

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 8th May, 2018 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor Rachel Bailey (Chairman)
Councillor L Wardlaw (Vice-Chairman)

Councillors A Arnold, P Bates, J Clowes, J P Findlow, J Saunders and
D Stockton

Members in Attendance

Councillors C Andrew, Rhoda Bailey, G Baxendale, S Corcoran, L Durham,
S Edgar, R Fletcher, S Gardiner, S Hogben, B Moran and G Williams

Officers in Attendance

Kath O'Dwyer, Frank Jordan, Mark Palethorpe, Jan Willis, Dan Dickinson,
Sara Barker and Paul Mountford

145 **DECLARATIONS OF INTEREST**

Councillor P Bates declared a non-pecuniary interest in Item 9 (South Macclesfield Development Area) as he had business dealings with one of the landowners on the site in question.

146 **PUBLIC SPEAKING TIME/OPEN SESSION**

Dr Gill Appleton of Churches Together in Nantwich spoke in support of the proposal by volunteers in Nantwich to offer a home to a refugee family through the Home Office Community Support Scheme. Dr Appleton outlined the work that had been done to date in securing a suitable property in Nantwich and the necessary support services within the local community.

Revd Helen Byrne of Refugees Welcome supported the initiative by Churches Together in Nantwich and would work closely with them, bringing them under the wing of Refugees Welcome to provide consistency of approach across the Borough. She hoped that the Council would support the application by Churches Together to the Home Office to become a Community Sponsor which was to be considered later in the meeting.

The Leader thanked both speakers for the comprehensive and detailed summary of the work undertaken to date.

Rob Vernon referred to an incident in the Upton Priory Estate, Macclesfield, on Sunday evening in which a man had been fatally stabbed. He asked what support the Council would give to the Police and to the local community. The Leader responded that the Council had been informed about the incident by the Police. Whilst incidents of this kind were thankfully rare in Cheshire East, her thoughts went out to those affected by the tragic incident. The Council would offer support where it was able to do so.

147 **QUESTIONS TO CABINET MEMBERS**

Councillor Rhoda Bailey asked how the extra funding the Council had received for road repairs would be spent and whether a programme of the roads to be repaired would be made available. The Portfolio Holder for Environment responded that the Council was prioritising repairs on the basis of an evidence-led asset management approach and that individual roads would be prioritised accordingly, taking into account the extra funding available.

Councillor Bailey also asked if the Council would be making a bid for part of the £6M funding available to provide support for the children of alcoholics. The Portfolio Holder for Health responded that the Cabinet was aware of the funding and was awaiting further clarification of the bidding criteria with a view to making a bid.

Councillor S Corcoran asked by what amount developer contributions for planning applications that had already been granted could be reduced when the Community Infrastructure Levy was introduced in Cheshire East, and what the Council was doing to mitigate this risk. The Portfolio Holder for Housing, Planning and Regeneration undertook to give a written reply.

Councillor Corcoran also asked why a £45,000 payment had been made in 2013 to an officer who had been recommended for dismissal. At the invitation of the Leader, the Acting Director of Legal Services advised that the matter touched upon confidential staffing matters and there would be a limit to what information could be provided. He undertook to consider the matter further, with the relevant Cabinet members, and to respond accordingly.

Councillor S Hogben referred to a survey that had been sent to all local authority building control teams last November in connection with the Hackitt Review of building regulations and fire safety. He asked if the Council had responded to the survey and if so what answers had been given. He undertook to provide the questions in writing if necessary. The Portfolio Holder for Housing, Planning and Regeneration asked Councillor Hogben to provide the questions in writing so that a written response could be given.

Councillor S Gardiner, in light of Councillor Hogben's question, made a declaration that he was a Director of Civicance, the arms-length company with responsibility for the Council's building control service.

Councillor R Fletcher referred to a developer contribution of £50,000 from the Coppice development in Alsager to provide a pedestrian crossing on the main road in the vicinity of Cranberry Lane. He had been informed by an officer that this amount may no longer be sufficient to fund the provision of the crossing because of increased costs. He therefore asked if additional funding could be made available. The Portfolio Holder for Housing, Planning and Regeneration undertook to look into the matter and provide a written reply.

148 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 10th April 2018 be approved as a correct record

149 **NOTICE OF MOTION - HIGHWAY FUNDING**

Cabinet considered the following motion which had been moved by Councillor I Faseyi and seconded by Councillor N Mannion at the Council meeting on 22nd February 2018 and referred to Cabinet for consideration:

"This Council notes concerns in respect of a managed decline of our road network and supports the LGA's call for the government to deal with the disparity in funding between national roads (Motorways & Major trunk Roads) and local roads.

Whilst the building of new roads and by-passes funded via Central government capital grants is welcome, it merely highlights the increasingly dilapidated state of a large proportion of the rest of the Cheshire East's road and footpath network.

The hard winter, combined with a lack of any meaningful programme of preventative road maintenance on all but the main trunk roads in Cheshire East in recent years, has resulted in many local & estate roads now rapidly deteriorating to the verge of becoming a danger to road users and pedestrians in places.

*The ongoing reliance on merely filling potholes with "blobs" of tarmac rather than a programme of proper structural repairs is both only a temporary, and also an inefficient use of the shrinking available resources-a case of "penny wise, pound foolish"?
Reference: See page 4 of FIRST Magazine, February."*

Councillors Faseyi and Mannion had been unable to attend the meeting. Councillor S Corcoran spoke on the motion in their absence.

The report before Cabinet addressed the issues raised in the motion.

RESOLVED

That Cabinet

1. continues to endorse the evidence-led asset management principles utilising more preventative methods of works for the management and maintenance of the Borough's highway network;
2. endorses the proposals to undertake an extensive patching programme of structural maintenance across the Council's local highway network this financial year to reduce reactive pothole repairs; and
3. will continue to review annually the funding allocations required to maintain the Council's local highway network.

150 **VULNERABLE PERSONS RESETTLEMENT SCHEME AND COMMUNITY SPONSORSHIP**

Cabinet considered an update on the current position with the Government's Vulnerable Persons Resettlement Scheme and also considered the support of Community Sponsorship within Cheshire East following an approach by Churches Together in Nantwich and a group in Sandbach.

Before presenting the report, the Portfolio Holder for Health took the opportunity to thank Dr Appleton and Revd Byrne for attending the Cabinet meeting and for the detailed preparation they had undertaken in support of their application for community sponsorship.

RESOLVED

That Cabinet

1. following consideration of the report, agrees to accept further refugee families, in addition to those under the Council's original pledge of 5 families, this to be in compliance with the Vulnerable People's Resettlement Scheme and the Cabinet decision on 10th October 2017 (Support for Syrian Refugees and Asylum Seekers);
2. agrees to operate under the Community Sponsorship Programme within the Cheshire East area;
3. agrees in principle to support the application by Refugees Welcome in Nantwich to the Home Office to become a Community Sponsor and apply for a refugee family to be housed in the south of the Borough and delegates authority to the Executive Director of People to provide

written consent on behalf of the Council upon being satisfied that Refugees Welcome in Nantwich meet the requirements; and

4. delegates authority to the Executive Director of People to make decisions about supporting any future requests to become a community sponsor and (if so determined) to provide consent from the local authority for any such future community sponsorship requests.

151 **POST 16 TRAVEL POLICY STATEMENT FOR 2018/19**

Cabinet considered a report on the outcome of consultation on the Post 16 Travel Policy Statement for 2018/19, together with the Council's response to the issues raised and proposals for policy variations as a result of the feedback.

RESOLVED

That Cabinet

1. notes the outcomes of the consultation in respect of the updated Post 16 travel policy statement for 2018/19;
2. agrees that the revised travel policy statement be published by 31st May 2018; and
3. agrees that the revised travel policy statement be implemented with effect from 1st September 2018.

152 **SOUTH MACCLESFIELD DEVELOPMENT AREA**

Cabinet considered a report seeking approval to expedite the development scheme at South Macclesfield Development Area, which aimed to deliver 1,000 new homes, employment land, a new link road connecting Congleton Road to London Road, and open space.

Councillor S Corcoran reported the comments of Councillor L Jeuda, a local ward member, who had been unable to attend the meeting.

RESOLVED

That Cabinet

1. delegates authority to the Executive Director of Place to agree the terms and conditions of a new Funding Agreement between Cheshire East Council and the other principal landowner TG Ltd, in consultation with the S151 Officer and the Director of Legal Services, and authorises the Executive Director of Place to take all appropriate action to enter into said Funding Agreement; and subject to this:

2. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Housing, Planning and Regeneration and the Director of Legal Services, to take all necessary actions to secure the acquisition of land and/or new rights to enable the construction of the Link Road and the delivery of all other planning objectives sought from the development of the SMDA site including, where required, by use of a Compulsory Purchase Order (CPO);
3. delegates authority to the Executive Director of Place to agree the Terms and Conditions of the Grant offer from Homes England, in consultation with the S151 Officer and the Director of Legal Services, and authorises the Executive Director of Place to take all necessary actions to enter into an appropriate agreement;
4. delegates authority to the Executive Director of Place to take all actions necessary to procure the required highways infrastructure, utilities and ground stabilisation works as set out in the Grant offer from Homes England and summarised in the report;
5. authorises the Executive Director of Place, in consultation with the S151 Officer and Director of Legal Services, to enter into a contract with the winning tenderer for the construction of the Link Road at the appropriate time and within the approved budget;
6. delegates authority to the Executive Director of Place to take all actions necessary to dispose of Council-owned land in order to bring forward a first phase of housing-led development; and
7. delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Housing, Regeneration and Planning and the S151 Officer, to take action to increase the quantum of affordable housing across the site back towards the planning policy requirement of 30%, if commercially viable in line with the Funding Agreement/contract with TG Ltd.

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ALLIANCE ENVIRONMENTAL SERVICES LTD - PHASE 2

Cabinet considered a report seeking approval to implement the second phase of the joint venture, whereby Ansa, via Alliance Environmental Services Ltd, would deliver waste collection and associated waste fleet management for Staffordshire Moorlands District Council, with a planned commencement date of 1st July 2018.

RESOLVED

That subject to the consideration of the Appendices to the report in Part 2 of the agenda, Cabinet

1. notes the findings of the due diligence work undertaken by Retearn and Cheshire East Council legal services on the detailed business plan for implementing Phase 2;
2. approves the expansion of Alliance Environmental Services to include the delivery of waste collection and fleet management services on behalf of Staffordshire Moorlands District Council; and
3. authorises the Executive Director, Place in consultation with the Portfolio Holder for the Environment to finalise the financial, legal and technical details of Phase 2.

154 **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 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

155 **ALLIANCE ENVIRONMENTAL SERVICES LTD - PHASE 2**

Cabinet considered the confidential Appendices to the report in Part 1 of the agenda.

RESOLVED

That having considered the Appendices to the report, Cabinet reaffirms its decision on this matter.

The meeting commenced at 2.00 pm and concluded at 3.24 pm

Councillor Rachel Bailey (Chairman)