

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 6th January, 2015 at Committee Suite 1, 2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors Rachel Bailey, J Clowes, J P Findlow, B Moran, P Raynes,
D Stockton and D Topping

Members in Attendance

Councillors Rhoda Bailey, L Brown, S Corcoran, K Edwards, I Faseyi,
M Grant, S Hogben, W Livesley, R Menlove, B Murphy, D Newton,
L Smetham and S Wilkinson

Officers in Attendance

Mike Suarez, Lorraine Butcher, Peter Bates, Caroline Simpson, Heather
Grimbaldeston, Tony Crane, Iolanda Puzio and Paul Mountford

Apologies

Councillors L Gilbert, P Groves (on Council business), D Marren (on Council
business) and P Mason

105 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

106 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no members of the public wishing to speak.

107 **QUESTIONS TO CABINET MEMBERS**

Councillor S Corcoran asked if the Council intended to take legal action against one of its members regarding an alleged breach of the Member Code of Conduct. The Leader replied that in his opinion it would not be a good use of taxpayers' money but that the matter would be for officers to determine.

Councillor W Livesley asked about allegations reported by the BBC regarding the improper use of the Leader's private Twitter account. The Leader was concerned that the matter was more of a political game and he felt that the focus should be on policies and achievements rather than personalities with this new form of media.

Councillor B Murphy, referring to comments made in public recently by another member about an officer, questioned whether it was appropriate to target officers in this way rather than those with political responsibility.

Councillor Murphy also asked about the waiting times for accident and emergency services in Cheshire East, a matter he had also raised at a recent overview and scrutiny committee meeting. The Leader replied that hospital waiting times and doctors' appointments were an important issue but not one for which the Council was directly responsible.

Councillor I Faseyi asked for assurances that new residents to Crewe Central would be registered for voting in time for the forthcoming elections. The Leader replied that the Council would ensure that as many new residents as possible across the Borough would be registered.

Councillor S Wilkinson asked about progress with the preferred route for HS2. The Leader replied that he was still waiting for confirmation from the Secretary of State that the Northern Hub would be at Crewe. He stressed that efforts would be made to minimise the impact of residents affected by the route.

Councillor K Edwards asked the Portfolio Holder for Safeguarding Children and Adults about progress with the assessment of youngsters with special educational needs. Councillor Rachel Bailey referred to the reply she had given at the previous meeting and at a recent overview and scrutiny committee meeting.

Councillor Bailey took the opportunity to again highlight recent news that Cheshire East Council was one of the top three schools authorities in the country, with 93.6% of schools being rated as good or outstanding.

108 **MINUTES OF PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 9th December 2014 be approved as a correct record.

109 **CONGLETON LINK ROAD - REFINEMENTS TO PREFERRED ROUTE AND PROGRESS UPDATE REF. CE14/1526**

Cabinet considered a report on the findings of the modified preferred route comparative options report and the modified preferred route to be taken forward as the basis for the future development of the scheme.

The report highlighted the work undertaken since the initial preferred route for the road had been decided in May 2014 and recommended minor adjustments to the route based on those assessments. The report also set out the likely scale of council funding required to deliver the road and a process to acquire any necessary land for the scheme.

The proposals would be subject to a further round of public consultation and there remained scope to incorporate additional changes.

RESOLVED

That Cabinet

1. notes the findings of the Modified Preferred Route - Comparative Options Report (Annex A to the report);
2. approves that the modified preferred route shown in Annex B be taken forward as the basis for the future development of the scheme, including introducing the necessary modifications into the Local Plan Core Strategy at the earliest opportunity;
3. approves that the modified preferred route be used as the basis for an additional public consultation on the detail of the scheme to inform a future Planning Application;
4. notes the Council's success in securing £45m of funding towards the scheme through the Local Growth fund and the current scheme funding strategy;
5. authorises officers to explore additional funding opportunities and to note that as a reserve position, an approval for the full funding required for the scheme will be made through the council's budget setting process; and
6. authorises officers to enter into discussions with land owners about acquiring the necessary land and rights to deliver the scheme and to delegate the entering into of any necessary supporting legal agreements to the Head of Legal Services in consultation with the Portfolio Holder.

110 ALDERLEY PARK DEVELOPMENT FRAMEWORK REF. CE 14/15-36

Cabinet considered a report on a draft Alderley Park Development Framework for public consultation.

Manchester Science Partnerships were looking to begin the remodelling of the site to make it suitable for multiple-occupiers as soon as possible to ensure that the employment talent associated with AstraZeneca could be redeployed on site. In order to facilitate this, they were looking to release some areas of the site for development to raise funds to support the establishment of the Life Science Park.

This report sought to outline the purpose and content of the Alderley Park Development Framework (Consultation Draft), attached as Appendix 1 to

the report, and sought endorsement of the Framework as a consultation document. The Framework sought to ensure that potential developers were clear about the Council's ambitions for a Life Science Park on the site, with other development being limited to that which supported the establishment of the Park.

It was intended that following a period of consultation, the document would be reviewed and returned to Cabinet in Spring 2015 for final approval to be a material consideration in determining future planning applications.

RESOLVED

That Cabinet

1. approves the attached Development Framework as a consultation draft to be subjected to public consultation; and
2. agrees to review the Development Framework document following public consultation (Spring 2015) alongside a summary of key points raised in representations, and to consider endorsing the final version of the document as a material consideration when determining future planning applications on the site.

111 HOMELESSNESS STRATEGY REF. CE 14/15-11

Cabinet considered a proposed Homelessness Strategy for 2014-17.

The Homelessness Act 2002 placed a duty upon local authorities to carry out a review of homelessness in their area and formulate and publish a strategy outlining how the council and its partners would work to prevent homelessness and ensure accommodation and support for those who were homeless or at risk of homelessness.

A Homelessness Strategy for 2014-17 had been developed as set out in Appendix 1 to the report.

The Council's Homelessness team had carried out extensive consultation with statutory and voluntary agencies, as well as service users, to identify gaps in service provision and ways of improving access to services and this has been fed into the strategy and the actions attached to it. Five key areas for action had been identified: providing effective early intervention, complex needs and crisis management, support, accommodation and affordability and communication. The 52 specific actions set out in the Strategy would be monitored on a quarterly basis by the Homeless Strategy Steering Group.

RESOLVED

That the final version of the Homelessness Strategy for 2014-17 as set out in Appendix 1 to the report be approved.

112 BUSINESS RATES RETENTION - DELEGATION OF POOLING WITH GREATER MANCHESTER FOR 2015/16

Cabinet considered a proposal for the pooling of business rates with the Greater Manchester authorities.

An application had been submitted on behalf of the Greater Manchester Councils and Cheshire East Council to the Department of Communities and Local Government on the pooling of business rates under the Business Rates Retention Scheme.

Discussions on the proposal were ongoing between the authorities. Each authority would need to make a decision on whether it wished to be part of the pool within 28 days of the provisional Local Government Finance Settlement. The purpose of pooling rates across the individual authorities was to retain any levy that might be payable by certain members of the pool to Central Government. Any sum gained would be retained by the pool for investment within the Greater Manchester and Cheshire East area. It was anticipated that Manchester City Council would administer the pool.

Membership of the pool was a commitment for 2015/16 only and would be reviewed each year. If any of the authorities which had expressed an interest so far decided to withdraw, the proposed pool would fall away for the financial year.

The Local Government Resource Review had resulted in amendments being required to the delegations in relation to the budget-setting process.

RESOLVED

That authority be delegated to the Chief Operating Officer, in consultation with the Portfolio Holder for Finance, to discharge the following function for the Council:

The determination of whether the Council should be part of a business rates pooling arrangement with Manchester City Council and the other Greater Manchester authorities.

113 CREWE TOWN CENTRE REGENERATION DELIVERY FRAMEWORK REF. CE14/15-29

The Leader announced that this item had been withdrawn. He invited the local ward members for Crewe to meet him in private to discuss the matter and asked the Chief Executive to arrange the meeting.

Cabinet considered a report seeking approval to proceed with the establishment of a Council-owned company to deliver the functions of a building and planning support consultancy service.

The new company would provide a one-stop-shop for people seeking to make investments. The aim was to have the new company operational by 1st April 2015.

The key current service delivery areas were:

- § Building Control
- § Local Land Charges
- § Planning support, liaison and customer interface
- § Street Naming and Numbering

An options appraisal had been conducted and had concluded that the new ASDV should take the form of a wholly-owned company limited by shares. Officers had developed a detailed business case and plan for the implementation of the new company.

The relevant budgets for the services under consideration were shown in paragraph 11.1 of the report. If the Council did nothing, it was estimated that the services would lose income to their competitors which could lead to an additional cost to the authority of £892k over the next five years. However, it was estimated that the formation of a new company and the initiation of a number of creative income generation streams over the first five years of operation would turn this projected additional cost of £892k into a small saving of £269k – a net benefit of £1.161m.

Primary legislation within the Infrastructure Bill, which was due to receive Royal Assent in March 2015, included the transfer of local land charges to central government from October 2017 onwards to provide a central digital service for local land charges. When the details of the government's land charge reforms had become clearer, the financial projections might need to be reviewed.

On consideration of this matter, a number of visiting members expressed the view that the matter would benefit from consideration by the relevant overview and scrutiny committee. The Leader supported this view.

The Leader also agreed to review the proposed member representation on the board of the new company.

RESOLVED

That Cabinet

1. notes the revised financial detail set out in section 11, acknowledging that the lack of clarity over the Land Registry's proposals for reform of land search charges makes all forecasts provisional;
2. subject to consideration of the proposals by the relevant overview and scrutiny committee, approves the implementation of a new Building and Planning Support Consultancy company which is structured as a Teckal company to act as an agent for the Council in accordance with the detailed business case and implementation plan attached as Appendix A;
3. gives any necessary delegated authority to the Executive Director of Strategic Commissioning, the Head of Legal Services and the Chief Operating Officer, in consultation with the Portfolio Holder for Service Commissioning to proceed with that implementation in accordance with the project plan to include leases, licences, guarantees and all necessary contractual documentation including all TUPE provisions;
4. approves, through a contract, the intention to transfer Council Building and Planning Support services to the new company on 1 April 2015;
5. agrees to the commencement of a formal consultation period with all the staff who might be affected by any proposed TUPE transfer; and
6. authorises Officers to commence formal negotiations with other local authorities who may be interested in forming partnership arrangements in respect of building control and associated services.

The meeting commenced at 2.00 pm and concluded at 3.25 pm

Councillor M Jones (Chairman)