

CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 17 July 2008

Report of: Interim Monitoring Officer and Interim Chief Finance Officer

Title: Section 24 Applications for Consent

1.0 Purpose of Report

- 1.1 To inform the Cabinet of any S24 Specific Consents issued under delegated powers since the last Cabinet meeting.

2.0 Decision Required

- 2.1 To note the report.

3.0 Financial Implications for Transition Costs

- 3.1 There are no implications for transitional costs in 2008-09.

4.0 Financial Implications 2009/10 and beyond

- 4.1 The financial implications of the decision included in this report will form part of the overall financial position of the existing Cheshire East authorities as at 31st March 2009. This financial position will be inherited by Cheshire East Council from 1st April 2009.

5.0 Legal Implications

- 5.1 See 6.1 below.

6.0 Risk Assessment

- 6.1 There is a risk of certain transactions by existing authorities being void if the necessary consents are not obtained for these from the Shadow authorities; however, the general and specific consent procedure and guidance have been put in place to mitigate this risk and ensure that appropriate consents are sought and given where needed.

7.0 Background and Options

- 7.1 On 21 May 2008 Cabinet agreed a General Consent for existing East Cheshire authorities to enter into land transactions and contracts to values which were set out in the report. It also delegated power to the Interim Monitoring Officer and Interim Chief Finance Officer for Cheshire East to give Specific Consents in

relation to applications to proceed with transactions in excess of these amounts, with a discretion reserved to those officers to refer the matters back to members where they see fit. It was specified that because both of the Interim officers are Macclesfield Borough Council employees, where the authority seeking Specific Consent was Macclesfield, the delegated officers would be the Monitoring Officer of Cheshire County Council, and the Chief Financial Officer (S151 Officer) of Congleton Borough Council.

7.2 As at the Cabinet meeting on 16 June, there were no delegated Specific Consents to report (although the Cabinet itself considered and approved two applications). Since the last Cabinet meeting on 16 June, and up to preparation of this report, one delegated matter has arisen.

7.3 The matter relates to the sale of land at buildings at Oakdean Court, Wilmslow, by Macclesfield Borough Council to Bupa Care Homes. As this matter relates to Macclesfield Borough Council, the delegated decision has been made by the Monitoring Officer of Cheshire County Council and Chief Financial Officer of Congleton Borough Council, and this was effective on 8 July.

8.0 Overview of Day One, Year One and Term One Issues

8.1 Not applicable.

9.0 Reasons for Recommendation

9.1 To inform members of delegated authority exercised since the Cabinet meeting on 16 June.

For further information:

Portfolio Holder: Councillor Peter Mason

Officer: Julie Openshaw / Lisa Quinn

Tel No: 01625 504250 / 01625 504801

Email: j.Openshaw@macclesfield.gov.uk / l.quinn@macclesfield.gov.uk

Background Documents:

Specific Consent – Sale of Oakdean Court, Wilmslow

Documents are available for inspection at:

Town Hall

Macclesfield

SK10 1DX