use of Flexible Capital Receipts is increased to £3.414m, an increase of £2.414m from the £1m approved in the 2023-27 Medium-Term Financial Strategy Report to fund transformational projects within the Council (Appendix C to the report, Section 2).
- 5 the 2024/25 planned use of Flexible Capital Receipts is £1.0m (Appendix C to the report, Section 10)

- 6 the allocation of Revenue Grant Funding for 2024/25 of £359.868m (Appendix C to the report, Annex 7), and delegates authority to the Chief Finance Officer, to approve supplementary estimates if the value of any named grant changes from the figures contained within Appendix C, Annex 7 (noting that all such variations will subsequently be reported to the appropriate Committee, and that any new, previously unnamed, grants are subject to approval in-line with the Constitution)
- 7 the allocation of Capital Grant Funding for 2024/25 of £95.831m (Appendix C to the report, Annex 8), and delegates authority to the Chief Finance Officer, to approve supplementary estimates if the value of any named grant changes from the figures contained within Appendix C, Annex 8 (noting that all such variations will subsequently be reported to the appropriate Committee, and that any new, previously unnamed, grants are subject to approval in-line with the Constitution)
- 8 the Fees and Charges schedule for 2024/25 (Appendix C to the report, Annex 9).
- 9 the Capital Strategy, this shows total proposed capital expenditure of £592.3m including £9.3m for Managing & Maintaining Highways (Appendix C to the report, Annex 10).
- 10 the Prudential Indicators for Capital Financing (Appendix C to the report, Annex 10).
- 11 the Treasury Management Strategy (Appendix C to the report, Annex 11).
- 12 the Investment Strategy; including the financial limits for various classifications of investment, and the investment decision making process set out in the Strategy (Appendix C to the report, Annex 12)
- 13 the Reserves Strategy (Appendix C to the report, Annex 13), which includes proposed movements to and from reserves.
- 14 the amendment to Key Decisions as defined in the Constitution and the financial limits to be included within the Council's Finance Procedure Rules (Appendix C to the report, Annex 14).
- 15 Household Waste Recycling Centres (HWRC) – to implement emergency closures of sites at Bollington, Middlewich and Poynton from 1 April 2024 until the outcomes of the review of the long-term provision of HWRCs for Cheshire East has been presented to and approved by the Environment and Communities Committee.

16 Garden Waste Subscription Scheme - to approve the increase in the annual subscription charge to £59, payable from October 2024 onwards for collections commencing in January 2025.

17 that the Council's Carbon Neutral ambition target is amended to 2027 and the capital projects that have been designed to achieve that target have also been deferred and should be delivered by 2027. The capital programme is currently under a review as shown in the Capital Strategy (Appendix C to the report, Annex 10).

18 a Supplementary Capital Estimate (SCE) for Northwest Crewe Package for £9.015m. The request is fully funded by external contributions, however there will be a need to forward fund the income whilst the Council awaits payment. This could cost the Council an additional £243,000 in interest costs per annum which would need to be funded by the Strategic Highways Service.

That Council recognises that Corporate Policy Committee noted:

19 the year-end outturn forecast position for 2023/24 (Appendix C to the report, Section 2).

20 the Budget Engagement exercise undertaken by the Council, as set out in the attached (Appendix C to the report, Annex 2a).

21 the results of the Budget Consultation (Appendix C to the report, Annex 2b).

22 The Adult Social Care Charging consultation results (Appendix C to the report, Section 1 – Adults and Health Committee: Narrative and proposal number 1).

The meeting was adjourned for a lunch break.

73 COUNCIL TAX STATUTORY RESOLUTION

Consideration was given to a report relating to the setting of the Council Tax for 2024/25.

As a billing authority Cheshire East Council was responsible for the billing and collection of Council Tax from local taxpayers and must, therefore, make a resolution to set the overall Council Tax level. This meant the Authority also collected Council Tax income to cover not only its own services but also precepts set by other authorities.

The Council Tax levied was therefore made up of four elements:-

- Cheshire East Borough Council
- Town & Parish Council precepts
- Police and Crime Commissioner for Cheshire precept
- Cheshire Fire Authority precept.

The Mayor reported that revised versions of Appendices C and D had been issued and that these versions should be referred to during considering of this item.

The motion in respect of the setting of the Council Tax was proposed and seconded. Following debate, in accordance with legislation a recorded vote was carried out in respect to this item, with the following results: -

FOR

Councillors L Anderson, S Bennett-Wake, J Bird, L Braithwaite, J Bratherton, M Brooks, C Browne, L Buchanan, C Bulman, A Burton, C Chapman, D Clark, A Coiley, N Cook, S Corcoran, L Crane, B Drake, D Edwardes, K Edwards, M Edwards, H Faddes, A Farrall, E Gilman, M Goldsmith, M Gorman, C Hilliard, M Houston, D Jefferay, N Mannion, G Marshall, A Moran, R Moreton, C Naismith, J Place, J Priest, P Puddicombe, J Rhodes, H Seddon, G Smith, John Smith, Julie Smith, J Snowball, R Vernon, M Warren and F Wilson.

AGAINST

Councillors S Adams, R Bailey, M Beanland, D Brown, R Chadwick, J Clowes, T Dean, S Edgar, A Gage, S Gardiner, E Hall, A Harrison, G Hayes, A Heler, S Holland, T Jackson, R Kain, A Kolker, R Morris, H Moss, M Muldoon, C O'Leary, B Posnett, J Pratt, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, L Wardlaw and J Wray.

NOT VOTING

Councillors R Fletcher and L Smith.

The motion was declared carried with 45 votes for, 31 against and 2 not voting.

RESOLVED: That Council:

1. approves a Council Tax for Cheshire East Council for the financial year 2024/25, at £287,086,013 in accordance with the formal resolutions as shown in paragraphs 20-24 of the report, as follows:

Formal Resolution

- 1 That it be noted that on 13 December 2023 the Council calculated the Council Tax base 2024/25.
 - (a) for the whole Council area as 160,151.52 (item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")).

- (b) for individual parishes, as in **Appendix A**.
- 2 Calculated that the Council Tax requirement for the Council's own purposes for 2024/25 (excluding Parish precepts) is £287,086,013.
- 3 That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 36 of the Act:
- a. £819,159,543 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - b. £520,611,429 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - c. £298,548,114 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
 - d. £1,864.16 being the amount at 3(c) above divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - e. £11,462,101 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
 - f. £1,792.59 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - g. **Appendix A** being the amounts calculated by the Council, in accordance with regulations 3 and 6 of the Local Authorities (Calculation of

Council Tax Base) Regulations 1992, as its total council tax base for the year and council tax base for dwellings in those parts of its area to which one or more special items relate.

h. **Appendix B** being the amounts given by adding to the amount at (f) above, the amounts of special items relating to dwellings in those parts of the Council's area mentioned above divided by in each case the appropriate tax base from Appendix A, calculated by the Council in accordance with Section 34(3) of the 1992 Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of the area to which one or more special items relate. (Band D charges for each Parish area).

i. **Appendix C** being the amounts given by multiplying the amount at (h) above by the number which, in the proportion set out in Section 5(1) of the 1992 Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the 1992 Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (Local charges for all Bands).

j. **Appendix D** being the aggregate of the local charges in (i) above and the amounts levied by major precepting authorities, calculated in accordance with Section 30(2) of the 1992 Act (The total Council Tax charge for each band in each Parish area).

4 note that the Police & Crime Commissioner and the Fire Authority have issued precepts to Cheshire East Council in accordance with section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as shown in paragraphs 17 and 18 of the report.

- 5 accepts that Cheshire East Council's basic amount of Council tax for 2024/25 is not excessive in accordance with principles approved under Section 52ZB and 52ZC of the Local Government Finance Act 1992.
- 2 notes that the council tax precept of Cheshire Fire Authority, Police Crime and Commissioner for Cheshire, and each Town and Parish Council have been approved and notified to the Council in accordance with the Local Government Finance Act 1992, as amended by sections 72 to 79 of the Localism Act 2011.
- 3 notes the average Council Tax for the Cheshire East Borough is £2,217.19 in accordance with the Local Government Finance Act 1992, as amended by sections 72 to 79 of the Localism Act 2011.

**74 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
PAY POLICY STATEMENT 2024/25**

Consideration was given to the recommendations of the Corporate Policy Committee in respect of the Pay Policy Statement for 2024/25.

The Corporate Policy Committee, at its meeting on 18 January 2024, had considered the draft Pay Policy Statement and resolved that Council be recommended to approve and publish the Pay Policy Statement 2024/25 and that any in-year changes be approved by the Monitoring Officer and published accordingly.

RESOLVED: That

- 1 the Pay Policy Statement for 2024/25 be approved; and
- 2 any in-year changes be approved by the Monitoring Officer and published accordingly.

**75 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
TRANSFER OF LOCAL ENTERPRISE PARTNERSHIP FUNCTIONS TO
LOCAL AUTHORITY CONTROL**

Consideration was given to the recommendations of the Corporate Policy Committee in respect of the transfer of the Local Enterprise Partnership functions to Local Authority Control

The Corporate Policy Committee, at its meeting on 13 February 2024, had considered the report and made recommendations to Council, as set out on page 677 and 678 of the agenda pack.

The recommendations were proposed and seconded. During the debate an amendment was proposed and seconded.

Amendment

“That this paper is deferred until elected members have been appropriately appraised of the wider sub-regional implications of these proposals.”

The amendment was put to the vote and declared lost.

RESOLVED: That Council

1. agree the retention of the partnership approach between Warrington Borough Council, Cheshire West and Chester Council and Cheshire East Council in respect of sub-regional functions.
2. agree that Cheshire and Warrington Local Enterprise Partnership (including Marketing Cheshire) functions should continue to be delivered by a Company jointly owned by all three Councils, based on the business case set out in Appendix A to the report.
3. agree to set up a Joint Committee by 1 April 2024 with Terms of Reference as set out in Appendix B to the report.
4. agree that a Cheshire and Warrington Business Advisory Board be created to ensure a continued influential business voice in sub-regional economic strategy and priorities following the end of the Cheshire and Warrington Local Enterprise Partnership Board. Terms of Reference be agreed by the Joint Committee.
5. that delegated authority be granted to the Director of Growth, in conjunction with the Council’s Section 151 Officer and Monitoring Officer, to effect non-material changes to the proposed changes to the Articles of Association of Cheshire and Warrington Local Enterprise Partnership as referenced in Appendix C to the report.
6. recommend to the Joint Committee that they then make changes to the Articles of Association and that the name of Cheshire and Warrington Local Enterprise Partnership be changed to Enterprise Cheshire and Warrington.
7. agree the findings of the due diligence report undertaken and set out in Appendix D, including finances, risks and liabilities that the Council will incur in respect of LEPCo.
8. recommend to the Joint Committee that when established, one officer from Cheshire East Council, with appropriate corporate skills and experience is appointed as a Director of LEPCo. That the officer is identified through consultation with the Council’s Monitoring Officer, Place Director and Section 151 Officer.
9. agree to enter into a Service Agreement with Cheshire West and Chester Council, Warrington Council and LEPCo on the terms set out in Appendix E to the report, and to delegate final approval of the terms of the Service Agreement to the Director of Governance and

Compliance in consultation with the Place Director and S151 Officer.

10. recommend the Business Plan of the LEPCo to the Joint Committee as set out at Appendix F to the report.
11. agree that Cheshire East Council should continue to be the Accountable Body for the purposes of funding, and that the Director of Governance and Compliance be authorised to make any necessary changes to the Collaboration Agreement.
12. agree that the Council's Monitoring Officer be given the authority to make any consequential changes to the Council Constitution to give effect to these recommendations.

76 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: CHESHIRE EAST ELECTORAL REVIEW - WARDING PROPOSALS

Consideration was given to the recommendations of the Corporate Policy Committee in respect of warding proposals for Cheshire East as part an electoral review of Cheshire East Council's electoral arrangements by the Local Government Boundary Commission for England.

The Corporate Policy Committee, at its meeting on 13 February 2024, had considered the report and recommendations of the Electoral Review Sub Committee and had made recommendations to Council, as set out on page 767 of the agenda pack.

The recommendations were proposed and seconded. During the debate two amendments was proposed and seconded.

Amendment 1

"To amend the draft proposals for the Macclesfield Warding as set out in Appendix 1 to Agenda item 12 to replace the proposals for Macclesfield by those detailed in the Macclesfield Warding Option 1 paper as supported by the majority of Macclesfield members."

The amendment was put go the vote and declared lost.

Amendment 2

"That Council agrees to delete from its Warding Submission, existing references to the proposed transfer of the Bluebell Green estate and changes these proposals so that the Bluebell Green area of Brereton parish will be included in Brereton ward, instead of Dane Valley ward."

The amendment was put to the vote and declared won. This then became part of the substantive motion.

RESOLVED: That Council

- 1 approve the proposals for the future warding of Cheshire East, as set out in Appendix 1 to the report, as the Council's submission to the Boundary Commission, with the following amendments: -
 - that the "Wilmslow East" ward name be changed to "Wilmslow East and Dean Row" to retain the identity of Dean Row
 - that existing references to the proposed transfer of the Bluebell Green estate are deleted and that the proposals be changed so that the Bluebell Green area of Brereton parish will be included in Brereton ward, instead of Dane Valley ward.

- 2 that the Electoral Review Sub Committee be granted delegated authority:
 - (a) to make any further changes to the proposals arising from the Council meeting on 27 February, or which become necessary after that meeting; and
 - (b) to respond on the Council's behalf to any further informal or formal consultation by the Boundary Commission which relates to the second period of consultation.

Post Meeting Note: Final submitted proposals to the Local Government Boundary Commission - [Warding Proposals](#)

77 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: CALENDAR OF MEETINGS 2024-2025

Consideration was given to the recommendations of the Corporate Policy Committee in respect of the Calendar of Meetings for 2024/25.

The Corporate Policy Committee, at its meeting on 13 February 2024, had considered the draft Calendar of Meetings for 2024/25 and had recommended to Council that the calendar be approved and that each Service Committee, including the Finance Sub Committee, arrange one twilight meeting over the course of its scheduled cycle of meetings during 2024/25.

RESOLVED: That

- 1 the draft calendar of meetings for Cheshire East Council 2024/25 be approved, subject to delegated powers being granted to the Director of Governance and Compliance, in consultation with committee chairs and vice chairs, to make any changes to the calendar of meetings which might arise from the review of the committee structure.

- 2 each Service Committee, including the Finance Sub Committee, arrange one twilight meeting over the course of its scheduled cycle of meetings during 2024/25.

78 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: TARGETED REVIEW OF MEMBERS' ALLOWANCES

The Corporate Policy Committee, at its meeting on 13 February 2024, had considered the the recommendations of the Independent Remuneration Panel in respect of a targeted review of Members' Allowances in the context of the budget consultation on the Council's financial position.

RESOLVED: That Council agree that

- 1
 - a) the Constitution Working Group reviews the job descriptions for the Leader and Deputy Leader of the Council, Service Committee Chairs and Vice Chairs and Opposition Spokespersons.
 - b) the Working Group's recommendations in respect of these job descriptions to be submitted to the Independent Remuneration Panel.
 - c) the Independent Remuneration Panel consider and review these job descriptions and report back to Constitution Working Group; the Working Group to consider if the job descriptions should be referred onwards.
 - d) a full review of all member allowances by the new Independent Remuneration Panel be carried out after the actions set out in a) to c) have been completed.
- 2 agree that, where the annual NJC officer pay award is for a flat rate, and percentage increase to salaries and other allowances respectively, the percentage increase applicable to other allowances will be regarded as that year's uplift in respect of Cheshire East's Scheme of Members' Allowances.
- 3 that no uplift to the Scheme of Members' Allowances be implemented in 2023/2024.

79 RECOMMENDATION FROM AUDIT AND GOVERNANCE COMMITTEE: PROPOSED TERMS OF REFERENCE

Consideration was given to the recommendations of the Audit and Governance Committee in relation to the Committee's Terms of Reference.

The Audit and Governance Committee, at its meeting on 7 December 2023, had considered the revised Terms of Reference, prepared by the Audit and Governance Terms of Reference Working Group, and had recommended to Council the adoption of the revised Audit and Governance Committee Terms of Reference.

RESOLVED:

That the revised Audit and Governance Terms of Reference be adopted.

80 POLITICAL REPRESENTATION ON THE COUNCIL'S COMMITTEES

Consideration was given to a report relating to the political representation on the Council's Committees which addressed the changes in political group memberships following the by-election in the Crewe Central Ward on 8 February 2024.

RESOLVED: That

- 1 the political group and other representation, as set out in the Appendix to this report, and the methods, calculations and conventions used in determining this, as outlined in the report, be adopted.
- 2 and the allocation of places to Committees be approved with one Labour Group seat on the Audit and Governance Committee and one Labour Group seat on the Economy and Growth Committee, be transferred to the Conservative Group.

81 NOMINATION OF MAYOR AND DEPUTY MAYOR FOR THE 2024-25 CIVIC YEAR

Consideration was given to the nominations for the office of Mayor and Deputy Mayor for 2024/25.

Mayor for 2024/25

It was proposed and seconded that Councillor Marilyn Houston should become Mayor Elect for 2024/25.

Councillor Houston declared an interest in respect of this item and left the Chamber during its consideration.

RESOLVED:

That Councillor Marilyn Houston be designated as the Mayor Elect with a view to their formal election and appointment as Mayor for Cheshire East for 2024/25, at the Mayor Making ceremony to be held on 15 May 2024.

Councillor Houston returned to the meeting.

Deputy Mayor for 2024/25

It was proposed and seconded that Councillor David Edwardes be designated as Deputy Mayor Elect.

Councillor D Edwardes declared an interest in respect of this item and left the Chamber during its consideration.

RESOLVED:

That Councillor David Edwardes be designated as the Deputy Mayor Elect, with a view to their formal election and appointment as Deputy Mayor for Cheshire East for 2024/25, at the Mayor Making ceremony to be held on 15 May 2024.

Councillors D Edwardes returned to the meeting.

82 URGENT ITEM OF BUSINESS: APPOINTMENT OF AN INTERIM, AND PERMANENT, CHIEF FINANCIAL OFFICER

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Mayor had agreed that this item could be considered as an item of urgent business as it could not wait until the next scheduled meeting of Council. The Mayor explained that, if the Council had waited until the next scheduled meeting of Council to make the appointments, there would be an undesirable gap in Section 151 Officer cover at a time of financial challenge.

Consideration was given to a report which outlined the arrangements to recruit an interim and permanent Chief Financial Officer, following the existing Chief Financial Officer- Section 151 Officer's announcement that they would be leaving the Council.

RESOLVED: That Council

- 1 authorise the Chief Executive to recruit and appoint an Interim Chief Financial Officer in consultation with the Appointments Committee Chair and Vice Chair.
- 2 authorise the Appointments Committee to commence the process for appointing a permanent Chief Financial Officer, and to make recommendations to Council upon that appointment.

83 QUESTIONS

Councillor J Clowes stated that a number of residents in Wybunbury had submitted claims to Cheshire East Council relating to damage to their vehicles from the road surface. She was aware that claims were being passed to a third-party claims company which was extending time for a

resolution for residents and asked how much did it cost the Council to commission and retain the services of a claims handling company? She asked how many claims for damage to vehicles had the Council and/or the claims handling company received from 1 April 2023 to date and how many of those claims had been successful or rejected? She further asked since 1 April 2023 what had been the cost to Cheshire East Council for successful claims for damage to vehicles caused by potholes and carriageway defects?

Councillor C Browne, Chair of Highways and Transport Committee, undertook to provide a written response.

Councillor C O'Leary had submitted a written question in advance of the meeting which asked when the residents of Crooked Yard, Macclesfield Forest, would expect to see patch works or resurfacing works to their road.

In response Councillor C Browne, Chair of Highways and Transport Committee, stated that the Council faced an incredibly challenging position of not being able to afford the significant and sustained investment that was needed to rehabilitate its highway infrastructure. Consequently, it was inevitable that potholes on the roads would occur, particularly after the excessively wet weather punctuated by cold snaps that had been seen recently. The Council was aware of the condition of the section of the road identified. Following an inspection in November 2023 repairs were undertaken to 20 defects in January 2024 in line with the Safety Inspections Code of Practice and added signage to warn of the uneven road surface. A further 24 defects were repaired during February 2024. It was proposed that some low-cost patching works would be carried out in April following confirmation of the 2024/25 budgets. These works would ensure that the road remained safe and available for use in line with the Council's policy and statutory duties.

Councillor L Smetham stated that following the loss of life at Wood Treatments in Bosley in 2015 Cheshire East Highways had erected and installed fencing which to date had cost the Council £147,159.55 and was increasing every year. The fencing did not provide safety, was broken or bent and did not fulfil its purpose. She stated that there was a screeching planer upsetting people in Bosley and North Staffordshire. She referred to a retrospective planning application in place for an office and welfare facilities with future proposals for housing and also to a shed containing wood dust, which often had its doors left open and contained flammable material. Councillor Smetham asked that the Council and any other bodies help resolve these issues.

In response Councillor C Browne stated that he and Cllr Smetham had attended a meeting of Bosley Parish Council and the Council, as a Highways Authority, was required to act under the guidance of the Health and Safety Executive.

In response to the planning matter, Councillor M Warren, Chair of Environment and Communities Committee, agreed to provide a written response.

Councillor M Simon stated that following a request for two garden waste permits for her local bowling club, ANSA had responded to say that the bowling club would need an exception if they were to continue to have their garden waste collected. As there had been no further response despite the request being followed up, Cllr Simon asked how the issue could be resolved.

Councillor M Warren, Chair of Environment and Communities Committee, shared Councillor Simon's concerns on the matter and resolved to look into it and provide a written response.

Councillor A Gage stated that, despite repeated efforts over the past five years, there had been no progress made in relation to Section 106 infrastructure in Willaston. Councillor Gage asked the Administration to commit to ensuring that the developer money was spent on the things that were agreed and that the relevant officers from Planning and Highways meet with him and a representative from the community to discuss the outstanding issues.

In response, Cllr M Warren, Chair of Environment and Communities Committee, asked for the details to be sent to him and the Chair of Highways and Transport Committee for a meeting to be arranged.

Councillor A Burton stated that there were issues with buses in Nantwich including the removal of the 78 service and parking at Leighton Hospital. Councillor Burton stated she had been campaigning for an improved bus service in the area, including a direct bus service to Leighton Hospital and that an affordable, regular, and reliable service was required to help residents, and would be well used.

In response Cllr C Browne, Chair of the Highways and Transport Committee, stated that following a recent Enhanced Partnership Board there had been discussions in respect of how additional funding could be prioritised. Contract renewal prices were likely to increase at the end of the financial year when they were due to be renewed, but it was hoped that there would be some funding to be able to look at slight deviations to routes. Councillor Browne encouraged Councillor Burton to continue to feed any concerns to the Chair and Vice Chair of the Enhanced Partnership Board. Councillor Browne stated that, although welcome, much of the £180 million announced by Government to Cheshire East Council would be assigned to the existing backlog of works.

Councillor S Gardiner asked how many children living within Cheshire East received their education from the independent private sector, and whether the Council had made any contingency plans if there were changes to the finances and tax arrangements for those schools providing that education within the next twelve months. He asked if that was the case, how many

children were there, did the Council have the capacity to take those children back in to state education, and whether there was money in the budget to cover the additional school places.

In response Councillor Mannion, Chair of Finance Sub Committee, stated that if Cheshire East Council had to accommodate more children within the school estate than currently budgeted for, this would have to be found and would result in having less money to spend elsewhere.

Councillor C Bulman as Chair of Children and Families Committee, responded to an earlier question from Councillor Saunders in respect of the budget and whether Crewe Youth Zone and Children's Placement Sufficiency were under threat. Cllr Bulman stated that the Crewe Youth Zone and Children's Placement Sufficiency were not under threat but were required to be reviewed as part of the due process of finance.

The meeting commenced at 11.00 am and concluded at 5.56 pm

Councillor R Fletcher (Chair)

APPENDIX A

**CHESHIRE EAST COUNCIL - POLITICAL PROPORTIONALITIES ON ALL BODIES
(other than those to be appointed on an ad-hoc basis)**

Based upon the following:

Con: 34; Lab: 30; Ind: 14; Lib Dem: 2; NGI (non-Grouped independent Members) 2

Committee	Con.	Lab.	Ind.	Lib. Dem.	NGI	Total Allocated
Scrutiny cttee	5	5	1	0	2	13
Corporate Policy cttee	5	5	3			13
Economy and Growth cttee	6	4	3			13
Highways and Transport cttee	5	5	3			13
Env. and Communities Cttee	5	5	3			13
Children and Families cttee	5	5	2	1		13
Adults and Health cttee	5	5	3			13
Finance Sub cttee	3	3	1	1	0	8
Audit and Governance Committee	5	2	2	0	0	9
Strategic Planning Board	5	5	2	0	0	12
Northern Planning Committee	5	4	2	0	1	12
Southern Planning Committee	6	5	1	0	0	12
Licensing Committee	6	5	2	1	1	15
Appointment cttee	3	3	1	1	0	8
Committee	Con.	Lab.	Ind.	Lib. Dem.	N.G.I	Total
Total Places allocated	69	61	29	4	4	167
Percentage entitlement	41.46	36.59	17.07	2.44	2.44	100
Proportional Entitlement	69	61	29	4	4	167
Difference	0	0	0	0	0	0

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COUNCIL 27 February 20234**Item 18 – Questions: Written Responses****1 Councillor J Clowes****Written Response**

The practice of using external claims management companies to manage highway claims is very common with Highway Authorities. Such companies bring expertise in handling insurance claims that the council does not have but also provide a broader perspective of practices across different Highway Authorities. This is beneficial in managing the risk of claims to the council and the additional capacity that is provided helps resolve claims as quickly as possible.

With regard to the four specific questions asked:

- 1 The council pays for claims management support quarterly and the most recent information is to December 2023. From April to December 2023 (3/4 year) the cost was £117,505. It should be noted that this includes the cost of claims management for the council for non-Highways services. The specific cost for Highways claims management is not available separately but we will provide a written response on this as soon as possible.
- 2 991 claims for vehicle damage have been submitted onto the claims system since 1 April 2023.
- 3 Unfortunately, we are unable to answer this question. There was a change in claims systems in April 2023, and data is not yet available from the new system.
- 4 £3,305 has been paid for successful claims for damage caused to vehicles by potholes and carriageway defects from 1 April 2023 to date.

4 Councillor M Simon**Written Response**

Under national waste legislation the Bowling Club would be considered trade waste rather than household waste; however, given the community nature of this and other facilities like it we have agreed an exception for these types of premises. This means that the Bowling Club can receive a garden waste collection, and the price for the service will still be the same as for householders. To comply with legislation however the Bowling Club will need to have a waste Duty of Care certificate tracking their waste. ANSA will be in touch shortly to explain the process and set up the collections and we will add this information to the Councils web site to clarify the position.

5 Councillor J Saunders

Written Response

Following the review of the business case, if any changes to the scheme, or the funding model, were required this would be managed in accordance with the Council's Financial Procedure Rules. Members will be engaged as appropriate.