

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 4th March, 2013 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

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

Councillors Rachel Bailey, J Clowes, J P Findlow, L Gilbert, J Macrae,
B Moran and P Raynes

156 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor D Topping.

157 **DECLARATIONS OF INTEREST**

No declarations were made.

158 **PART 2 PRIVATE AGENDA - TO RESPOND TO ANY REPRESENTATIONS RECEIVED**

No representations had been received.

159 **PUBLIC SPEAKING TIME/OPEN SESSION**

No questions were submitted or items raised under this item.

160 **MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 4 February 2013 be approved as a correct record.

161 **KEY DECISION 43 - ESTABLISHING CHESHIRE AND WARRINGTON LOCAL TRANSPORT BODY**

Consideration was given to a report of Interim Strategic Director of Places and Organisational Capacity on the establishment of the Cheshire and Warrington Local Transport Body.

The Department of Transport (DfT) was devolving its decision making function on Local Major Transport Scheme funding from 2015-16 to 2018-19 to Sub National Local Transport Bodies in England based on the geography of the Local Enterprise Partnerships.

The DfT required each Local Transport Body to submit a Local Assurance Framework by the end of February 2013, which needed to demonstrate to the DfT how it would carry out its role and manage the devolved funding. Once the DfT had endorsed the Local Assurance Framework, the Cheshire and Warrington Local Transport Body could start formal meetings and make decisions.

A requirement was that one of the constituent local authorities acted as the Accountable Body for the Local Transport Body. The Cheshire and Warrington Sub Regional Leaders had agreed that Cheshire East would be the Accountable Body.

RESOLVED:

1. That the Local Assurance Framework be approved as the basis upon which the Cheshire and Warrington Local Transport Body conduct its business and manages the delivery of new major transport infrastructure schemes.
2. That Cheshire East Borough Council be the Accountable Body for the Cheshire and Warrington Local Transport Body.

162 **KEY DECISION 47 - SOUTH MACCLESFIELD DEVELOPMENT AREA**

Consideration was given to a report of the Interim Strategic Director of Places and Organisational Capacity on the development of the South Macclesfield Development Area.

The report detailed progress with the masterplanning consultancy work that had commenced last year, particularly in relation to phasing of planning and development and the options for the wider delivery strategy.

The Council had been in informal dialogue with landowners in respect of the acquisition of interests in other sites located within the South Macclesfield Development Area. No offers had yet been made but progress within the planned timescale and a requirement to ensure that market interest was captured would require imminent acquisition of certain interests.

RESOLVED:

- 1 That the progress in identifying options and delivery strategy for the development of the South Macclesfield Development Area site in Maccelsfield be noted.
- 2 That the Interim Chief Executive or their identified nominee, in consultation with the Cabinet Member for Prosperity and Economic

Regeneration, after taking advice from the Monitoring Officer and Chief Finance Officer or their identified nominee(s), be given delegated authority to acquire options or interests in additional land in the area known as the South Macclesfield Development Area which is not already in the Council's ownership.

- 3 That any acquisitions in 2 above must be in accordance with the Council's Budgetary and Policy Framework, or any other Cabinet or Regulatory Committee Policy.
- 4 That the acquisition or interests be funded from the Council's Capital Programme.
- 5 That when appropriate the use of additional Capital Programme Funding be subject to the scrutiny and endorsement of the business case by the Technical Enabler Group and the Executive Monitoring Board.

163 **CHESHIRE EAST SUPPORTED HOUSING STRATEGY**

Consideration was given to a report of the Strategic Director of Children, Families and Adults and the Interim Strategic Director of Places and Organisational Capacity on the draft Supported Housing Strategy.

Key issues had been identified in relation to the current availability of suitable accommodation for older people as they became less able to support themselves. The Council's Housing Strategy already identified that the Council had to provide different housing options to meet the needs of an ageing population and other vulnerable residents.

The development of the Supported Housing Strategy was designed to help address these issues and develop a way forward that ensured a greater range of accommodation options for older and other vulnerable people when required. At the same time the drafting of the Local Plan allowed for appropriate Policy Principles to be put forward that, would in the future, encourage an appropriate 'accommodation with care' mix in new residential developments to provide these options.

In addition there could be opportunities to negotiate supported housing developments through current Section 106 Agreements and in future through the Community Infrastructure Levy. This would be where there was a clear need, where such a development offered an appropriate local solution and was viable and sustainable.

RESOLVED:

- 1 That the draft Supporting Housing Strategy and preliminary findings be noted.

- 2 The links to the Policy Principles within the Local Plan and the opportunity to ensure a strategic link between the Plan and the Supported Housing Strategy be noted.
- 3 That negotiations through Section 106 Agreements, where deemed appropriate because of local need, to develop some showcase supported housing units developments (and in the future to pursue these opportunities through the Community Infrastructure Levy) be supported.

164 **PENSION DISCRETIONS**

Consideration was given to a report of the Head of Human Resources and Organisational Development on two additional Local Government Pensions Discretions.

As a result of the Local Government Pension Scheme (Miscellaneous) Regulations 2012, which came into force on 1 October 2012, employers were now required to incorporate two additional discretions into their published policy by 31 March 2013.

The first discretion related to the whether to release benefits early to employees who left local government with an entitlement to a Tier 3 ill health pension which had since come to an end. Employees in such circumstances cannot currently access their pensions before the age of 60, leaving a period where they would not receive a pension. The new discretion enabled employees in these circumstances to apply for payment of the deferred pension between the age of 55 and 60 (under Regulation 30 of the Local Government Pension Scheme) on compassionate grounds.

The second discretion related to where suspended (deferred) pensions benefits were released in the above circumstances and whether or not to waive (on the grounds of compassion) any reductions that would otherwise apply to the member's pension and lump sum.

RESOLVED:

- 1 That the discretion to provide for the early release of pension to a former employee who has a suspended Tier 3 ill health pension, on or after 55 and before the age of 60, where such release on compassionate grounds can be satisfied, be adopted.
- 2 That the discretion to waive, on compassionate grounds, the actuarial reductions applied to the release of pension benefits paid early under regulation 30 not be adopted.

FORMER ROYAL MAIL SORTING OFFICE, CREWE

In accordance with Section 100B (4) (b) of the Local Government Act 1972, the Chairman agreed that this item be considered as an item of urgent business in order that the site be marketed for disposal at the earliest opportunity.

Consideration was given to a report of the Interim Strategic Director of Places and Organisational Capacity on the former Royal Mail Sorting Office in Crewe.

Cheshire East Council acquired the former Royal Mail buildings and site off Weston Road, Crewe in 2011 to facilitate new development around Crewe railway station. Work was currently underway to clear the majority of the site to create the new Crewe Rail Exchange.

The balance of the site is the former sorting office, which was a more modern single-storey warehouse. This had been marketed on a short term leasehold basis. The Council had become aware of interest in the building but only on the basis of terms other than short-term lease. It was proposed that the site be marketed for disposal with immediate effect, on terms to be agreed, then subsequently disposed of in order to maximise the market opportunities.

RESOLVED:

That the areas of the former Royal Mail Sorting Office building/site not required to deliver the Crewe Rail Exchange Scheme be marketed for disposal on terms to be agreed, subject to further delegated approvals in line with the Constitution, to the Interim Strategic Director Places and Organisational Capacity in consultation with the Portfolio Holder for Prosperity and Economic Regeneration.

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 as amended on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972(as amended) and public interest would not be served in publishing the information.

KEY DECISION 48 - PROPERTY ASSET DISPOSALS

Consideration was given to a report of the Head of Development seeking approval for the sale of five freehold titles for land and buildings.

RESOLVED:

- 1 That the freehold interest of the sites referred to in the report, as shown on the maps appended to the report, be disposed of on the terms set out in the report to the current tenant.
- 2 That the Interim Chief Executive or their identified nominee, in consultation with the Cabinet Member for Prosperity & Economic Regeneration, and subject to consideration by the Monitoring Officer and the Chief Financial Officer, be given delegated authority to finalise the details of the sale in accordance with the terms and conditions outlined in this report.
- 3 That a Supplemental Revenue Estimate for the amount named in the report be funded from reserves during 2013/14 to fund an income shortfall with a permanent budget adjustment being requested during the 2014/15 budget planning process to rectify the loss of the rental income budget.

The meeting commenced at 2.00 pm and concluded at 2.45 pm

M Jones (Chairman)