

OFFICER DECISION RECORD (ODR1)

This form records an officer decision and is published in accordance with the Openness of Local Government Bodies Regulations 2014

Date of Decision	30 July 2025								
Decision Taker (including Job Title)	Peter Skates – Director of Growth and Enterprise								
Specific Delegation	On the 10 th of July 2023 the Economy and Growth Committee delegated authority to the Director of Enterprise and Growth to determine and pursue the most appropriate delivery route for each Council owned site identified and appropriated for Council-influenced housing development (including but not limited to use of the Housing Development Framework, open market procurement, land deal or joint venture) and, subject to obtaining disposal approval in accordance with the decision making processes for land and property disposals as set out in the Constitution, enter into all necessary legal agreements to enable the site to be developed accordingly.								
Type of Decision to be taken (tick as appropriate)	<table border="1"> <tr> <td>Granting a permission or licence</td><td>X</td></tr> <tr> <td>Affecting the rights of an individual</td><td></td></tr> <tr> <td>Awarding a contract or incurring expenditure which, materially affects the Council's financial position</td><td></td></tr> </table>	Granting a permission or licence	X	Affecting the rights of an individual		Awarding a contract or incurring expenditure which, materially affects the Council's financial position			
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Brief Description of Decision	Following the approval to dispose of the former Mountview Care Home in Congleton dated 22 nd July 2025, to enter into a Development Agreement between Cheshire East Borough Council and [REDACTED] to develop the site known as Mountview, Congleton, Cheshire to develop specialist housing.								
Reasons for the Decision and alternatives considered	<p>The Council conducted a further competition through its Housing Development Framework for the development of a housing scheme at the former Mountview Care Home in Congleton.</p> <p>[REDACTED] submitted a tender on 27th May 2025 which has been evaluated in accordance with the tender documents and determined to be the most economically advantageous tender.</p>								

	<p>Permission was granted on 22nd July 2025 to dispose of the former Mountview Care Home subject to Cheshire East Borough Council and [REDACTED] entering into a Development Agreement. The terms of the Development Agreement were issued with the further competition invitation to tender.</p> <p>Entry into the Development Agreement will allow the Council to dispose of the former Mountview Care Home and ensure [REDACTED] [REDACTED] develop specialist housing in accordance with their tender response.</p> <p>Not entering into the Development Agreement would mean that the former Mountview Care Home would not be disposed of or developed in accordance with [REDACTED] [REDACTED] [REDACTED] tender response.</p>
Member consultation and interests declared	N/A
Significant Decision	NO
Legal Implications	<p>The proposed Development Agreement has been drafted by the Council. It is designed to establish a robust legal structure that seeks to ensure successful delivery of the scheme in a viable timescale together with an operation of the scheme that is sustainable in the long-term. In addition, the Development Agreement contains standard anti-embarrassment protections for the Council.</p> <p>Entry into the Development Agreement would minimise and mitigate the various risks to the Council in disposing of the site to [REDACTED] to an acceptable commercial level. However it would not fully remove the risks which include but are not limited to the risk of delayed or non-delivery of the scheme and the risk of operational failure or change of the scheme at a later date.</p> <p>Further legal implications relevant to this decision are classed as exempt information as defined in Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) and are set out in Appendix A which is not for publication.</p>

	Paul Fox, Solicitor, Senior Lawyer, Contracts & Procurement Team, Legal Services
Financial Implications	<p><i>Approval has been given to dispose of the site subject to the Cheshire East and [REDACTED] [REDACTED] [REDACTED] entering into a Development Agreement and therefore this decision is therefore supportable .</i></p> <p><i>Helen Donald, Principal Accountant, Capital Finance. 25th July 2025</i></p>
Confidential/ Exempt Information	Exempt information set out in Appendix A.
Background Papers	<p>Economy and Growth Committee 11 July 2023 Housing Development – Framework, Funding and Delivery Routes Update https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s107233/Report.pdf</p> <p>Minutes of a meeting of the Economy and Growth Committee held on Monday, 10th July, 2023 https://moderngov.cheshireeast.gov.uk/ecminutes/documents/g9845/Printed%20minutes%2010th-Jul-2023%2010.00%20Economy%20and%20Growth%20Committee.pdf?T=1</p> <p>ODR [disposal] Decision - Officer Delegated Decision Mountview, Congleton Disposal via Housing Development Framework Cheshire East Council</p>



Signed

Peter Skates – Director of Growth and Enterprise

Dated 30th July 2025

OFFICIAL