

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 10th November, 2015 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors A Arnold, Rachel Bailey, J Clowes, J P Findlow, S Gardner,
L Gilbert, P Groves and D Stockton

Members in Attendance

Councillors Rhoda Bailey, P Bates, S Corcoran, L Durham, S Edgar,
R Fletcher, G Hayes, S Hogben, L Jeuda, R Menlove, B Moran, H Murray,
D Newton, M Warren and G Williams

Officers in Attendance

Mike Suarez, Kath O'Dwyer, Peter Bates, Caroline Simpson, Heather
Grimbaldeston, Anita Bradley, Stephanie Cordon and Paul Mountford

51 DECLARATIONS OF INTEREST

There were no declarations of interest.

52 PUBLIC SPEAKING TIME/OPEN SESSION

John Scarrott referred to the maintaining of a derestricted area through Gilberts Cross, Elworth Park estate and Moss Lane between Salt Line Way and the entrance to the estates. He also referred to a decision that no street lighting would be erected and that the pavement on Moss Lane was not wide enough to accommodate a double buggy, which he said would be dangerous in the winter months when it was dark, especially if the derestriction were maintained. Work was supposed to be commencing on the Moss Lane closure and single lane working on the bridge but as yet nothing seemed to have happened. Mr Scarrott elaborated on both matters and undertook to provide copies of the relevant correspondence and documentation to Members.

Councillor D Brown, Cabinet Member for Highways, undertook to look into the matters raised by Mr Scarrott and provide him with a detailed reply.

Sylvia Dyke referred to the Leader's ordering of an investigation in March into breaches of management and lack of Council enforcement in relation to White Moss Quarry. In the seven months since the investigation was ordered, neither she nor the residents had received any further contact

from the Council regarding progress in dealing with the breaches. She had also written to the Council, asking that further liaison meetings be arranged but had been informed that no one from the Council or the quarry management and its agents was available to attend. She also referred to recommendations from the Ombudsman which had not been acted upon.

The Leader asked the Executive Director of Economic Growth and Prosperity to ensure that there was a robust response on the matter, including the arranging of any necessary meetings.

53 QUESTIONS TO CABINET MEMBERS

Councillor S Corcoran asked whether any payments had been made to former senior officers or any actuarial payments had been made in respect of senior officers since 31st March 2013, relating to officers who left prior to 31st March 2014 or who were in post at the time of Lyme Green.

The Leader replied that as far as he was aware, no such payments had been made. He asked the Chief Executive to look into the matter and provide confirmation.

Councillor R Fletcher referred to the conditions requiring regular liaison meetings with the owners of White Moss Quarry and asked when the Council would take action against officers who were in breach of the conditions.

The Leader asked the Executive Director of Economic Growth and Prosperity to send a reply to Councillor Fletcher.

54 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 13th October 2015 be approved as a correct record.

55 CHESHIRE EAST COUNCIL POSITION ON SUPPORT FOR SYRIAN REFUGEES AND ASYLUM SEEKERS

Cabinet considered the following motion which had been moved by Councillor S Corcoran and seconded by Councillor I Faseyi at the Council meeting on 22nd October 2015:

“This Council would welcome an appropriate number of Syrian refugees to Cheshire East.”

The report set out the current national arrangements for refugees and asylum seekers and what they might mean for local authorities.

The Leader advised that the Council was seeking advice on the possible implications for Cheshire East. The aim would be to take a measured and proportionate response to the issue, addressing need on a case by case basis.

RESOLVED

That Cabinet agrees to

- 1 thank all of those that have offered help and publicly recognise the great community spirit of Cheshire East;
- 2 inform the Government that the Council is committed to supporting Syrian Refugees and will consider its position regarding VPR once the outcomes of the CSR are known;
- 3 aim at the consideration of people on a case by case basis under VPR criteria and to learn from the examples of best practice elsewhere to ensure that the Council provides effective support which is measured and proportionate and which takes into account the needs of existing communities in Cheshire East;
- 4 to work with partner authorities in the sub-region to establish a robust operational mechanism to oversee the scheme in Cheshire;
- 5 await the announcement in the Autumn Statement on financial support and determine any further engagement and contribution at this stage;
- 6 work with the Council's partners to deliver the best possible outcomes for asylum seekers and refugees that are sensitive to their needs;
- 7 volunteer to participate in COMPASS on a voluntary basis, working with the Regional Strategic Migration Partnership to consider procurement requests from Serco on a one by one basis, up to 15-20 properties, before reviewing the scheme; and
- 8 support the motion "that this Council would welcome an appropriate number of Syrian refugees".

56 TOUR OF BRITAIN CYCLE RACE

Cabinet considered a proposal to attract the 'Tour of Britain' Cycle Race to Cheshire East, facilitating an opportunity to host the prestigious event and deliver the full potential of the Tour of Britain Cycle Race in September 2016. It was felt that the event could make a contribution of between £3M and £5M to the local economy as well as promote cycling and health benefits and raise the profile of the Borough. The aim would be

to cover the cost of the event through sponsorship although initially the cost would need to be underwritten by the Council.

RESOLVED

That

1. the Executive Director Economic Growth & Prosperity (and those duly appointed by the same) be authorised, in consultation with the Portfolio Holder for Communities, to take all reasonable and prudent steps required to attract the Aviva Tour of Britain to Cheshire East, host a full stage of the event, facilitate its delivery and take steps to attract sponsorship to off set costs incurred in connection with or arising from the provision of the event; and
2. it be noted that:
 - (a) funds within the Council's Investment (Sustainability) Earmarked Reserve will be made available, in accordance with the Reserves Strategy (part of the Medium Term Financial Strategy approved at Council on 26th February 2015), to underwrite the costs of this proposal;
 - (b) the project will target the generation of funds through sponsorship to off-set costs where possible, and the reserve may then be replenished;
 - (c) whilst there is a risk that the costs are not off-set, in part or in full, the project should nevertheless proceed based on the significant economic and well being benefits that hosting the event would bring.

57 SCHOOL 20 MPH ZONES - DELIVERY PROGRAMME

Cabinet considered a proposed three year programme for the implementation of advisory 20 mph zones outside all Cheshire East schools. This followed the results of a local community road safety consultation earlier in the year in which a significant number of responses had related to speeding outside schools. The lists of sites appended to the report were indicative at this stage and the Council would assess priorities in consultation with local communities.

The Cabinet Member for Highways agreed to consider other possible measures such as engineering and mandatory speed limit zones.

RESOLVED

That the proposed 3 year programme, running from 2015/16 to 2017/18, for the introduction of advisory 20mph zones outside all schools in the Borough be supported.

58 DISTRICT HEATING JOINT VENTURE PARTNER PROCUREMENT

Cabinet considered the appointment of a partner to enter into a contract with the Council to establish a joint venture company to deliver district heating fuelled by a range of renewable energy including, but not limited to, biomass, solar thermal, solar PV, and geothermal energy.

RESOLVED

That Cabinet

- 1 confirms the appointment of the preferred bidder to take forward the development of heat networks to deliver heating which maximises renewable energy such as gas CHP, biomass, solar thermal, solar PV, anaerobic digestion and in particular geothermal energy;
- 2 approves the formation of a joint venture company with the preferred tenderer selected through the procurement exercise for a joint venture partner; and
- 3 authorises the Chief Operating Officer as Section 151 Officer, in consultation with the Executive Director of Economic Growth and Prosperity, Portfolio Holder for Regeneration and Assets, and Head of Legal Services and Monitoring Officer, to take all necessary and consequential actions arising out of the above recommendations.

59 GREATER MANCHESTER AND CHESHIRE LIFE SCIENCE INVESTMENT FUND - APPROVAL OF REPRESENTATIVE TO THE INVESTMENT ADVISORY PANEL

Cabinet considered the appointment of a Council representative to the Investment Advisory Panel.

As part of the Council's wider efforts to support the long term growth and sustainability of Alderley Park and wider life science activity in the Borough, the Council had worked closely with partners in Greater Manchester and Cheshire and Warrington to create an innovative life science investment fund which would provide critical investment funding to SMEs. As part of the set-up process, an Investment Advisory Panel had to be created, comprising representatives of the initial investors, and two independent, non-voting specialists with broad experience of the life science sector. It was proposed that the Portfolio Holder for Finance be appointed as Cheshire East Council's representative on the Investment Advisory Panel.

RESOLVED

That

- 1 the role of the Investment Advisory Panel and its proposed membership be noted; and
- 2 the appointment of the Portfolio Holder for Finance as the Council's representative on the Investment Advisory Panel be confirmed, with support from the Inward Investment and Business Engagement Manager.

60 PRIORITY PLANNING APPLICATIONS TEAM

Cabinet considered a new initiative in the Development Management Service to fast-track certain key planning applications from initial enquiry to planning decision by providing a seamless service and cutting through unnecessary delays. The initiative would develop a new revenue stream that would enable resources to be provided to deal with the most significant planning applications received by the Council.

The Leader stressed that the initiative would not affect the decision-making role of Members.

RESOLVED

That the content of the report and the progress made in setting up the Priority Planning Applications Team be noted.

61 NEIGHBOURHOOD PLANNING UPDATE REPORT

Cabinet considered a report on the progress made in enabling communities across the Borough to prepare neighbourhood plans.

The Council was actively supporting local communities in the development of neighbourhood plans which would help local residents to identify opportunities for future development and those assets that should be given protection through the planning process. Since last summer, a further 15 town and parish councils had joined the initial group resulting in a total of 29 active neighbourhood plan groups. Four communities had now reached the later stages of the process and had submitted proposed plans for examination. Beyond those four communities, strong progress was being made across the group with a series of draft plans expected to be completed throughout 2015 and 2016.

The Leader advised that consideration was being given to ways of speeding up the process.

For the record, it was reported that a figure of 10 parishes referred to in paragraph 11.4 of the report should have read '4 parishes'.

RESOLVED

That the content of the report, and the progress made in enabling communities across the Borough to prepare neighbourhood plans, be noted.

62 SHROPSHIRE UNION CANAL (NANTWICH TO ELLESMERE PORT): CONSERVATION AREA CHARACTER APPRAISAL

Cabinet considered arrangements for public consultation on a proposal to designate a conservation area for the historic Chester Canal along a section of the present day Shropshire Union Canal within the boundary of Cheshire East.

The Conservation Area Character Appraisal for the Chester Canal section of the Shropshire Union Canal set out those aspects of the canal's architectural and historic interest which made it special, proposed that it be designated as a conservation area by Chester West & Chester and Cheshire East Borough Councils and identified its proposed boundary. It included a set of recommended management proposals which sought to balance environmental issues, social progress and economic development in order to sustain, preserve, protect and enhance its character and appearance. The Appraisal had been drafted by The Chester Canal Heritage Trust and would form the basis of the consultation which would be carried out by the Trust. Following the consultation, a report setting out recommendations would be submitted to the Portfolio Holder for Housing and Planning.

RESOLVED

That

1. the Chester Canal Heritage Trust be authorised to consult residents, relevant parish and town councils within the Cheshire East parts of the canal and those with an interest in the canal and its corridor, on the proposal to designate a canal conservation area, its proposed boundary and recommended management proposals to sustain, preserve, protect and enhance its character and appearance, based on the recommendations in the Appraisal in Appendix 1 to the report;
2. those consulted be sent a copy of the explanatory leaflet in Appendix 4 summarising the history of the canal and the effects of the proposed designation, to ease understanding of its context and implications;
3. those consulted also be sent a copy of the questionnaire in Appendix 5 to facilitate the submission of clear written comments for consideration; and
4. officers subsequently submit a report to the Portfolio Holder setting out their recommendations on the feedback on the consultation, and if

proposing the designation of this canal conservation area, its proposed boundary and recommended management proposals to sustain, preserve, protect and enhance its character and appearance as set out in an attached appraisal, for consideration and approval; it being noted that any decision to be made by the Portfolio Holder to consider an officer recommendation to designate the conservation area will then become a key decision and will need to be added to the Forward Plan at that stage.

63 2015/16 MID-YEAR REVIEW OF PERFORMANCE

Cabinet considered a report on the Council's financial and non-financial performance at the mid-year stage of 2015/16. The report highlighted the latest progress towards achieving the Council's Residents First Outcomes as described in the Council's three year plan 2013 to 2016.

The mid-year review showed how the Council was continuing to build on the positions achieved in the last two years, which demonstrated that the overall financial health, performance, resilience and value for money at Cheshire East Council was strong despite taking £70m out of its cost base since 2011 and freezing Council Tax for the fifth consecutive year. Savings had been consistently achieved through efficiency, reductions in management costs, and a planned programme of asset disposals. This approach had protected funding provided to front line services.

Following the mid-year review, the Council's reserves strategy remained effective, with a modest overspend of £0.5m being forecast.

Annex 1 to the report set out further details of how the Council was performing in 2015/16 and was structured into three sections:

1. Summary of Council Performance
2. Financial Stability
3. Workforce Development

RESOLVED

That

1. Cabinet notes the mid-year review of 2015/16 performance in relation to the following issues:
 - the summary of performance against the Council's 5 Residents First Outcomes (Section 1);
 - the projected service revenue and capital outturn positions, overall financial stability of the Council, and the impact on the Council's reserves position (Section 2);
 - the delivery of the overall capital programme (Section 2, paragraphs 196 to 208 and Appendix 4);

- fully funded supplementary capital estimates and virements up to £250,000 approved in accordance with Finance Procedure Rules (Appendix 5);
- changes to Capital Budgets made in accordance with the Finance Procedure Rules (Appendix 8);
- treasury management investments and performance (Appendix 9);
- management of invoiced debt (Appendix 11);
- use of earmarked reserves (Appendix 12);
- update on workforce development and staffing (Section 3).

2. Cabinet approves

- fully funded supplementary capital estimates and virements above £250,000 in accordance with Finance Procedure Rules (Appendix 6);
- supplementary revenue estimates to be funded by additional specific grant (Appendix 10).

3. Cabinet recommends that Council approve:

- fully funded supplementary capital estimates and virements above £1,000,000 in accordance with Finance Procedure Rules (Appendix 7).

The meeting commenced at 2.10 pm and concluded at 3.45 pm

Councillor M Jones (Chairman)