

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 19th January, 2010 in The Capesthorne Room - Town Hall,
Macclesfield SK10 1DX

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor B Silvester (Vice-Chairman)

Councillors R Domleo, D Brown, P Findlow, F Keegan, A Knowles, J Macrae
and P Mason.

Councillors in attendance:

Councillors A Arnold, Rhoda Bailey, R Fletcher, D Flude, D Hough, O Hunter,
S Jones, D Neilson, L Smetham and A Thwaite.

Officers in attendance:

Chief Executive

Borough Solicitor

Borough Treasurer and Head of Assets

Head of Property Services

Head of Human Resources and Organisational Development

Strategic Director People

Strategic Director Places

166 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Rod Menlove.

167 **DECLARATIONS OF INTEREST**

Councillor D Flude declared a personal interest in agenda item 5 (Free Early Years Childcare for 3 – 4 Year Olds - Funding Formula) by virtue of being a Director of EIPC Ltd, and of Westminster Nursery Crewe.

Councillor S Jones declared a personal interest in agenda item 8 (Land Adjacent to Fairview Public Car Park, Alsager) by virtue of being a member of the Co-operative Society.

168 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from members of the public.

169 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 22 December 2009 be approved as a correct record.

170 **KEY DECISION CE09/10-07 FREE EARLY YEARS CHILDCARE FOR 3-4 YEAR OLDS, FUNDING FORMULA**

Councillor D Flude had declared a personal interest in this item.

Consideration was given to responses to the consultation on the proposed early years single funding formula. One of the aims of the single funding formula was to create greater parity between maintained and private, voluntary and independent sectors in the payments system. The report sought approval to the revised formula for implementation as a pathfinder in Cheshire East with effect from 1 April 2010.

RESOLVED

For the reasons set out in the report: -

1. That the response to the consultation on the early years single funding formula, set out in Appendix 2 of the report, be noted.
2. That approval be given to the early years single funding formula, set out in Appendix 3 of the report, for implementation in Cheshire East as a pathfinder from 1 April 2010.

171 **KEY DECISION CE09/10-31 NEW PROVISION FOR ADULTS WITH LEARNING DIFFICULTIES**

Consideration was given to the development of a new provision for adults with learning disabilities and associated complex conditions. This would provide purpose built accommodation to support individual adults with a learning disability, to maximise their potential and independence, at a location that would be nearer their families and access to local health services

RESOLVED

For the reasons set out in the report: -

1. That approval be given to the transfer of the site from the Children's Services to Adult Services at the valuation of £155,250.
2. That approval be given to procure a development partner for the Redsands site to provide supported living facilities for adults with a learning disability.
3. That Counsels opinion be sought to ensure that the disposal of land to the chosen Registered Social Care Landlord does not fall within the definition of a Public Works Contract and so be caught by Public Contracts Regulations 2006 as referred to in paragraph 9.2 of the report.

4. That approval be given to go out to consultation to look at future need for respite for people with very complex conditions, in line with personal budgets and use of alternative provision.

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FINANCIAL UPDATE THREE QUARTER YEAR REVIEW

Consideration was given to the Council's financial position at the end of the third quarter of 2009/10. The report focussed on areas of high financial risk to the Council and included updates on Treasury Management, the Capital Programme and in-year collection rates for Council Tax and Business Rates.

RESOLVED

For the reasons set out in the report: -

1. That the pressures on the Council's revenue budget in the third quarter of 2009/10, detailed in Section 11 and Appendix 1 of the report, and the proposed remedial actions, shown in Appendices A to C of the report, be noted.
2. That the Treasury Management update detailed in Section 12 of the report be noted.
3. That the Council's in-year collection rates for Council Tax and Business Rates, detailed in Section 13 of the report, be noted.
4. That progress to date on delivering the 2009-10 capital programme, detailed in Section 14 and Appendix 3 of the report, be noted.
5. That the Delegated Decisions approved by Directors, shown in Appendix 2b of the report, be noted.
6. That the Delegated Decisions approved by Directors in consultation with the relevant Portfolio Holder and the Portfolio Holder for Resources for Supplementary Capital Estimates and virement requests over £100,000 and up to and including £500,000, shown in Appendix 2a of the report, be noted.
7. That approval be given to the revised in-year capital budget for 2009-10 as set out in Section 14 of the report, including
 - Supplementary Capital Estimates/Virements over £500,000 and up to and including £1.0m, shown in Appendix 2a of the report
 - Reductions in approved budgets, shown in Appendix 2c of the report
8. That Council be requested to approve the following Supplementary Capital Estimates and Virement requests over £1.0m, those which

require funding from later years and those funded from reserves, detailed in Appendix 2a of the report

- Housing Grants (ex Macclesfield BC) £1,044,904

173 ITEM OF URGENT BUSINESS - LAND ADJACENT TO FAIRVIEW PUBLIC CAR PARK, ALSAGER

Councillor S Jones had declared a personal interest in this item. During its discussion Councillors D Hough and S Jones each declared a personal interest by virtue of being Members of Alsager Town Council.

In accordance with Section 100B(4)(b) of the Local Government Act 1972 the Chairman had agreed that by reason of special circumstances this report should be considered as a matter of urgent business on the grounds that an early decision was required to facilitate the transaction and the unusual adverse weather conditions meant that it had not been possible to complete the report within the normal timescales.

Members passed the resolution at minute 174, noted the matter as minuted in 175, and then by passing a resolution reconvened in part 1.

Consideration was given to the sale and acquisition of land adjacent to Fairview public car park to enable the redevelopment of the existing Co-operative Retail Store located on Lawton Road, Alsager.

Members were informed that in the light of work which was progressing in relation to an Off Street Parking Places Order for various car parks in the former Borough of Congleton, including this car park, recommendations (d) and (e) of the report had been rendered unnecessary at this stage. It was, therefore, now recommended that (d) and (e) be removed and replaced instead with a recommendation as follows: -

To confirm that officers will provide a further report, following implementation of the scheme, in relation to any necessary appropriation of land for open space or car parking purposes.

RESOLVED

Following separate consideration of the part 2 item at minute 175, for the reasons set out in the report and as detailed above: -

1. That authorisation be given to the advertisement of the Councils intention to dispose of the open space shown hatched black on Plan Appendix B of the report.
2. That, subject to no objection being received at (1) approval be given to the sale of land shown hatched black on Plan Appendix B of the report.

3. That approval in principle be given to the acquisition of land located adjacent to Fairview public car park, Alsager, shown cross hatched black on Plan Appendix B of the report, from the Co-operative Society and Kimberley Developments for use as a public car park.
4. That it be confirmed that officers will provide a further report, following implementation of the scheme, in relation to any necessary appropriation of land for open space or car parking purposes.
5. That the principle of sale and acquisition detailed in (1) and (2) above be conditional on the Co-operative Society gaining a planning permission for the redevelopment of the existing Co-operative retail store located on Lawton Road, Alsager.
6. That the terms and conditions of sale be determined by the Borough Treasurer and Head of Assets and the Borough Solicitor paying particular attention to the obligation under Section 123 of the Local Government Act 1972.

174 **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 involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

175 **ITEM OF URGENT BUSINESS - LAND ADJACENT TO FAIRVIEW PUBLIC CAR PARK, ALSAGER**

Councillor S Jones had declared a personal interest in this item.

Consideration was given to the report of the Borough Treasurer and Head of Assets.

RESOLVED

For the reasons set out in the report: -

That the report be noted.

The meeting commenced at 2.00 pm and concluded at 3.10 pm

W Fitzgerald (Chairman)