

CHESHIRE EAST COUNCIL

CABINET

Date of meeting: 12 August 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 Council 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 Since the last Cabinet meeting on 17 July, and up to preparation of this report, one delegated Specific Consent has been granted.
- 7.3 The consent authorised Cheshire County Council to proceed with the sale of Edleston Road Primary School, Crewe, to South Cheshire College for a sum of £550,000. The delegated decision was made by the Interim Monitoring Officer and Interim Chief Financial Officer of Cheshire East Council, and it was made after consultation with the Portfolio Holders for Children and Family Services and Procurement, Assets and Shared Services, and this was effective on 21 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 17 July 2008.

For further information:

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Background Documents:

Specific Consent – Sale of Oakdean Court, Wilmslow

Documents are available for inspection at:

Town Hall

Macclesfield

SK10 1DX