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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Council**
held on Thursday, 15th October, 2009 at Nantwich Civic Hall, Market Street,
Nantwich, CW5 5DG

PRESENT

Councillor M Simon (Chairman)
Councillor G Baxendale (Vice-Chairman)

Councillors E Alcock, C Andrew, A Arnold, M Asquith, Rachel Bailey, Rhoda Bailey, C Beard, T Beard, D Beckford, S Bentley, D Brickhill, S Broadhurst, D Brown, D Cannon, R Cartlidge, S Conquest, J Crockatt, H Davenport, M Davies, R Domleo, B Dykes, P Edwards, P Findlow, W Fitzgerald, R Fletcher, D Flude, S Furlong, H Gaddum, L Gilbert, E Gilliland, J Goddard, J Hammond, M Hardy, M Hollins, D Hough, B Howell, O Hunter, T Jackson, J Jones, F Keegan, A Knowles, A Kolker, W Livesley, J Macrae, A Martin, M Martin, P Mason, S McGrory, G Merry, A Moran, B Moran, H Murray, J Narraway, D Neilson, R Parker, M Parsons, A Ranfield, B Silvester, L Smetham, D Stockton, D Thompson, C Thorley, A Thwaite, C Tomlinson, D Topping, R Walker, G M Walton, J Weatherill, R West, R Westwood, P Whiteley and S Wilkinson

128 COUNCILLOR ALLAN RICHARDSON, OBE DL

The Mayor paid tribute to the late Councillor Allan Richardson who had died on 5th September 2009, aged 89 years. Allan Richardson had been a respected and long-standing Councillor representing the needs of his local community for more than 60 years and had served as a Councillor on the former Cheshire County Council and Crewe and Nantwich Borough Council.

Members stood for a minute's silence in memory of Allan Richardson, OBE DL, following which Members made personal tributes.

129 FORMER COUNCILLORS MOIRA TAYLOR AND MAUREEN CAMPBELL

The Mayor paid tribute to former Macclesfield Borough Councillor, Molra Taylor, and former Crewe and Nantwich Borough Councillor, Maureen Campbell, both of whom had died recently.

130 PRAYERS

The Reverend Charles Razzall said prayers, at the request of the Mayor.

131 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Barratt, G Barton, D N Bebbington, S Jones and R Menlove.

132 DECLARATIONS OF INTEREST

The Mayor invited those Members who had any personal or prejudicial interests on general agenda items, to declare them.

Councillor A Moran declared a personal interest in agenda item 8(e) - Crewe Community Governance Review - on the basis that he was a Member of Nantwich Town Council which had been consulted on the proposal. He had spoken and voted in favour of the proposal.

Councillors D J Cannon, D Flude and E Howell each declared a personal interest in agenda item 8(e) on the basis that they were Crewe Charter Trustees.

It was agreed that, for agenda item 8(e), the Borough Solicitor record declarations of personal interest in respect of Councillors who were also members of bodies who had responded to the consultation on the Crewe Community Governance Review, including -

The Worshipful the Mayor, Councillor M J Simon, Councillors B Livesley, G Merry and D Topping by virtue of their membership of Cheshire Fire Authority; and

Councillors W T Beard, R Cartlidge, S Conquest, M A Martin and C G Thorley as Crewe Charter Trustees.

133 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 23rd July 2009 be approved as a correct record.

134 MAYOR'S ANNOUNCEMENTS

The Mayor –

- (1) Announced the recent news from the North-West Employers Organisation, which had confirmed the awarding of the North-West Charter on Elected Member Development, to Cheshire East Council. She commented that this reflected positively on the work of the Member Development Panel, which was chaired by the Leader.

Councillor Fitzgerald responded to the announcement. It was a great honour and he complimented Members for their

conscientiousness; he considered that the shadow year had been an opportunity for dealing with a wide variety of subjects and had enabled Members to learn from that process.

(2) Announced that since the last Council meeting, there had been two notable Civic occasions, namely -

- The Civic Service, held on 20th September, in her Chaplain's Church, which was well-attended by Civic Dignitaries from the neighbouring Councils together with a good many Councillors, and her family and friends; and
- The Mayor's Charity Ball, held on 9th October at Nantwich Civic Hall, which raised much needed funds for her two Mayoral Charities - Hearing Dogs for Deaf People and Action Duchenne, a Charity which lobbied for funding into research into Muscular Dystrophy. Judging by the many kind comments and e-mailed messages received, she said that "we hit the right note by sourcing the food locally, using fantastic local caterers and businesses". Members had also commented that they had enjoyed the entertainment.

These Civic events were not possible without the help and encouragement from the Cheshire East staff who work with the Mayoral Team and she expressed her sincere thanks to all of them.

(3) Announced that take-up of a free swimming programme at Cheshire East's pools was one of the best in the country; Cheshire East was 10th out of 259 participating local authorities across the UK.

The initiative had been set up by the Department of Culture, Media and Sport to encourage people to become more active and enjoy swimming in the run-up to the London 2012 Olympics and Paralympics. It was recognised by London Inspire and supported by Change4Life and was clearly encouraging people to participate in a healthier lifestyle.

The under-16s and over 60s had benefited from this government-led initiative and since its introduction in April 2009, 53,211 free swims had taken place at pools across the borough.

(4) After a stringent assessment by the Institute of Cemeteries and Crematorium Management, the Council's Streetscape and Bereavement Services had achieved first place in the North-West ranking table for organisations providing burial and cremation services. It had also been placed joint second in the National Ranking Table for organisations providing cremation services, from a total of 104 cremation authorities throughout the UK.

New services to ensure the comfort of mourners attending services, such as Braille hymn books, loop systems for the hard-of-hearing and wheelchairs for those who needed them, helped to secure the Council's success, as did the efforts it made to enhance cemetery grounds and attract wildlife, with features such as bat boxes and bird boxes, which could bear a plaque in memory of a loved one.

- (5) Announced that she was pleased to welcome to the meeting, Chris Edwards, the Youth Mayor, who provided Council with an update on his year so far.

He was actively participating in the promotion of young people's activities, becoming involved in youth charities, fund-raising and working closely with the Mayor. Opportunities and achievements so far included collection of the Borough Charter from London, meeting other Mayors across the UK at the Youth Mayors' Conference, and working with Cheshire East Youth Parliament. He had also attended a variety of Cheshire East Council events including the Cheshire Show and Nantwich Show.

In conclusion, he stated that the last few months had provided a great opportunity to become involved with Cheshire East Council which had been worthwhile and interesting.

135 PUBLIC SPEAKING TIME/OPEN SESSION

Hon. Alderman Peter Kent used Public Speaking Time to make a statement in respect of the Crewe Community Governance Review and urged Members to consider a number of issues.

He had attended the Governance and Constitution Committee meeting which had made recommendations to Council, earlier in the day and suggested that the evidence submitted to the Committee indicated that many people had been confused by the proposals and that several speakers at the meeting had accepted that this may have been the case.

He contended that there was sufficient doubt about the validity of the result to justify the Council trying again to establish the views of residents.

His final point was that the Council may not be acting legally under the provisions of the Local Government and Public Involvement in Health Act 2007.

The Mayor thanked Hon. Alderman Kent for his comments and observations.

136 URGENT BUSINESS - COMMUNITY GOVERNANCE REVIEW

Prior to consideration of agenda Item 7 (Notice of Motion), it was proposed that the Order of Business to be dealt with by the meeting of Council be

revised to enable Item 7 to be taken after Item 12 (Urgent Items of Business).

The motion at Item 7 related to the proposed Community Governance Review for the unparished areas of Wilmslow, Handforth and Styal. The Governance and Constitution Committee had met earlier in the day and its recommendations had been circulated to Members in the form of an extract from the minutes of the meeting. The recommendations were relevant to the Notice of Motion at Item 7, and it was, therefore, appropriate to postpone consideration of the Notice of Motion until Council had considered the recommendations of the Committee.

The Mayor agreed that –

(A) In accordance with the provisions of Section 100B(4)(b) of the Local Government Act 1972, in view of :

- the Notice of Motion on the agenda (Item 7),
- the timescale which applied to the conducting of any Community Governance Review which may be required, and
- the fact that the Governance and Constitution Committee had only today made its recommendations to Council

the Community Governance Review (Wilmslow, Handforth and Styal) be considered as an urgent item of business under Item 12 on the agenda; and

(B) The reasons be recorded in the minutes.

RESOLVED

That

Agenda Item 7 (Notice of Motion) be dealt with following agenda item 12 (Urgent Items of Business).

137 **REFERRAL TO THE COUNCIL OF RECOMMENDATIONS FROM GOVERNANCE AND CONSTITUTION COMMITTEE**

Consideration was given to recommendations to Council from the Governance and Constitution Committee in respect of the following matters –

(A) **Delegation of Licensing Functions (Expedited Reviews)**

The Governance and Constitution Committee had considered a report on the delegation of functions in relation to expedited reviews under the Licensing Act 2003 from the full Licensing Committee to the Licensing Sub-Committee. The report submitted sought approval for the resulting changes to the Constitution.

At its meeting held on 22nd May 2009, the Licensing Committee had delegated certain functions in relation to “expedited” review applications (ie applications for the urgent review of a premises licence or club premises certificate) to the Licensing Sub-Committee. Whilst the Licensing Committee had the authority to delegate its functions to a sub-committee, any consequential amendments to the Constitution were required to be approved by Council, on the recommendation of the Governance and Constitution Committee.

RESOLVED

That

Following the delegation of functions in relation to expedited reviews under Sections 53A, 53B and 53C of the Licensing Act 2003, from the full Licensing Committee to the Licensing Sub-Committee, the consequential changes to the Constitution, as set out in Appendix 2 to the report submitted be approved.

(B) **Local Ward Members’ Protocol and the Councillor Call-for-Action Protocol**

The Local Government and Public Involvement in Health Act 2007 had emphasised the importance of the role of Ward Members as community leaders and had advocated their empowerment to deal with local issues. The proposed protocols considered by the Governance and Constitution Committee demonstrated how Members, with Officer support, could achieve this.

RESOLVED

That

The Local Ward Members’ Protocol (Appendix A of the report submitted); and the Councillors’ Call-for-Action Protocol (Appendix B of the report submitted) be adopted for incorporation into the Council’s Constitution.

(C) **Public and Member Questions and Statements at Meetings**

At its meeting held on 16th April 2009, the Governance and Constitution Committee had reviewed the arrangements for public and Member questions and statements at meetings following proposals to disapply those provisions of the Council’s Constitution from the meetings of Planning, Licensing and Scrutiny bodies. The Committee decided to seek the views of both the Corporate Scrutiny Committee and the Cabinet. The matter was subsequently considered by the Corporate Scrutiny Committee on 12th June and the Cabinet on 14th July. Cabinet had endorsed the views of the Scrutiny Committee and the recommendations of both bodies were subsequently considered by the Governance and Constitution Committee which had resolved to make recommendations to Council.

RESOLVED

That

The recommendations of the Corporate Scrutiny Committee and Cabinet in relation to public and Member questions and statements at meetings be approved as follows:

- (a) That the existing Planning and Licensing Protocols which override the Member and public speaking and questioning provisions that apply to other committees, be retained;
- (b) That the facility to allow questions by members of the public at meetings of Overview and Scrutiny Committees be removed, but a period of 15 minutes be provided at the beginning of meetings to allow members of the public to make a statement(s) on any matter that falls within the remit of the relevant committee, subject to individual speakers being restricted to 5 minutes each;
- (c) That whilst acknowledging that Planning and Licensing Committees had separate arrangements in place for public involvement, in all other cases, members of the public should provide 3 clear working days notice, in writing, if they wished to ask a question at any other decision-making meeting, in order for an informed answer to be given, but they should not be required to give notice of intention to make use of public speaking provision (although as a matter of courtesy, a period of 24 hours notice should be encouraged);
- (d) That Members of Council, in accordance with the current rules, be required to provide 3 clear working days notice in writing if they wished to ask a question at full Council meetings or Cabinet in order for an informed answer to be given;
- (e) That the existing provisions of the Council's Constitution relating to the way in which questions may be answered be preserved; and
- (f) That the relevant provisions of the Council's Constitution be amended accordingly.

(D) **Cabinet Decision-Making Arrangements**

The Governance and Constitution Committee had considered a proposed change to the existing Cabinet Decision-Making arrangements. Despite Council having agreed that individual Cabinet Members should have their own decision-making powers, the collective Cabinet was still expected to deal with many decisions which could be dealt with on an individual basis. There was a reluctance on the part of Officers to refer decisions to

individual Portfolio Holders and Cabinet Members themselves were reticent in using their powers.

A further reduction in the volume of Cabinet business could be achieved by removing paragraph (d) of the existing restrictions on individual Cabinet Member decision-making. This related to decisions which “are significant in terms of their effect on communities living or working in an area comprising two or more wards”. Many decisions were “significant in terms of their effect on communities” but could readily be taken by the relevant Portfolio Holder. By removing this provision, Council would bring clarity and certainty to its executive decision-making arrangements. There were no implications for the Council’s call-in provisions which would continue to apply to all executive decisions whether taken collectively or individually.

RESOLVED

That

- (1) An amendment be made to the decision-making powers of individual Cabinet Members by the removal of paragraph (d) from the existing restrictions on individual Cabinet Member decision-making, the revised restrictions being as follows:

“Cabinet Members may make all executive decisions in respect of their portfolio areas except:

- (a) Decisions already taken by Cabinet or an officer acting under delegated powers.
- (b) Decisions involving a departure from the Council’s Budget and Policy Framework or any Cabinet or regulatory committee policy.
- (c) Decisions involving expenditure or savings of £1 million or more.
- (d) Decisions which the Leader wishes to be taken by full Cabinet.

PROVIDED THAT all such decisions shall be taken in public and that regard shall be had to the advice of the Borough Solicitor by the decision-maker in interpreting these provisions.”

- (2) The Constitution be amended accordingly.

(E) **Crewe Community Governance Review**

The Crewe Community Governance Review Sub-Committee had been established by the Committee in May to carry out a community Governance Review in respect of the whole of the electoral wards of

Coppenhall, Delamere, Grosvenor, Maw Green, St John's Valley and Waldron; and those parts of Alexandra, Leighton, St Barnabas and Wistaston Green which did not fall into an existing parish.

Stage 1 of the consultation process had concluded on 30th September 2009 and the results and feedback received from stakeholder organisations had been submitted to the Sub-Committee for consideration at its meeting on 5th October 2009. The Sub-Committee had debated the outcome of the consultation process and remitted the matter to the Governance and Constitution Committee without any recommendation.

At its meeting held on 15th October the Governance and Constitution Committee had taken into account the views of the Sub-Committee and resolved to recommend that the results of the vote of the people of Crewe be accepted and that the notion of a Town Council for Crewe be rejected at this time.

RESOLVED

That

The recommendation of the Governance and Constitution Committee be accepted, namely –

“to accept the vote from the people of Crewe and to reject the notion of a Town Council for Crewe at this time.”

138 MEMBERSHIP OF COMMITTEES AND ELECTION OF CHAIRMEN

Council was invited to note changes in membership of Committees and to elect chairmen and Vice-Chairmen of Committees.

RESOLVED

That

(a) The following changes in Committee membership be **noted** -

Councillor Rachel Bailey	Corporate Scrutiny Committee	Added to fill vacancy
Councillor Rachel Bailey	Cheshire East/Cheshire West & Chester/Wirral Joint Scrutiny Committee	Added to fill vacancy
Councillor Rachel Bailey	Health and Adult Social Care Scrutiny Committee	Added to fill vacancy

Councillor R W Parker	Southern Planning Committee	Added to fill vacancy
Councillor O Hunter	Northern Planning Committee	To replace Councillor H Davenport
Councillor H Davenport	Governance and Constitution Committee	To replace Councillor A Ranfield

(b) The following changes in Chairmanship and Vice-Chairmanship be **approved** with immediate effect –

Councillor Rachel Bailey	Chairman	Health and Adult Social Care Scrutiny Committee
Councillor J Hammond	Vice-Chairman	Strategic Planning Board (to replace Councillor Rachel Bailey)
Councillor S Wilkinson	Vice-Chairman	Sustainable Communities Scrutiny Committee (to replace Councillor J Hammond)
Councillor H Davenport	Chairman	Governance and Constitution Committee (to replace Councillor A Ranfield)

139 SUPPLEMENTARY ESTIMATE APPROVALS

Consideration was given to a report which requested formal approval to Supplementary Estimates which had been contained in reports submitted to Cabinet during the course of the year. These items, which had been approved by Cabinet required the approval of full Council in accordance the Finance and Contract Procedure Rules.

RESOLVED

That

- (a) Approval be granted to the following items contained within the Quarter 1 Financial Update report –
 - (i) a Supplementary Capital Estimate of £1,150,000 for the Modernisation Grant 09/10 (para.11.1.1);
 - (ii) Supplementary Capital Estimate of £2,227,195 for the Devolved Formula Capital Grant in Advance (para.11.1.2); and

- (iii) that Cheshire East Borough Council enters into a partnership with Cheshire West & Chester Borough Council and Warrington Council to deliver a sub regional Future Jobs fund programme and a Supplementary Revenue Estimate of £1.440m be approved. (para.11.1.3 – 11.1.5)
- (b) The following Supplementary Revenue Estimates be approved to be funded by calls on general reserves as approved by the Cabinet:-
 - (i) £137,966 for match funding from April 2009 – December 2010 in support of the People into Jobs bid, together with contributions from other partners, equal to the amount from the European Regional Development Fund, as approved by Cabinet on 3 February 2009. (para 11.2.1 – 11.2.4);
 - (ii) £331,000 for additional investment linked to the proposals outlined in the Recession Mitigation Action Plan, as approved by Cabinet on 19 May 2009. (para 11.2.5 – 11.2.9);
 - (iii) up to £3.8m (originating from unspent Social Care specific grants) as part of the funding package to deliver Adult Social Care redesign implementation, insofar as these costs cannot be contained within the outturn position of the People Directorate. (para 11.2.10 – 11.2.12); and
 - (iv) up to £125,000, if required, to support the Crewe Masterplanning project, as approved by Cabinet on 14 July 2009. (para 11.2.13 – 11.2.14)
- (c) The following Supplementary Capital Estimates be approved -
 - (i) a Supplementary Capital Estimate of £1m for the development of Lincoln House in 2009/10, funded from prudential borrowing charged direct to the revenue budget of the Adults service, as approved by Cabinet on 16 June 2009. (para 11.3.1 – 11.3.3); and
 - (ii) a Supplementary Capital Estimate of £2.2m to acquire land, build and establish a suitable football facility in Sandbach fully funded via a variety of sources, including a grant from the Football Foundation, a contribution from the external football Club and either capital receipt on the sale of existing land owned or internal transfer of existing capital funds from Adults service within Cheshire East, as approved by Cabinet on 11 August 2009. (para 11.3.4 – 11.3.8).

140 PUBLIC SPEAKING AND QUESTIONS AT COUNCIL MEETINGS

The Mayor reported that Councillor Shirley Jones had submitted a question under Procedure Rule No. 11 (Public Speaking and Questions at Council Meetings) but this had been omitted in error. The question, together with the response, would be issued by e-mail to all Councillors.

Questions and responses were as follows:

Question 1

Councillor M Parsons: regarding the account taken by Cabinet of the results of call-in and public objections to its decision on car parking charges.

The **Cabinet Member for Environmental Services** responded to the effect that there had been a consultation period of five weeks and five public meetings had been held in addition to the discussions at Cabinet and Scrutiny Committee. The views of the public had been taken into account by Cabinet which had amended its decision for two of the five towns (Alsager and Holmes Chapel). The revised decision had been issued for further consultation and Cabinet would be holding a special meeting on 10th November 2009 to review the matter.

Question 2

Councillor C G Thorley: regarding the time taken to pay invoices and grants.

The **Cabinet Member for Resources** responded. Procedures for payment of invoices and grants had been established and these were monitored to ensure that standards were being met. Processing times for payment was averaging eight days which exceeded the service delivery standard. There were no certified invoices awaiting payment.

Councillor Thorley asked a supplementary question in respect of a grant to "Dial-a-Ride" and this was answered by the Cabinet Member.

Question 3

Councillor C G Thorley: regarding the procedure to deal with neglected derelict houses.

The **Cabinet Member for Prosperity** responded by outlining the process of dealing with all matters of enforcement, which was to carry out a risk assessment and determine the most appropriate course of action. The approach to enforcement was to build a working relationship with the property owner(s) and, in cases where an informal approach was ineffective, the Council had powers to act under the Housing Act 2004.

Councillor Thorley asked a supplementary question in respect of a property within his ward and the Cabinet Member responded.

Question 4

Councillor D Flude: regarding a petition from the Safer Pavements Action Team Crewe, calling for pavement repairs in Crewe.

The **Cabinet Member for Environmental Services** informed Council that the petition had been received and considered. However, it would not take precedence over the professional assessment of highways and the Council would continue to apply a consistent and fair policy across the whole of the borough, making repairs based on need and priority.

Members were informed of overall budget details and levels of investment in various aspects of highway maintenance.

Question 5

Councillor D Flude: regarding Sunday parking charges and its effect on shop-keepers in Crewe.

The **Cabinet Member for Environmental Services** responded. The Sunday parking charge (introduced by the former Crewe and Nantwich Borough Council) had contributed approximately £50,000 to the budget for the current financial year.

The Chairman of the Environment and Prosperity Scrutiny Committee had agreed that he would request a Task Group to consider the issue of car parking charges across the borough. Its findings would be reported to the Committee, which, in turn, would make recommendations to inform the budget-setting process for 2010-2011.

Question 6

Councillor Flude: regarding the Council's intentions towards recording and filming its proceedings.

The **Leader of the Council** responded that as this was Local Democracy Week, it had brought to the fore the need to identify more creative ways of opening up meetings for residents.

Some of the former authorities in Cheshire had webcast its meetings, but it was understood that there had been limited public interest in viewing them. The cost of the technology was expensive and Officers had been asked to consider the potential costs and benefits of introducing such a system. A report would be submitted to the Corporate Scrutiny Committee in due course.

141 URGENT ITEM OF BUSINESS (COMMUNITY GOVERNANCE REVIEW)

The Mayor, having agreed to take this item as urgent business, invited Councillor Kolker, who had chaired the Governance and Constitution Committee meeting earlier in the day, to speak to the item.

The Committee had considered the receipt of a petition calling for a Community Governance Review in respect of the unparished area of Handforth.

The petition, received on 21st September 2009, had been signed by at least 10% of local government electors for the area and was, therefore, judged to be valid. The petition had identified recommendations arising from a review.

The Committee considered that as the area of Handforth formed part of the wider unparished area of Wilmslow (comprising the former electoral wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley and Styal), it would be expedient to extend the remit of the Community Governance Review to encompass the whole of the unparished area as specified and agreed to recommend this to Council.

The Committee had RESOLVED –

- (a) *That for the purposes of Section 80 of the Local Government and Public Involvement in Health Act 2007, the petition from residents of Handforth be confirmed as valid and this be confirmed to the petition organisers;*
- (b) *A Community Governance Review be carried out in respect of the whole of the electoral Ward of Handforth, as known in 2007, to be completed by 20th September 2010;*
- (c) *The receipt of a petition from residents of Wilmslow be noted and Council be recommended to resolve that the Community Governance Review be extended to cover the whole of the unparished area of Wilmslow (ie the former electoral Wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley and Styal); and*
- (d) *A Sub-Committee of six Members be established (4 Conservative: 1 Lib-Dem: 1 Labour) to oversee the Review and to make appropriate recommendations to the Governance and Constitution Committee.*

The only issue before Council was Item (c) of the resolution.

RESOLVED

That the Community Governance Review be extended to cover the whole of the unparished area of Wilmslow (ie the former electoral wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley and Styal).

142 NOTICE OF MOTION

A Notice of Motion, submitted by Councillor R Menlove and seconded by Councillor P Whiteley had been submitted, as detailed below.

"I hereby move that the Council instigates a Community Governance Review for the unparished areas of Wilmslow, Handforth and Styal in total, to meet the emerging operating requirements of Cheshire East Council for the provision of locally-managed services; the Review to consider the recommendations that –

- *a new parish be constituted under Section 87 of the Local Government and Public Involvement in Health Act 2007*
- *the new parish should have a parish council to be known as "Wilmslow and Handforth Town Council"*
- *the area to which the review is to relate, be defined as shown on the map (attached to the Notice of Motion) being the Electoral Wards of Dean Row, Fulshaw, Handforth, Hough, Lacey Green and Morley and Styal."*

It was reported that although Councillor Menlove was not at the meeting, he had written indicating his willingness to withdraw the Notice of Motion, dependent on the outcome of the above item (Community Governance Review – Wilmslow, Handforth and Styal). Councillor P Whiteley, the second signatory to the Motion consented to the Notice of Motion being withdrawn in the light of the decision made at Minute No. 141 above.

The Mayor, therefore, agreed that the Notice of Motion be withdrawn and provided her written conformation to that effect.

143 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of the following item, pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing the information.

144 FOOTBALL FACILITIES AND EXTRA CARE HOUSING PROVISION IN SANDBACH

At its meeting held on 11th August 2009, Cabinet had given consideration to a report on partnership working which had been undertaken to secure

leisure provision and extra-care housing for older people, on land in Sandbach. At its meeting held on 11th August 2009, Cabinet had resolved to recommend approval of the proposals to Council.

RESOLVED:

That

- (a) A Supplementary Capital Estimate of £2.2m be approved to acquire land, build and establish a suitable football facility in Sandbach fully-funded via a variety of sources, including a grant from the Football Foundation, a contribution from the external football Club and either capital receipt on the sale of existing land owned or internal transfer of funds from Adults service within Cheshire East;
- (b) In principle, and subject to the relevant planning consents being obtained, the submission of the land at Newhall Avenue, Sandbach described in Paragraph 12.1 of the report submitted, be allocated as one of the sites offered by Cheshire East for inclusion in the Round 5 Extra Care Housing Programme;
- (c) If the site was not able to be included in the Round 5 Extra Care Housing Programme as anticipated in (b) above, the sale of the land at Newall Avenue, Sandbach described in Paragraph 12.1 of the report be authorised;
- (d) Authorisation be given to purchase a site at Hind Heath Road, Sandbach for the provision of football facilities; and
- (e) As far as may be necessary, authorisation be given for the internal transfer of the Newall Avenue site from The Health & Well-being Service to the Adult Service, within Cheshire East Council, accompanied by the appropriate transfer of capital funds from the Adult Service to the Health and Wellbeing Service.

145 URGENT ITEMS OF BUSINESS

There were no items of urgent business to be considered under this item.

The meeting commenced at 6.00 pm and concluded at 8.37 pm

Councillor M Simon (Chairman)