

Council

Supplementary Agenda

Date: Wednesday 15th May 2013

Time: 11.00 am

Venue: Tatton Park - Knutsford

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

11. Minutes of the Meeting Held on 7 May 2013 (Pages 1 - 4)

To approve the minutes as a correct record.

14. Political Representation on the Council's Committees (Pages 5 - 8)

To determine the political group representation on the Council's Committees.

15. Appointment of Members to Committees (Pages 9 - 14)

To receive the political groups' nominations of Members to the Council's Committees, in accordance with item 14 above.

16. Appointments to Policy Development Groups (Pages 15 - 16)

To receive the political groups' nominations of Members to the Policy Development Groups.

21. Recommendation from Cabinet - Development Company (Pages 17 - 18)

To consider the recommendations of the Cabinet.

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CHESHIRE EAST COUNCIL

Minutes of an extraordinary meeting of the **Council**
held on Tuesday, 7th May, 2013 in the Grand Hall, Congleton Town Hall, High
Street, Congleton CW12 1BN

PRESENT

Councillor G M Walton (Chairman)
Councillor D Flude (Vice-Chairman)

Councillors C Andrew, Rachel Bailey, Rhoda Bailey, A Barratt, G Barton, G Baxendale, D Brickhill, D Brown, L Brown, B Burkhill, P Butterill, Carter, R Cartlidge, J Clowes, S Corcoran, H Davenport, R Domleo, D Druce, P Edwards, I Faseyi, J P Findlow, W Fitzgerald, R Fletcher, H Gaddum, L Gilbert, M Grant, P Groves, J Hammond, M Hardy, P Hayes, S Hogben, D Hough, P Hoyland, O Hunter, J Jackson, L Jeuda, M Jones, S Jones, F Keegan, W Livesley, J Macrae, D Mahon, D Marren, A Martin, M A Martin, P Mason, S McGrory, R Menlove, G Merry, A Moran, B Murphy, H Murray, D Neilson, D Newton, P Nurse, P Raynes, B Silvester, M J Simon, L Smetham, D Stockton, C G Thorley, A Thwaite, D Topping, M J Weatherill, R West, S Wilkinson and J Wray

Apologies

Councillors D Bebbington, W S Davies, K Edwards, A Harewood, A Kolker, M Parsons, L Roberts, J Saunders, M Sherratt and G Wait

98 PRAYERS

The Mayor's Chaplain said prayers, at the request of the Mayor.

99 MINUTES OF THE MEETING HELD ON 28 FEBRUARY 2013

That, subject to the correction of minute 91 by the removal of the reference to Councillor D Topping and the insertion of the name of Councillor R Domleo as Chairman of the Staffing Committee, the minutes of the meeting held on 28 February 2013 be approved as a correct record

100 DECLARATIONS OF INTEREST

Rachel Musson, Interim Chief Operating Officer, declared an interest in respect of item 7 – Designation of Section 151 Officer and left the meeting during consideration of this matter.

Councillors Dorothy Flude and Wesley Fitzgerald each declared a non pecuniary interest in respect of item 8 – Election of Mayor and Appointment of Deputy Mayor for the 2013/14 Civic year and left the meeting during consideration of this matter.

101 MAYOR'S ANNOUNCEMENTS

The Mayor announced that:

1. Councillor Michelle Sherratt had given birth to a baby boy on 23rd April; the baby had been named Quinn Lyrid Sherratt Hale. On behalf of the Council he expressed his good wishes to Michelle.
2. That Councillor Steve Carter had been elected to represent the Macclesfield Hurdsfield Ward at a By-Election held on Thursday 25th April. Councillor Carter was formally welcomed to the Council meeting.
3. That since the last meeting, he had represented the Council at four funerals. He reminded Members that Council had paid its respects to Honorary Freeman Margaret Duddy MBE at its last meeting. He had attended her funeral on 8th March at Disley Parish Church.
4. The following week he had attended the funeral, at Chester Cathedral, of John Platt OBE, Mr Platt had been the longstanding president and chairman of the world famous Cheshire Show and was for many years the Chairman of Governors at Reaseheath College.
5. On 23rd April, he had represented the Council at the funeral of Michael Livesley. Michael was a former Leader of Macclesfield Borough Council and the father of Councillor Bill Livesley.
6. On 24th April he had represented the Council at the military funeral, in Handforth, of Lance Corporal Jamie Webb of the Mercian Regiment. Lance Corporal Webb died from wounds he received in Afghanistan.
7. He had also been notified of the recent death of a former Macclesfield Borough Council Member, Harry Mottershead. Mr Mottershead represented Poynton on the Borough Council in the 1970s.

Members stood in silent tribute, as a mark of respect.

102 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present who wished to speak.

103 APPOINTMENT OF CHIEF EXECUTIVE AND DESIGNATION OF SECTION 151 OFFICER

(Rachel Musson, having declared an interest, left the meeting during consideration of this matter).

Consideration was given to a report of the Chief Executive containing a recommendation from the Staffing Committee in respect of the appointment of a Chief Executive, including salary to be paid. The report also contained a recommendation on the designation of the Council's Head of Paid Service, the Electoral Registration Officer and Returning Officer, and separately a recommendation to seek approval that the Interim Chief Operating Officer be formally designated as the Council's statutory section 151 Officer.

RESOLVED: That

- (a) Mr Mike Suarez be appointed as Cheshire East Council's Chief Executive and Head of Paid Service, with effect from the earliest possible date to be arranged;
- (b) the salary of the Chief Executive be confirmed as £150,000 a year, with a performance related payment of up to £10,000 in addition;
- (c) Mr Suarez be appointed as Electoral Registration Officer pursuant to Section 8 of the Representation of the People Act and Returning Officer, pursuant to Section 35 of that Act, and in respect of referenda and all other electoral matters referred to in the report: and
- (d) Ms Rachel Musson, (Interim Chief Operating Officer), be designated formally as Cheshire East Council's statutory Section 151 Officer.

104 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE 2013/14 CIVIC YEAR

(Councillors Dorothy Flude and Wesley Fitzgerald, having each declared a non pecuniary interest, left the meeting during consideration of this matter).

Consideration was given to the nominations for the office of Mayor and Deputy Mayor for 2013/14.

It was moved and seconded that Councillor Dorothy Flude be designated as the Mayor elect and that Councillor Wesley Fitzgerald be designated as Deputy Mayor elect, with a view to their formal election as Mayor and appointment as Deputy Mayor respectively, for the Borough of Cheshire East for the 2013-14 civic year at the Mayor making ceremony on 15 May 2013.

The Mayor reminded Council that Group Leaders had met together and had agreed that voting on the whole of this item of business should not be

dealt with by the secret ballot procedure. It was then moved and seconded that the voting on the whole of this item of business should be by show of hands and that Standing Orders should be waived in order for this to happen. The motion was declared carried.

RESOLVED

That Councillor Dorothy Flude be designated as Mayor Elect and that Councillor Wesley Fitzgerald be designated as Deputy Mayor Elect, with a view to their formal election as Mayor and appointment as Deputy Mayor for Cheshire East for 2013-2014 civic year, at the Mayor Making ceremony to be held on 15 May 2013.

105 **VOTE OF THANKS**

RESOLVED

That the Council's thanks be extended to his Worship the Mayor Councillor George Walton for the efficient and courteous manner in which he had conducted Council meetings during his term of office.

The meeting commenced at 6.00 pm and concluded at 7.38 pm
Councillor G M Walton (Chairman)

APPENDIX ONE – May 2013

CHESHIRE EAST COUNCIL - POLITICAL PROPORTIONALITIES ON ALL BODIES
(other than those to be appointed on an ad-hoc basis)

Committee	Con	Lab	Independent	Lib Dem	Other	Total
Corporate Scrutiny	5 (4.97)	2 (1.56)	1 (0.98)	0 (0.39)	0 (0.10)	8
Health and Wellbeing Scrutiny	5 (5.60)	2 (1.76)	1 (1.10)	1 (0.39)	0 (0.10)	9
Community Safety Scrutiny	5 (4.97)	2 (1.56)	1 (0.98)	0 (0.39)	0 (0.10)	8
Audit and Governance Committee	6 (6.22)	2 (1.95)	1 (1.22)	1 (0.49)	0 (0.12)	10
Constitution	9 (8.7)	2 (2.73)	2 (1.7)	1 (0.68)	0 (0.17)	14
Strategic Planning Board	9 (8.7)	2 (2.73)	2 (1.7)	1 (0.68)	0 (0.17)	14
Northern Planning Committee	9 (9.33)	3 (2.93)	2 (1.83)	1 (0.73)	0 (0.18)	15
Southern Planning Committee	10 (9.33)	3 (2.93)	2 (1.83)	0 (0.73)	0 (0.18)	15
Public Rights of Way	4 (4.35)	1 (1.37)	1 (0.85)	1 (0.34)	0 (0.09)	7
Licensing Committee	10 (9.33)	3 (2.93)	2 (1.83)	0 (0.73)	0 (0.18)	15
Staffing	4 (4.35)	2 (1.37)	1 (0.85)	0 (0.34)	0 (0.09)	7
Lay Members Appointments	4 (4.35)	2 (1.37)	0 (0.85)	0 (0.34)	1 (0.09)	7
Local Authority School Governor Appointments Panel	5 (4.97)	2 (1.56)	1 (0.98)	0 (0.39)	0 (0.10)	8

Civic Sub Committee	5 (4.97)	2 (1.56)	1 (0.98)	0 (0.39)	0 0.(10)	8
Community Governance Review Sub Committee	4 (3.73)	1 (1.17)	1 (0.73)	0 (0.29)	0 (0.08)	6
Polling Arrangements Review Sub Committee	4 (3.73)	0 (1.17)	0 (0.73)	1 (0.29)	1 (0.08)	6
Outside Organisations Sub Committee	3 (3.73)	1 (1.17)	1 (0.73)	1 (0.29)	0 (0.08)	6
Total Places (Actual as at present)	101	32	20	8	2	163
Proportional Entitlement	101 (62.19%)	32 (19.51%)	20 (12.2%)	8 (4.88%)	2 (1.22%)	100%
Difference	0	0	0	0	0	

NB:

The table above shows the allocation of places as at May 2013 following consultation with the political groups.

These revised Political Proportionalities are based on the decisions made by Council to ensure the total number of seats on all ordinary committees allocated to each Political Group bears the same proportion to the proportion on the full Council having regard to recommendations made by the Group Whips.

The 'others column' shows the proportion of seats which relate to the one Member of the Council who does not belong to a group. There is no entitlement to any committee places for Members who do not belong to a political group.

The proportionality rules do not apply to the Cabinet, or the Appeals Sub Committee, the Licensing Sub Committees, the Local Service Delivery Committee, or to the four panels/sub committees connected with the Councils new standards arrangements, which are drawn from a combination of Members of the Audit and Governance Committee, an additional panel of 5 members nominated by the groups and the four independent persons. These bodies are also excluded from the proportionality calculations. Appeals Sub Committee, Licensing Sub Committee Panel and the Local Service Delivery Committee as follows

Committee	Con	Lab	Independent	Lib Dem	Total
Appeals Sub Committee (5 Members are drawn from a Panel of 10)	3 (6)	1 (2)	1 (2)	0	5
General Licensing Sub	To be appointed by Committee				5

Committees		
Licensing Sub Committee	To be appointed by Committee	3
Local Service Delivery Committee Macclesfield	Those Members who represent the unparished areas of Macclesfield	12

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COMMITTEE MEMBERSHIPS AND CHAIRMEN/VICE-CHAIRMEN 2013/14

This schedule lists all those bodies which fall to the Council to be appointed. Executive bodies are therefore excluded. The number of seats and political proportionality for each body are indicated in brackets.

OVERVIEW AND SCRUTINY COMMITTEES

CORPORATE SCRUTINY COMMITTEE (8) (5:2:1)			
Conservative	Labour	Independent	
S Wilkinson (C)	S Corcoran	P Edwards (VC)	
H Davenport	D Newton		
W Fitzgerald			
R West			
J Wray			

HEALTH AND WELLBEING SCRUTINY COMMITTEE (9) (5:2:1:1)			
Conservative	Labour	Independent	Lib Dem
G Baxendale (C)	L Jeuda (VC)	A Moran	D Hough
R Domleo	I Faseyi		
W Livesley			
J Saunders			
J Weatherill			

COMMUNITY SAFETY SCRUTINY COMMITTEE (8) (5:2:1)			
Conservative	Labour	Independent	
H Murray (C)	P Nurse (VC)	M Parsons	
C Andrew	M Grant		
A Barratt			
G Merry			
J Saunders			

REGULATORY AND OTHER COMMITTEES

AUDIT AND GOVERNANCE COMMITTEE (10) (6:2:1:1)			
Conservative	Labour	Independent	Lib Dem
J Hammond (C)	S Hogben	L Roberts	R Fletcher
L Brown (VC)	S Corcoran		
M Hardy			
A Kolker			
D Marren			
M Simon			

CONSTITUTION COMMITTEE (14) (9:2:2:1)			
Conservative	Labour	Independent	Lib Dem
A Martin (C)	S Hogben	A Moran	S Jones
D Marren (VC)	D Newton	B Murphy	
C Andrew			
G Baxendale			
P Groves			
B Livesley			
R Menlove			
G Wait			
P Whiteley			

STRATEGIC PLANNING BOARD (14) (9:2:2:1)			
Conservative	Labour	Independent	Lib Dem
H Davenport (C)	C Thorley	P Edwards	D Hough (VC)
Rachel Bailey	J Jackson	B Murphy	
D Brown			
J Hammond			
P Hoyland			
P Mason			
G Walton			
S Wilkinson			
J Wray			

NORTHERN PLANNING COMMITTEE (15) (9:3:2:1)			
Conservative	Labour	Independent	Lib Dem
R West (C)	K Edwards	B Burkhill	D Nielson
B Livesley (VC)	L Jeuda	D Mahon	
C Andrew	A Harewood		
L Brown			
H Gaddum			
J Macrae			
O Hunter			
P Raynes			
D Stockton			

SOUTHERN PLANNING COMMITTEE (15) (10:3:2:0)			
Conservative	Labour	Independent	Lib Dem
G Merry (C)	R Cartlidge	P Butterill	
J Weatherill (VC)	M Martin	S McGrory	
Rhoda Bailey	D Newton		
D Bebbington			
J Clowes			
S Davies			
P Groves			
A Kolker			
D Marren			
A Thwaite			

PUBLIC RIGHTS OF WAY COMMITTEE (7) (4:1:1:1)			
Conservative	Labour	Independent	Lib Dem
J Wray (C)	L Jeuda	M Parsons	S Jones
Rhoda Bailey (VC)			
S Davies			
D Druce			

LICENSING COMMITTEE (15) (10:3:2:0)			
Conservative	Labour	Independent	Lib Dem
P Whiteley (C)	I Faseyi	D Mahon	
S Davies (VC)	A Harewood	M Parsons	
C Andrew	M Sherratt		
Rhoda Bailey			
D Bebbington			
H Davenport			
M Hardy			
L Smetham			
G Wait			
J Wray			

GENERAL LICENSING SUB-COMMITTEE (5) To be appointed by the Committee

LICENSING SUB-COMMITTEE (3) To be appointed by the Committee

STAFFING COMMITTEE (7) (4:2:1:0)			
Conservative	Labour	Independent	Lib Dem
R Domleo (C)	J Jackson	B Murphy	
H Murray (VC)	D Newton		
D Marren			
M Jones			

LAY MEMBERS APPOINTMENTS COMMITTEE (7) (4:2:0:0:1)				
Conservative	Labour	Independent	Lib Dem	Other
A Barratt	A Harewood			B Silvester
D Marren	P Nurse			
L Smetham				
A Thwaite				

LOCAL AUTHORITY SCHOOL GOVERNOR APPOINTMENTS PANEL (8) (5:2:1:0)			
Conservative	Labour	Independent	Lib Dem
G Merry (C)	A Harewood	D Mahon	
Rhoda Bailey (VC)	M Martin		
J Clowes			
H Gaddum			
**VACANCY			

APPEALS SUB-COMMITTEE (5) (3:1:1) (To be drawn from the following pool of 10 members)			
Conservative	Labour	Independent	Lib Dem
C Andrew	A Harewood	B Murphy	
M Hardy	I Faseyi	M Parsons	
D Marren			
G Wait			
M Simon			
P Whiteley			

CIVIC SUB-COMMITTEE (8) (5:2:1:0) (C & VC to be appointed by the Sub-Committee)			
Conservative	Labour	Independent	Lib Dem
A Martin	P Nurse	A Moran	
G Baxendale	D Newton		
C Andrew			
W Fitzgerald			
M Simon			

COMMUNITY GOVERNANCE REVIEW SUB-COMMITTEE (6) (4:1:1:0) (C & VC appointed by the Sub-Committee)			
Conservative	Labour	Independent	Lib Dem
G Baxendale	J Jackson	B Murphy	
P Groves			
D Marren			
P Whiteley			

POLLING ARRANGEMENTS REVIEW SUB-COMMITTEE (6) (4:0:0:1:1) (C & VC to be appointed by the Sub-Committee)				
Conservative	Labour	Independent	Lib Dem	Other
R Domleo			R Fletcher	B Silvester
B Livesley				
A Martin				
P Whiteley				

OUTSIDE ORGANISATIONS SUB-COMMITTEE (6) (3:1:1:1) <i>(C & VC to be appointed by the Sub-Committee)</i>			
Conservative	Labour	Independent	Lib Dem
P Findlow	S Hogben	B Murphy	Shirley Jones
P Groves			
D Marren			

LOCAL SERVICE DELIVERY COMMITTEE (MACCLESFIELD) (12) Those Members who represent the wards in the unparished areas of Macclesfield) (C & VC to be appointed by the Group)			
C Andrew			
S Carter			
L Brown			
D Druce			
K Edwards			
M Hardy			
A Harewood			
J Jackson			
L Jeuda,			
B Murphy			
D Neilson			
L Roberts			

HEALTH AND WELLBEING BOARD (Council Members) <i>(C & VC appointed by the Board)</i>			
J Clowes (C)			
Rachel Bailey			
A Harewood			

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POLICY DEVELOPMENT GROUPS

CHILDREN AND FAMILIES POLICY DEVELOPMENT GROUP (8) (5:2:1)			
Conservative	Labour	Independent	Lib Dem
P Hoyland (C)	K Edwards (VC)	P Butterill	N/A
G Merry	M Sherratt		
P Whiteley			
D Bebbington			
A Martin			
Plus Rhoda Bailey Children & Family Services CSM (non voting)			

HEALTH AND ADULT SOCIAL CARE POLICY DEVELOPMENT GROUP (9) (5:2:1+1)			
Conservative	Labour	Independent	Lib Dem
M Simon (C)	J Jackson	A Moran	S Jones
J Saunders (VC)	L Jeuda		
C Andrew			
R West			
Vacancy			
Plus Stewart Gardiner and Gail Wait Health & Adult Social Care CSM (both non voting)			

ENVIRONMENT AND PROSPERITY POLICY DEVELOPMENT GROUP (9) (5:2:1+1)			
Conservative	Labour	Independent	Lib Dem
B Livesley (C)	S Hogben	D Brickhill	R Fletcher
W Fitzgerald (VC)	R Cartlidge		
H Davenport			
L Smetham			
A Thwaite			
Plus Don Stockton and Louise Brown Environment CSMs (non voting)			
Plus Peter Groves Prosperity CSM (non voting)			

COMMUNITIES POLICY DEVELOPMENT GROUP (8) (5:2:1)			
Conservative	Labour	Independent	Lib Dem
O Hunter (C)	I Faseyi	L Roberts	N/A
S Davies (VC)	M Grant		
L Brown			
J Wray			
R Bailey			
Plus Communities and Regulatory Services CSM (non voting)			
Plus Lesley Smetham Strategic Communities CSM (non voting)			

CORPORATE & PERFORMANCE POLICY DEVELOPMENT GROUP (8) (5:2:1)			
Conservative	Labour	Independent	Lib Dem
A Kolker (C)	P Nurse	B Burkhill	N/A
P Hayes (VC)	P Martin		
C Andrew			
G Baxendale			
M Hardy			
Plus David Marren Corporate and Performance CSM (non voting)			

FINANCE POLICY DEVELOPMENT GROUP (8) (5:2:1)			
Conservative	Labour	Independent	Lib Dem
F Keegan (C)	S Corcoran	B Murphy (VC)	N/A
J Hammond	D Newton		
G Wait			
J Weatherill			
P Groves			
Plus Peter Mason Finance CSM (non voting)			

COUNCIL MEETING – 15TH MAY 2013**Extract from the Minutes of the Cabinet Meeting on 7th May 2013****188 DEVELOPMENT COMPANY**

Cabinet considered a report recommending that the Council set up a Development Company, wholly owned and controlled by the Council, to drive forward the development of the Council's land assets for housing and economic growth.

The report summarised the work of Deloitte LLP (business and financial advisors) and Bevan Brittan LLP (legal advisors), appointed to evaluate options and report back on a preferred model to provide the best opportunity to realise the ambitions of the Council, and to create the infrastructure necessary to ensure greater prosperity for local residents.

The preferred option was the delivery of the Council's objectives through a wholly-owned and controlled arm's length company, where the Council retained ownership of the physical assets. The principal advantage of this option was that it allowed the Council to focus its delivery through the separate arm's length company, without distracting the company's management and staff with the Council's other day-to-day operational requirements. The Company could also better promote the Council's land and property assets for development through the Local Plan and planning process.

RESOLVED

That

(1) Council be recommended

- (a) to approve the setting up of a Development Company – East Cheshire, Engine of the North, wholly owned and controlled by the Council, in the form described in the report, to drive forward the development of the Council's land assets, as a key element for the Council's wider plans for housing and economic growth;
- (b) to appoint initially to the Board of the Company the following non-executive Directors: Cllr A Thwaite (Chairman), Cllr D Druce (Vice Chair), Cllr D Newton (Vice Chair), Cllr P Groves, the Director of Economic Growth and Prosperity (Caroline Simpson), the newly-appointed Head of Development (Darran Lawless) and to agree that the Interim Borough Solicitor (Mike Rowan) take on the role as Company Secretary; and
- (c) to approve that a Shareholder Committee be established comprising of the Leader, Deputy Leader, Portfolio Holder for Prosperity, Portfolio Holder for Resources and the Chief Executive.

(2) subject to (1) above, the Interim Chief Executive and Interim Borough Solicitor and Monitoring Officer be granted delegated authority to take forward the actions

required to implement the recommendations and set up the Development Company, reporting back to Cabinet in October 2013 on progress, specific actions to take forward being:

1. to set up the Company as operational (separate legal entity) and establish its Memorandum and Articles of Association by end May 2013;
2. to finalise initial staffing arrangements and related HR considerations; insurance arrangements; and other operating procedures to ensure that the Council's budget envelopes and capital plans in relation to the activities of the Company are clearly understood by end May 2013; and
3. to develop a 3-Year Business Plan for the Company, to establish the portfolio of assets it is required to act upon; any provision of resources to facilitate land acquisitions; set objectives against which its performance will be measured.; and draw up Company Objects and, if relevant, an Agency Agreement by end October 2013.