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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**  
held on Monday, 7th January, 2013 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ

### **PRESENT**

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

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

### **Also Present**

Councillors Rhoda Bailey, D Brickhill, L Brown, K Edwards, R Fletcher, D  
Flude, S Gardiner, M Grant, P Groves, S Hogben, B Livesley, D Marren, B  
Murphy, D Newton, P Nurse, J Saunders, L Smetham, A Thwaite, G Wait and  
S Wilkinson.

### **Officers in attendance**

Interim Chief Executive, Deputy Monitoring Officer, Head of Policy and  
Performance, Head of HR and Organisational Development, Strategic Director  
Children Families and Adults and Head of Development and Interim Strategic  
Director Places and Organisational Capacity.

### 125 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

### 126 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

### 127 **MINUTES OF PREVIOUS MEETING**

#### **RESOLVED**

That the minutes of the meeting held on 10<sup>th</sup> December 2012 be approved  
as a correct record.

### 128 **PUBLIC SPEAKING TIME/OPEN SESSION**

No questions were submitted or items raised under this item

129      **KEY DECISION 35 - ALDERLEY PARK BIO-INCUBATION CENTRE**

Consideration was given to a report on an invitation from AstraZeneca UK Ltd for the Council to participate and invest in a Joint Venture Company to establish and operate a BioScience Incubator Centre for new and existing small businesses in the bioscience sector at Alderley Park.

**RESOLVED**

1. That in principle, agreement is given to proceed in collaborating with AstraZeneca UK Ltd and other interested parties in order to establish a not-for-profit Joint Venture Company with the purpose of promoting and providing business incubation premises and support to businesses in the bioscience sector.
2. That the Council seeks to become a member of the Joint Venture Company, with the representation of the Portfolio Holder for Prosperity & Economic Regeneration as its nominated Director.
3. That the Council agree to support the allocation of £1m funding to the Joint Venture Company in the form of a repayable loan subject to:-
  - i) Confirmation that the loan will not be considered as State Aid resulting in a requirement to notify the European Commission, and the resulting potential requirement for the Council to recover part of the loan interest from the Joint Venture Company.
  - ii) The loan being repayable to the Council upon key milestones being achieved and that these milestones are determined during the due diligence process to ensure that they support the development of the Bio Science incubator.
  - iii) The approval of the project business case that is in the process of being taken through the TEG/EMB project approval process.
4. That responsibility for approving the terms of the final agreement and entering into the Joint Venture Company be delegated to the Interim Chief Executive (or his identified nominee), in consultation with the Cabinet Member for Prosperity and Economic Regeneration, and subject to consideration by the Monitoring Officer and the Chief Financial Officer.

130      **KEY DECISION 33 - DISPOSAL OF LAND OFF EARL ROAD, HANDFORTH**

Consideration was given to a report regarding the potential disposal of Council owned land off Earl Road Handforth. In March 2012, a soft market

testing exercise was conducted to establish likely demand for this site from the development market. The Council received more than 20 expressions of interest and approval was sought to progress the project in line with the Council's Corporate objectives and Local Plan policies.

## **RESOLVED**

That the Interim Chief Executive (or his 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 authorised to:

- i) Take all necessary action to bring forward, through phased direct development, the Council's landholding at Earl Road, Handforth for employment led uses in line with current planning policy.
- ii) Invest up to £130,000 towards the cost of financial appraisal, site investigation and masterplanning work.
- iii) Commence marketing of serviced plots in order to ensure timely delivery on site.

### **131 KEY DECISION (11/12) 39 - SHARED SERVICES SEPARATE LEGAL ENTITY**

A report was submitted on the future of the key Shared Services between Cheshire East Council (CE) and Cheshire West and Chester Council (CWAC), namely the ICT and HR and Finance Shared Services.

The Deputy Leader of the Council stated that whilst the Council remained committed to the concept of partnering that the report be deferred pending receipt of further information on the proposals contained in the report.

## **RESOLVED**

1. That the Deputy Leader of the Council's proposal to defer the report pending receipt of further information be approved; and
2. That an all Member Briefing be arranged on the proposal.

### **132 KEY DECISION 39 - CREWE RAILWAY EXCHANGE - SITE ASSEMBLY AND LAND IN UNKNOWN OWNERSHIP**

Consideration was given to a report seeking authority to pursue a Compulsory Purchase Order under the Town and Country Planning Act 1990, in order to acquire land to the south west of Weston Road in Crewe as part of the Crewe Railway Exchange Scheme on the plan submitted

with the report including the area of land to the northwest of the site shown edged green.

## **RESOLVED**

- 1 That, taking into account the human rights and equality factors set out in this report, approval be granted to the use of compulsory purchase powers under section 226(1)(a) of the Town and Country Planning Act 1990 to undertake the acquisition of the current highway land and subsoil under that highway and any rights that may exist in relation to that land as shown edged in purple on the plan attached to this Report and with approval from National Rail part or the whole of the adjoining premises (Weston House) shown edged green on the plan submitted with the report.
2. That the Interim Chief Executive (or his identified nominee) be authorised;
  - i) to take all necessary steps to secure the making and confirmation of the CPO (including delegated authority to make minor changes to the CPO), and to decide to include part or the whole of Weston House in the CPO if National Rail consent to this, including the publication and service of all relevant notices and the presentation of the Council's case at any public inquiry;
  - ii) to approve and enter into agreements for the acquisition of legal interests in the CPO Land and undertakings with any objectors to the CPO setting out the terms for the withdrawal of objections to the CPO;
  - iii) to, if appropriate, refer compensation claims to the Upper Tribunal (Lands Chamber) and to take all necessary steps in relation thereto including approving any compensation settlement by agreement;
  - iv) to take all necessary steps to secure title and possession of the CPO land including payments of compensation into court; and
  - v) in consultation with the Portfolio Holders for Prosperity and Economic Regeneration and Environment, to take all necessary steps to implement the confirmed CPO including through the service of notices to treat and notices of entry and/or through the making and serving of a general vesting declaration; and
  - vi) to appropriate for planning purposes all the land currently in the Council's ownership (shown edged red on the location plan) pursuant to section 122 of the Local Government Act 1972 and section 237 of the Town and Country Planning Act 1990; and
  - vii) to explore the potential to insure against the risk of the CPO Land not being capable of being vested in the Council either due to the failure of the CPO process, or due to a third party claiming ownership

of the CPO Land or part of it with cover including actual loss of the monies expended in relation to the CRE project and works undertaken and if insurance is necessary and a policy acceptable to the Interim Chief Executive.

**133 PERSONALISATION, QUALITY AND SAFETY FOR VULNERABLE ADULTS IN CHESHIRE EAST: A REVIEW OF THE COHERENCE AND EFFECTIVENESS OF CURRENT ARRANGEMENTS**

In response to a Notice of Motion submitted to Council by Councillor Fletcher and Councillor Shirley Jones consideration was given to a report from the Local Safeguarding Adult Board on the Personalisation, Quality and Safety for Vulnerable Adults in Cheshire East: A Review of the coherence and effectiveness of current arrangements had been undertaken and the report gave details of a number of recommended changes that were being implemented.

**RESOLVED**

That the report be received and the current position in relation to the recommendations be noted.

**134 TRANSFER OF THE FORMER BROAD STREET SCHOOL, CREWE**

Further to Minute 46 of the meeting of Cabinet held on 20 August 2012, a report was submitted on a revised proposal to relocate the Cheshire Academy of Integrated Sport and Arts from their existing premises at Macon Way, Crewe to the former Broad Street School, Crewe.

**RESOLVED**

1. That a long leasehold interest for a term of 99 years of the former Broad Street School, Crewe be granted on full repairing and insurance terms at a peppercorn rent to the Cheshire Academy of Integrated Sport and Arts.
2. That the Interim Chief Executive (or his identified nominee), be given delegated authority to finalise the details of the lease in accordance with the procedures and controls detailed in this report.
3. That the required consents for the proposed lease of the former Broad Street School be sought from the Secretary of State for Education.

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## **UNIVERSAL INFORMATION AND ADVICE SERVICES UPDATE**

Further to Minute 122 of the meeting of Cabinet held on 10<sup>th</sup> December 2012 a report was considered on a proposal seeking permission to amend the method for administering the grant aid for Cheshire East Citizens Advice Bureau and Cheshire East Citizens Advice Bureau North for twelve months from 1 April 2013 – 31 March 2014.

### **RESOLVED**

That Grant Aid funding of £197,212 be warded to Cheshire East Citizens Advice Bureau and Grant Aid funding of £90,778 be warded to Cheshire East Citizens Advice Bureau North for twelve months from 1 April 2013 – 31 March 2014.

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## **AUTHORISATION OF OFFICERS**

In recent months Cabinet provided a number of delegations to the Borough Solicitor and the Strategic Director of People, Places and Organisational Capacity to undertake a variety of activities. As these posts are currently vacant a report was considered that invited Cabinet to transfer these authorities to the Interim Chief Executive and his nominees.

### **RESOLVED**

That the previous authorities delegated by the Cabinet to the Borough Solicitor and the Strategic Director of People, Places and Organisational Capacity be transferred until such time as these posts are filled to the Interim Chief Executive and that he be authorised to further sub delegate those powers to such other officers as he thinks appropriate.

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## **GRANT FUNDING FOR ENERGY EFFICIENCY**

In accordance with Section 100B (4) (b) of the Local Government Act 1972, the Chairman of the Cabinet agreed that this item be considered as an item of urgent business in order that Supplementary Revenue and Capital Estimates could be approved to ensure that the grant funding could be committed by the end of the financial year.

As this was an urgent item it will also be exempt from the call-in provisions.

Consideration was given to a report on a successful grant funding application made to the Department of Energy and Climate Change for Local Authority Funds for domestic energy efficiency, and sought permission to commit expenditure.

## **RESOLVED**

1. To approve a Supplementary Revenue Estimate of £205,400 and a Supplementary Capital Estimate of £244,500, both fully funded by Government grant.
2. To authorise the Section 151 Officer to enter into a Memorandum of Understanding with the Department of Energy and Climate Change for and on behalf of the Authority.

## **PERSONAL STATEMENT FROM COUNCILLOR ROD MENLOVE**

At this point in the meeting Councillor Rod Menlove gave a statement to the Cabinet announcing that with great regret he was resigning from his position as portfolio holder with responsibility for environment at the conclusion of the meeting.

The Leader of the Council and other Members present thanked Councillor Menlove for his excellent, hard work over the past three years.

## **138 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 involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 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.

## **139 KEY DECISION 34 - LAND AT PARKGATE, KNUTSFORD**

Consideration was given to a report relating to land at Parkgate, Knutsford.

### **RESOLVED**

1. That the freehold interest in the land at Parkgate, Knutsford be disposed of on the terms outlined in the report
2. That the Interim Chief Executive (or his identified nominee), in consultation with the Cabinet Member for Prosperity and 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 contained in this report.

3. That the proposed disposal of the public open space within the land at Parkgate (the Land) be advertised in accordance with the requirements of Section 123(2A) of the Local Government Act 1972 and the Interim Chief Executive (or his identified nominee), in consultation with the Cabinet Member for Prosperity and Economic Regeneration be authorised to consider any representations made.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor M Jones (Chairman)