

OFFICER DECISION RECORD (ODR2)

Mountview, Congleton

Disposal via Housing Development Framework

Date of Decision	22.07.2025
Decision Taker (including Job Title)	Philip Cresswell – Executive Director of Place In consultation with:- <ul style="list-style-type: none">• Michael Gorman - Chair of the Economy and Growth Committee• Ashley Hughes - Executive Director of Resources, Section 151 Officer
Specific Delegation	<p>This is an officer decision taken under a delegation by Cheshire East Cabinet who on 5th May 2020 at minute 133.2(b) delegated authority to the Executive Director of Place in consultation with the Portfolio Holder of Environment and Regeneration to identify and approve appropriate Council owned land assets to be taken through the Housing Development Framework (the “Framework”).</p> <p>In addition, The Economy and Growth Committee on 15th July 2021 at minutes 7(c) and 9 supported the disposal route of the sites which have been identified for progression through the Framework and notes that the final decisions regarding the disposal of these sites will be undertaken in line with decision making processes for land and property disposals as outlined in the Constitution.</p> <p>Under the Constitution dated December 2024, Chapter 2, Part 5, Paragraph 53 delegates to the Executive Director of Place authority to take any decisions in relation to Assets Disposals and Acquisitions.</p> <p>In accordance with the Finance Procedure Rules set out in Chapter 3:part 4 paragraphs 4.42, the Chief Finance Officer and the Executive Director of Place must be consulted on all proposed acquisitions and disposals of land and property; and 4.44, the acquisition and disposal of land and property and other assets over £2m is the responsibility of the Finance Sub-Committee; and below £2m is a member of the Corporate</p>

	Leadership Team in consultation with the Chief Finance Officer and the Executive Director of Place.
Brief Description of Decision	<ol style="list-style-type: none"> 1. To declare Mountview, Congleton (as shown in red on the attached plan) surplus to operational requirements; and 2. To dispose of Mountview, Congleton to [REDACTED] through a Development Agreement.
Reasons for the Decision and alternatives considered.	<p>Mountview, Congleton (edged in red on the Plan for identification purposes) is a former Care Home and Community Day Centre that provided services for people with dementia and Learning Disabilities. The site has been vacant since the service was decommissioned in 2019 and has been identified for the development of accommodation to meet the needs of those with a Learning and or Physical Disability through the Housing Development Framework.</p> <p>The opportunity to redevelop the site to provide specialist accommodation enables the Council to enhance its in house supported living offer for those with complex and moderate needs, whilst contributing towards the aims of the Learning Disability Transformation Project.</p> <p>To facilitate improvement in the accommodation, offer for our Care4CE cohorts, Adult Social Care Commissioning will be seeking to develop a strategic approach to the provision utilised by Care4CE through a targeted approach by working with potential developing RP's, detailed within the planned ASC Supported Housing Strategy through the Learning Disability Transformation Project.</p> <p>By developing specialist accommodation at Mountview with Care4CE providing support for 6 individuals with complex needs and 8 individuals with moderate support needs, the benefits are as follows:</p> <ul style="list-style-type: none"> • Contribution to the reduction in the overall care costs required to support people in Cheshire East with more complex support needs, by reducing the need to purchase high-cost care placements out of area. • We would achieve estimated weekly savings of [REDACTED] and annual savings of [REDACTED] compared to current costs within the external

commissioned market. Considering potential annual voids costs this would result in an estimated annual net saving of £[REDACTED]

- Maximise the accommodation offer for people with learning disabilities through reducing the numbers of voids in Care4CE
- Reducing the need to commission high cost services in the independent sector, by developing provision that can meet the support needs of people with complex needs
- Reduce the waking night and sleep-in costs associated with providing care and support across multiple properties, with the addition of assistive technology.
- Improve the accommodation offer available to people with learning disabilities as part of a person-centred approach and in line with the Cheshire East Corporate Plan

In April 2025, a mini competition was undertaken to secure a Framework organisation to develop the site for Specialist accommodation.

Following the mini tendering process a bid was received from a [REDACTED] which outlined their proposal to develop a scheme which will provide a mix of 6 complex needs bungalows and 6 moderate needs apartments with 2 additional bungalows together with a capital receipt of [REDACTED]

Due to the social benefits of providing specialist accommodation at this location, which will provide much needed accommodation at a social rent level a decision is being requested to dispose of at less than best consideration.

The Council considers the proposal will help secure the promotion and improvement of the economic social or environmental well-being of the area and represents best value for the Council. The disposal will reduce a future management burden for the Council.

Disposal of council-owned property for a term in excess of 7 years must be for the best consideration reasonably obtainable as mandated in s123 of the Local Government Act 1972. For the purposes of the act a lease of greater than 7 years is considered a disposal.

	<p>The Local Government Act 1972: General Disposal Consent 2003 removes the requirement for authorities to seek specific consent from the Secretary of State where the disposal is at an undervalue where the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the promotion or improvement of economic, social and environmental well-being and the undervalue is less than £2 million.</p> <p>It is considered that the undervalue is less than £2 million. In 2021, the Council instructed its retained external agents, Sanderson Weatherall (SW), to undertake a valuation of the property to determine a Market Value.</p> <p>In forming their opinion of Market Value, it is considered that the property highest potential value is for it to be redeveloped for a care home / retirement living or for a market housing scheme. Their opinion of Market value is [REDACTED]</p> <p>SW have reviewed the valuation report (July 2025) and have advised that they do not believe that a higher value would be achieved than that stated within the 2021 report, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>Please note that a further ODR will be coming forwards to authorise the entering into a development agreement with [REDACTED].</p>
Member consultation and interests declared.	Ward Councillors have been advised in respect of this matter. (Councillors Hall, Hayes and Seddon)
Significant Decision	NO
Legal Implications	<p><u>Governance</u></p> <p>The decision maker has the necessary delegated authority to take this decision based on a combination of delegations from Cabinet in 2020, the Cheshire East Constitution and the Financial Procedure Rules subject to the consultation with the named individuals. The Cabinet delegation refers to the Portfolio Holder being consulted, since the Council now operates a committee system the</p>

	<p>post is no longer in existence, it is therefore necessary to consult with the chair of the appropriate committee.</p> <p>In accordance with section 123 of the Local Government Act 1972 the Council is under an obligation to obtain the best consideration reasonably obtainable upon the disposal of its Property. However, if the disposal is considered to be a disposal at undervalue it would normally require the consent of the Secretary of State. Under the Local Government Act 1972: General Disposal Consent 2003 removes the requirement for authorities to seek specific consent from the Secretary of State where the disposal is at an undervalue where the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the promotion or improvement of economic, social and environmental well-being and the undervalue is less than £2 million. It is considered that proposal will help secure the promotion and improvement of the economic social or environmental well-being of the area and represents best value for the Council. The disposal will reduce a future management burden for the Council.</p> <p>There will be a requirement to review the terms the disposal to ensure any issues regarding best value. Terms of each disposal will also need to reflect any easements and rights for both the land to be disposed of and that retained by the Council. Issues include rights of light /air open space and restrictions on building use and development.</p> <p>The Council has a fiduciary duty at all times to the taxpayers and must fulfil its duty in a way that is accountable to local people</p> <p>Mandy Withington Principal Lawyer (Corporate Projects and Property) 10/072025</p>
<p>Financial Implications</p>	<p><i>The development of specialist accommodation will support the future reduction of care costs by reducing the need to utilise more costly out of areas placements. The disposal will also provide a capital receipt that will be utilised to help support the Councils current financial position.</i></p> <p><i>Helen Donald, Principal Accountant, Capital Finance.</i> <i>9th July 2025</i></p>

Confidential/Exempt Information	No
Background Papers	<p>Cabinet and Committee Reports and Decisions</p> <ul style="list-style-type: none"> • Cabinet decision – Housing Development Framework – May 2020 <u>Agenda for Cabinet on Tuesday, 5th May, 2020, 1.00 pm Cheshire East Council</u> • Economy and Growth Committee – July 2021 <u>Agenda for Economy and Growth Committee on Thursday, 15th July, 2021, 2.00 pm Cheshire East Council,</u>



Signed

Philip Cresswell- Executive Director of Place

Dated22.07.2025.....

In consultation with:-



Signed

Michael Gorman- Chair of Economy and Growth Committee

Dated ...16/07/2025.....

and



Signed

Ashley Hughes - Executive Director of Resources, Section 151 Officer

Dated 22/07/2025