

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 14th October, 2014 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Jones (Chairman)
Councillor D Brown (Vice-Chairman)

Councillors Rachel Bailey, P Findlow, B Moran, P Raynes, D Stockton and
D Topping

Members in Attendance

Councillors Rhoda Bailey, S Corcoran, K Edwards, I Faseyi, R Fletcher,
M Grant, P Groves, B Livesley, P Mason, R Menlove, A Moran, B Murphy,
D Newton and A Thwaite

Officers in Attendance

Mike Suarez, Lorraine Butcher, Peter Bates, Anita Bradley, Caroline
Simpson, Heather Grimbaldeston, Brenda Smith, Steph Cordon and Paul
Mountford

Apologies

Councillors J Clowes, L Gilbert and S Carter

62 DECLARATIONS OF INTEREST

There were no declarations of interest.

63 PUBLIC SPEAKING TIME/OPEN SESSION

Mr Bob Mynett spoke in relation to the proposed peace pole on Scotch
Common, Sandbach and asked that the Council support the proposal.

The officers confirmed that the Council owned the land at Scotch Common
and would be able to facilitate the proposal. They also referred to a new
request for a peace pole at Alsager.

Although the proposed peace pole for Sandbach was to be considered
later in the meeting in relation to a notice of motion, the Cabinet took the
opportunity to express its support for the peace poles at Sandbach and
Alsager.

64 QUESTIONS TO CABINET MEMBERS

Councillor S Corcoran referred to the recent adjournment of the
examination hearing for the Council's Local Plan and asked if the Leader
would join him in hoping that the Local Plan would be approved quickly.

The Leader responded that he supported the break in the hearing as a way of ensuring that the views of local people and communities were not overshadowed by those of developers. He expressed his confidence in the Inspector and confidence in the process to date.

Councillor B Murphy asked the Leader if he was concerned about anything in particular in regard to the Local Plan and the hearing. The Leader responded that the Council had put forward a Local Plan which was robust.

65 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 16th September 2014 be approved as a correct record.

66 NOTICE OF MOTION - MAKING OF ROADS ON NEW ESTATES SUBJECT TO A 20 MPH SPEED LIMIT

Cabinet considered the following motion which had been moved by Councillor R Fletcher and seconded by Councillor D Neilson at the Council meeting on 17th July 2014 and referred to Cabinet for consideration:

“Most, if not all, new approved Planning Applications for large estates have a condition that the developers build the road in a way that is unsuitable for driving at speeds in excess of 20mph.

However, it appears that not all residents or visitors to these estates are aware that the roads on these new estates are usually set at different levels can damage their vehicles if they drive in excess of 20mph.

Local garages have stated that the increase in damage to cars is being caused by potholes, the poor state of Cheshire roads, and driving at excess speed over road humps.

The Council therefore calls for official 20mph speed limits to be imposed when Cheshire East Planning Department imposes a condition that roads be built to ensure that speeds are limited to 20mph maximum and that any associated legal costs and erection of signs is paid for by the developers.”

The report examined the opportunities and effects of two options for the control of traffic speed on new estate roads which come forward through new development proposals. The options were either to create a design for the layout of new housing roads which would be self-regulating at a 20mph design speed, or to impose traffic regulation orders which would put in place legislative control for a 20mph speed limit.

The design-led approach to managing speed was appropriate and aligned with national policy and guidance. It did not include vertical traffic calming features such as road humps which were not supported by the Council. Traffic regulation orders were costly and could not be supported through planning conditions as they fell under Highway Legislation. Such orders would require signing maintenance and would be unlikely to be enforced.

It was confirmed that a design-led approach was already in operation in Cheshire East. It was acknowledged, however, that there were demands in some areas for 20 mph restrictions, including some existing estates and villages, and there would be merit in considering the wider issue of 20 mph speed limits throughout the Borough.

Councillor R Fletcher, the proposer of the motion at Council, attended and spoke on this matter.

RESOLVED

That

1. for new residential developments where it is appropriate and where there is Local Demand, the Council support the provision of a highway environment which creates a self-enforcing 20mph design speed;
2. the motion for imposing 20mph speed limits on all new developments be rejected; and
3. the relevant overview and scrutiny committee be asked to review the issue of 20 mph speed limits throughout the Borough.

67 NOTICE OF MOTION - PEACE POLE ON SCOTCH COMMON IN SANDBACH

Cabinet considered the following motion which had been moved by Councillor S Corcoran and seconded by Councillor G Merry at the Council meeting on 17th July 2014 and referred to Cabinet for consideration:

“This Council supports the efforts of Churches Together in Sandbach, with support from Sandbach Town Council, to plant a Peace Pole on Scotch Common in Sandbach.”

This was an international project where local areas were asked to plant a Peace Pole to promote world peace.

The report outlined the issues that would need to be considered in relation to the erection of a Peace Pole to establish community benefit.

The Cabinet had expressed its support in principle for the peace pole earlier in the meeting. However, the following conditions would need to be met:

- § the provision by the lead organisation of details of all necessary permissions to be obtained from the Council with confirmation that the costs would be met by the lead organisation;
- § confirmation of support from any other agencies that may need to be consulted;
- § confirmation that all costs for repairs and annual maintenance would be met by the organisation that wished to install the Peace Pole for the lifetime of the Peace Pole;
- § any liabilities for injury to persons or property related to the Peace Pole to remain with the organisation that wished to install it and not with the Council; and
- § that if for any reason the Peace Pole had to be removed, all costs for making good Council-owned land would be met by the organisation seeking the removal of the Peace Pole.

RESOLVED

That before any decision is made, evidence be provided that all necessary conditions as set out above can be met.

68 NOTICE OF MOTION - SPARE ROOM SUBSIDY

Cabinet gave further consideration to the following motion which had been moved by Councillor K Edwards and seconded by Councillor P Raynes at the Council meeting on 27th February 2014 and referred to Cabinet for consideration:

“In line with the aspiration to improve the quality of life of all in Cheshire East, this Council should be satisfied that there has been no harm done to the health and wellbeing of the residents who have been affected by the Spare Room Subsidy.

We therefore call upon this Council to carry out Health Impact, and Equality Impact Assessments on the effects of the implementation of the Spare Room Subsidy throughout the Borough.

In particular, the Council should assess the impact on those residents who have been detrimentally affected, because they have been in receipt of Housing Benefit Support since before 1996.”

An interim response had been considered by Cabinet on 29th April 2014 outlining the approach to be taken. This would require the undertaking of health, finance and equality impact assessments; and a review of those impacts on the housing waiting lists and availability of accommodation and on registered housing providers.

The report showed the number of households affected by the spare room subsidy across Cheshire East.

There had been a 30% increase since 2013/14 in the number on the waiting list looking for social housing, due to the increased demand to downsize with an increase of 12% by those facing overcrowding.

The report also set out details of the Health Impact Assessment. This showed that the majority of those affected could move and downsize and/or gain employment or increased hours, with only certain groups considered to be most vulnerable and most likely to be supported by a Discretionary Housing Payment. Further details were set out in the report.

The Corporate Welfare Reform Group was continuing to review and plan for the introduction of the wider welfare reforms, working with partners, and to evaluate the impacts on Cheshire East. The Benefits Team had been working with customers and stakeholders to help mitigate the impact and provide support and advice.

The Portfolio Holder for Finance asked that his thanks to Liz Rimmer and her team be placed on record.

RESOLVED

That Cabinet write to the Rt. Hon. Ian Duncan Smith MP with the findings of the study, and with the suggestion that the following areas be considered for review:

- § Having a clear definition within the Housing Benefit rules with regard to minimum size criteria for a bedroom;
- § Allow a bedroom for a child where there is regular access (e.g. a child stays at least one day a week overnight);
- § Consideration be given to allowing an additional bedroom where a couple are unable to share, matching the rules where children are unable to share a bedroom due to the medical needs of one of them;
- § An additional bedroom be allowed where it is required to store medical needs;
- § Local Planning authorities should encourage the building of more one and two bedroom accommodation.

69 MACCLESFIELD MOVEMENT STRATEGY (REF CE 14/15-6)

Cabinet considered the development of, and consultation on, a Macclesfield Movement Strategy.

The report addressed how the Local Plan development proposals had informed the Infrastructure Plan and the impact on the local highway network. It proposed a major multimillion pound investment to address key

highway pinch points and improve transport networks to deliver a 'Movement Strategy' for Macclesfield.

The report suggested a mechanism to ensure that new developments fairly contributed towards delivering the future highway improvements contained in the Movement Strategy.

This approach was also being developed in the Council's other key growth areas, including Congleton and Crewe, to ensure that key investment in critical new highway improvements was secured from new development ahead of adoption of the Local Plan and associated Community Infrastructure Levy.

RESOLVED

That Cabinet

1. approves the development of and consultation on a Macclesfield Movement Strategy, which will include prioritisation of highway improvement schemes, complemented by a package of sustainable travel improvements;
2. approves the establishment of a Local Member Forum to review the development and delivery of the Macclesfield Movement Strategy;
3. approves that the following locations be prioritised for the delivery of highway improvements immediately and that work commence on detailed scheme development and consultation:
 - ◆ A536 Congleton Road / Park Lane junction – 'The Flowerpot'
 - ◆ A536 Congleton Road / Moss Lane junction signalisation
 - ◆ A523 Silk Road minor lining improvements
 - ◆ A523 Mill Lane lining and widening improvements
4. notes that longer term, highway improvement schemes, as a minimum, will be required at the following key locations to accommodate the anticipated Local Plan development, the delivery of these improvements to be prioritised based on the pace and location of future development:

Silk Road	<ul style="list-style-type: none"> • Silk Road / Hibel Road junction and Hibel Road improvements
Chester Road	<ul style="list-style-type: none"> • A537 Chester Road / Ivy Road roundabout improvements • A537 Chester Road / Fieldbank Road junction improvements • Broken Cross roundabout improvements
Cumberland Street	<ul style="list-style-type: none"> • Cumberland Street corridor capacity improvements
Park Lane	<ul style="list-style-type: none"> • A536 Park Lane / Churchill Way roundabout improvement and Park Lane widening
Prestbury Road	<ul style="list-style-type: none"> • Prestbury Road roundabout improvements
Byron's Lane	<ul style="list-style-type: none"> • Signal optimisation and/or upgrade

5. authorises the appointment of Counsel to provide an opinion on the most appropriate way to secure the funding from developers towards the costs of these works and also to suggest a method for dealing with s106 obligations where the Council is the landowner;
6. subject to the Counsel's opinion and progress with the Local Plan, authorises the Director of Economic Growth and Prosperity to approve the preparation of a Development Brief / Supplementary Planning Document for Local Highway Infrastructure to support the economic growth of Macclesfield, Congleton and Crewe to ensure that new developments fairly contribute towards new and improved infrastructure prior to the adoption of a Community Infrastructure Levy;
7. delegates authority to the Head of Strategic Infrastructure in consultation with the Portfolio Holder for Housing and Jobs to take forward and deliver the initially prioritised schemes, subject to the Council's arrangements for the endorsement of the business case;
8. notes the likely requirement for third party land to deliver the full benefit of the improvements to the Flowerpot junction and that approval is granted to enter into discussions with affected landowners and that the Chief Executive or his identified nominee, in consultation with the Cabinet Member for Prosperity & Economic Regeneration, and subject to taking advice from the Head of Legal Services and the Chief Operating Officer or their identified nominee(s), be given delegated authority to acquire options or interests in land required to facilitate the works;
9. approves that any Council-owned land that is necessary for the delivery of the highway improvements identified in (3) above is made available and transferred for highway purposes; and
10. delegates authority to the Director of Economic Growth and Prosperity in consultation with the Portfolio Holder for Housing and Jobs to submit a planning application (if required) for the schemes identified in (3) above.

70 CHESHIRE EAST MUNICIPAL WASTE STRATEGY 2030 (REF CE 14/15-6)

Cabinet considered the adoption of the Cheshire East Municipal Waste Strategy 2030.

The Municipal Waste Strategy 2030 had received strong endorsement from the public during its consultation phase with nearly 800 responses received, the majority of which agreed with the strategic objectives.

The strategy outlined the key aims and objectives for future municipal waste management in Cheshire East, the public consultation on these objectives and steps that would be needed to implement them.

The strategy would provide the Council with a long-term strategic policy and offer protection against the possibility of challenge from the waste industry over its waste and recycling activities; it would also assist the long term sustainability of its operations. Furthermore, the strategy would provide a vehicle to set measurable objectives for the Council's alternative service delivery vehicle, Ansa Environmental Services, in accordance with the aims, objectives and priorities of the Council.

Cabinet agreed the following amendments to the strategy:

Page 109 – removal of paragraphs under the heading 'Reduce the number of HWRCs'

Page 122 – removal of Optimisation of HWRC network

Page 144 – removal of the word 'efficiency' under the second recommendation

RESOLVED

That the Cheshire East Municipal Waste Strategy 2030 as amended be adopted.

71 HURDSFIELD COMMUNITY HUB (REF CE 14/15-25)

Cabinet considered a proposal for the creation of a community hub at Hurdsfield, Macclesfield.

At its meeting on 1 April 2014 Cabinet had approved a proposal "Outcomes of Creating Stronger Communities Review and How We Make It Happen. One element of that proposal was the creation of five pilot 'Community Hubs' including one at Hurdsfield in Macclesfield. The capital programme for 2014/15 included an item 'Redevelopment of Hurdsfield Family Facilities' with a value of £995,000. This was intended to provide for the rebuilding of the existing family centre due to its extremely poor condition.

The report sought confirmation that it was appropriate to utilise the capital allocation to deliver not just a new family centre but one that was flexibly designed so that it would also function as the community hub for that area, thus contributing to the Stronger Communities approach.

RESOLVED

That Cabinet

1. notes the work done to date on this project;

2. agrees that it is appropriate to utilise the original capital allocation of £995,000 to redevelop Hurdsfield as both a family centre and a community hub (within the physical restrictions of the site); and
3. authorises the Head of Communities and the Principal Manager-Early Help to proceed with the commissioning of the necessary capital works subject to a robust detailed business case being endorsed by TEG and EMB.

72 ADULT SOCIAL CARE COMMISSIONING STRATEGY

Cabinet considered a report on the Adult Social Care Commissioning Strategy.

The report sought approval for the Adult Social Care Commissioning Strategy 2014 -2017 at Appendix 1 of the report and the supporting Annual Delivery Plan at Appendix 2.

The Adult Social Care Commissioning Strategy 2014 -2017 was a three year strategy supported by an annual Delivery Plan. The Delivery Plan was a working document that was revised annually to reflect the progress of plans and identify further stages of those plans. This would be the tool used to ensure continuous improvements to support the delivery of better outcomes.

Further details were set out in the report.

RESOLVED

That the Adult Social Care Commissioning Strategy and the supporting Delivery Plan be approved.

73 CHESHIRE EAST ENERGY SUPPLY OFFER (REF CE14/15-16)

Cabinet considered a report proposing a strategic partnership with an energy supplier with the aim of enabling competitive energy pricing for residents of the Borough and supporting those in fuel poverty.

The alleviation of fuel poverty amongst Cheshire East residents was a key priority for the Council and it had been investigating a range of potential initiatives to address this. A number of local authorities were looking at mechanisms for reducing fuel poverty in their areas but Cheshire East Council had developed a real opportunity to achieve this and also create an energy offer that could benefit all residents in the Borough.

The solution, one of the first of its kind in the UK, would see the Council take a lead role in a strategic partnership with registered housing providers to enter into a formal contractual arrangement with an energy supplier. The Council's partnership with the energy supply company (preferred bidder) would enable competitive energy pricing for all residents but with

the added benefit of supporting those in fuel poverty who were currently penalised by their circumstances. It was stated that the more people signed up the better the price would be.

In order to identify and appoint an experienced industry partner, the Council had undertaken a fully compliant OJEU competitive dialogue procurement process in collaboration with the registered providers.

RESOLVED

That Cabinet

1. approves the selection of Bidder B as the preferred industry partner based on the Summary Bid Evaluation Report set out in Appendix 1 to the report following a fully compliant OJEU competitive dialogue process;
2. authorises officers (in consultation with the Registered Providers) to undertake clarification and fine tuning of the contractual arrangements with the preferred bidder identified in the report at Appendix 1;
3. delegates authority to the Chief Operating Officer as Section 151 Officer to negotiate and enter into a Strategic Alliance Agreement with the Registered Providers whereby the Council will be appointed the Lead Partner;
4. delegates the decision to award the contract to the Preferred Bidder to the Chief Operating Officer as Section 151 Officer in consultation with the relevant Portfolio Holder and the Head of Legal Services and Monitoring Officer;
5. authorises the negotiation of an agreement with the Preferred Bidder in relation to the use of the "Cheshire East" brand and logo for the purposes of promoting the energy supply offer and to authorise the Head of Legal Services and Monitoring Officer to complete the relevant agreement; and
6. authorises the Chief Operating Officer as Section 151 Officer and the Head of Legal Services and Monitoring Officer to take any necessary and consequential action arising from the above recommendations as set out in (1) - (5) above, only to be exercised in consultation with the Leader of the Council and the Finance Portfolio Holder.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

M Jones (Chairman)