

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 23rd February, 2016 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor D Brown (Chairman)

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

Members in Attendance

Councillors Rhoda Bailey, P Bates, G Baxendale, T Dean, L Durham, I Faseyi,
D Flude, M Grant, R Menlove, A Moran, B Moran, G Wait, B Walmsley,
M Warren and G Williams

Officers in Attendance

Mike Suarez, Peter Bates, Caroline Simpson, Bill Norman, Stephanie Cordon,
Nigel Moorhouse, Adrian Fisher and Paul Mountford

Apologies

Councillors L Gilbert, M Jones, S Gardiner, G Hayes and S Edgar

The Chairman announced that two urgent reports would be considered later in the meeting, relating respectively to children's centres and transitional grant.

106 **DECLARATIONS OF INTEREST**

The Chairman reminded Cabinet members that they were meeting today as members of the Cabinet and that it would be inappropriate for them to raise any local ward issues in relation to the Local Plan; an opportunity to raise such issues would be available at the Council meeting on 26th February.

Prior to Members declaring their interests, and specifically in relation to the item on the Local Plan, the Chairman read out a statement which stated that:

It was noted, for the record, that Members had those interests in property in the administrative area of the Council as recorded on the register of interests.

It was further noted for the record that Members may:-

- a) be a Member of a Town or Parish Council

- b) be a School Governor
- c) be a member of an external organisation or amenity group such as the National Trust or The Ramblers Association.
- d) have previously been involved in or expressed a view on the preparation of the Local Plan
- e) be a Director of a Council owned company or have been appointed by the Council to a role in an external organisation
- f) be involved in decisions about land in their role as a Member of the Council or in any of the “wider public life” roles that Members routinely undertake.

Notwithstanding that this may be the case in respect of any Members that were present, and save for any specific declarations which were invited, a standing declaration was given on behalf of those Members present that:-

- 1. They do not have a Disclosable Pecuniary Interest in the local plan strategy; and,
- 2. they approach the debate and vote on the local plan strategy with an open mind.

Members were invited, if they did in fact consider themselves to have a disclosable pecuniary interest and/or if they felt they were unable to approach the debate and vote on the local plan with an open mind, to declare that to the meeting.

No declarations were made.

107 **PUBLIC SPEAKING TIME/OPEN SESSION**

Sue Helliwell, speaking on behalf of Alsager Town Council, asked if Cheshire East Council would consider relocating any of its services to the children’s centres in order to support the centres’ retention. Councillor Rachel Bailey, Portfolio Holder for Children and Families, indicated that a report on future children’s centre service provision was to be considered later in the meeting.

Viv Belcher, representing Barthomley Action Group and Barthomley Parish Council, objected to the continued inclusion in the Local Plan of site CS15/PSS303, referred to as the Radway Green extension, for the development of 25ha of green belt land in Barthomley for Alsager’s employment land.

Brian Chaplin, speaking on behalf of the South Knutsford Residents Group, said that the Group accepted the revisions to the Local Plan, albeit with a ‘heavy heart’ on the loss of green belt. The Group also accepted the site allocations for Knutsford. He added that the challenge now was to create communities, utilising neighbourhood plans for this purpose.

Eileen Furr, speaking as a resident and on behalf of the campaign group Land East of Fence Avenue in Macclesfield, referred to the description of

site CS9 in the draft Local Plan which she said was inaccurate and that fifty per cent of the site was green pastureland. She felt that the brownfield part of the site could be developed for housing but that the undulating grazing land forming the other half of the site should be retained.

Pam Upchurch also felt that the description of site CS9 was inaccurate and misleading despite local residents having drawn the Council's attention to the matter on a number of occasions. She felt that local residents should be given the opportunity to comment on an accurate description of the site.

The Chairman indicated that there would be a further period of public consultation on the Local Plan which would provide a further opportunity for residents and others to comment on the issues raised at the Cabinet meeting. There would also be an opportunity to raise them at the Council meeting on Friday.

Stuart Campbell of Limelight Developments Ltd referred to a planning permission he had obtained to provide 22 housing units, including social housing, on a site adjoining Browning Street Car Park in Crewe. The scheme depended on vehicular access through the car park. An item on the Cabinet's agenda was proposing the development of what it called the 'former car park in Browning Street' to provide four starter homes. Mr Campbell said that if this took away the vehicular access to his proposed development, this would render his scheme unviable with the loss of the 22 housing units. The Chairman suggested that this matter be considered when the agenda item was discussed later in the meeting.

Councillor Jean Parry of Congleton Town Council referred to the environmental enhancement proposals for the town centre and expressed safety concerns about the shared space elements of the scheme, especially for the visually impaired trying to use the crossings. She referred to a report by Lord Holmes on the adverse impact of shared space on safety. She urged the Council to reconsider the shared space elements of the scheme.

Councillor Amanda Martin of Congleton Town Council added that shared space works best when fewer than 100 vehicles an hour use the road. She had counted over 700 vehicles using Festival Square in an hour that morning. She nevertheless welcomed the refurbishment of the town centre but urged Cheshire East Council to work closely with the Town Council's project group and to consult the public and groups such as RNIB.

The Chairman thanked both councillors for their comments and gave assurances about further co-operation and consultation.

The Chairman indicated that he had met several of the speakers from the previous Cabinet meeting to discuss their concerns which were being addressed. He thanked all the speakers at today's meeting and assured them that the Council took their comments seriously.

Councillor D Flude referred to proposals for users of the Crewe Lifestyle Centre to receive a discount on their tickets when using the car park. She sought clarification as to whether this would include users of the library and not just users of the swimming and sports facilities. The Portfolio Holder for Adults, Health and Leisure confirmed that the discount would apply to users of all the facilities at the Centre.

Councillor Flude also commented that some of the emissions reports on the Council's website relating to certain locations in Crewe and Nantwich were seriously out of date. The locations were Hospital Street, Nantwich; Nantwich Road, Crewe; Earle Street, Crewe; and Wistaston Road, Crewe. The Chairman undertook to ensure that the information on emissions at these locations was updated on the website.

Councillor M Grant referred to the work taking place on the Manchester Bridge, Earle Street, Crewe and commented that the way in which the contractors were parking their vehicles was making things difficult for the traders in the small retail parks located at either side of the bridge. The Chairman replied that he was aware of the matter and had been pursuing it with Network Rail. He undertook to make further representations to Network Rail and was more than willing to meet people on site to discuss the matter.

Councillor M Warren commented that Everybody Sport and Recreation Trust had been contacting all of the non-ESAR swimming providers such as local swimming clubs to inform them that they would no longer be able to teach in the pools after April 2017. This seemed at odds with the Trust's stated aim of building strong relationships with communities and partners. He asked if the Cabinet supported the Trust's decision and whether it was likely to lead to similar decisions for other sports activities such as football and cricket. The Portfolio Holder for Adults, Health and Leisure replied that Cabinet had requested and received a report on the matter from the Trust and would be considering it within the next week. She added that it was entirely appropriate for the Trust to seek to make the best use of its facilities for the benefit of Cheshire East residents but that there would continue to be a role for local swimming clubs in providing choice, competition and specialist training, and that clubs would continue to have access to the facilities at cheaper rentals but possibly at less optimum times. The Portfolio Holder for Open Spaces added that the clubs would continue to receive significant public subsidies.

RESOLVED

That the minutes of the meeting held on 9th February 2016 be approved as a correct record.

Cabinet considered a report on the Cheshire East Local Plan.

The report recommended that Council approve proposed changes to the Local Plan Strategy, alongside the Habitats Regulations Assessment (HRA) and Sustainability (Integrated) Appraisal (SA) Addendums for public consultation. If approved, the proposed changes would be subject to a period of six weeks of consultation between 4th March and 19th April. All responses received would be considered and submitted to the Local Plan Inspector before further Examination hearings were held later in the year.

The Strategic Planning Board and the Cabinet had each been invited to consider the report and make recommendations to Council.

The minutes of the Strategic Planning Board's meeting of 18th February setting out the Board's recommendations to Council were circulated at the meeting.

RESOLVED

That Council be recommended that

1. the proposed changes to the Local Plan Strategy (Appendix 1) and the Sustainability (integrated) Appraisal and Habitats Regulation Assessment Addendums (Appendix 5) be approved for public consultation and submission to the Inspector; and
2. the Director of Planning and Sustainable Development be authorised (in consultation with the Portfolio Holder) to make any typographical, formatting and/or inconsequential changes to the Local Plan Strategy documents to correct any drafting errors or anomalies identified prior to the lodging of the same for consultation.

Cabinet considered a proposed public realm enhancement scheme for Congleton Town Centre.

The scheme aimed to maximise the opportunities to grow Congleton's economy by stimulating the physical and economic regeneration of the town centre's retail core. The proposed £1m investment to deliver the concept was shown in Appendix A to the report and required junction enhancements and improved local environment. A Public Consultation exercise would be undertaken to assess the support for the scheme.

RESOLVED

That

1. the design concept illustrated in Appendix A to the report be endorsed;
2. approval be given to undertake public consultation on the design concept in consultations with the Portfolio Holders for Highways and Regeneration and Assets;
3. the Head of Strategic Infrastructure be given delegated authority, in consultation with the Portfolio Holders for Highways and Regeneration and Assets, to develop the scheme through to construction, including any future revisions to the design, subject to sufficient support for the scheme following Public Consultation;
4. approval be given to procure the works through the Council's Highway Services Contract, subject to their securing best value through market testing;
5. the programme for the scheme be noted; and
6. the Head of Strategic Highways be delegated authority in consultation with the Portfolio Holders for Highways and Regeneration and Assets, regarding the details of a post opening scheme monitoring and benefits realisation report.

112 **LOW VALUE CONSTRUCTION SERVICES**

Cabinet considered the establishment of a framework of contractors through which to commission low value construction services.

The Council's own Framework agreement for low value construction services was due to expire on 6th January 2017 and could not be extended within EU Procurement Rules. An analysis of the options had been undertaken as detailed in the report with the conclusion that a replacement Framework Agreement would be the preferred option.

RESOLVED

That

1. the establishment of a Framework of contractors through which to commission low value construction services be approved; and
2. authority be delegated to the Director of Economic Growth and Prosperity, in consultation with the Portfolio Holder for Regeneration and Assets, to award and enter into Framework Agreements with providers meeting the requirements of the Framework.

STARTER HOMES

Cabinet considered a bid to the Homes and Communities Agency for Starter Homes grant funding.

Councils across England had been given the opportunity to bid for a share of £10 million of capital grant funding to assist in bringing forward additional land which has not previously been considered for housing and make it viable for starter homes. Cheshire East Council had put forward a bid for two sites in its ownership and had received notification on 16th December 2015 that retrospective grant was to be made available to undertake site investigation, survey, remediation and demolition works, which had to be undertaken and claimed by the 31st March 2016.

RESOLVED

That

1. the Council's bid to the Homes and Communities Agency for the Starter Homes grant funding be approved;
2. approval be granted to the Executive Director of Economic Growth and Prosperity to enter into the funding agreement with the Homes and Communities Agency in order to access grant funding to procure site investigations and ecology surveys;
3. Engine of the North be commissioned to undertake the pre-development investigations to enable a delivery strategy to be developed; and
4. approval be granted to the Section 151 Officer to confirm to the Homes and Communities Agency that Cheshire East has the resources to fund any viability gap and to use such resources to ensure that the Starter Homes Development is achieved in accordance with the agreement.

REVIEW OF 2016-17 SCHOOLS FUNDING FORMULA

Cabinet considered a report on the schools funding formula for 2016-17.

The report asked Cabinet to consider the proposed options for the schools funding formula for 2016-17 and levels of engagement in the process in relation to local schools.

RESOLVED

That for the 2016-17 Schools Funding Formula, Cabinet

- (a) approves a reduction in the lump sum from £130,000 to £115,000;
- (b) agrees to maintain all other existing formula factors at their current level, as agreed with the Schools Forum; and

(c) will continue to support the rural proofing strategy for schools.

115 POLICY FOR SUPPORT TO VOLUNTARY, COMMUNITY AND FAITH SECTOR INFRASTRUCTURE ORGANISATIONS 2016/17

Cabinet considered a policy for support to voluntary, community and faith sector infrastructure organisations in 2016/17.

Work was ongoing to develop a VCF Commissioning Framework in 2016 which would inform a clear Policy. The revised policy attached at Appendix 1 to the report set out the Council's ambitions on infrastructure support for the sector. It was proposed that a grant be awarded to Community and Voluntary Services (CVS) Cheshire East and Cheshire Community Action in order to maintain immediate support for one year whilst the new policy was implemented.

RESOLVED

That Cabinet

1. commits to funding infrastructure organisations for one year only from April 2016; and
2. agrees to award grant funding of £147,000 to CVS Cheshire East and £16,000 to Cheshire Community Action from 1st April 2016 until 31st March 2017, this to be subject to grant terms and conditions.

116 PROPOSAL FOR SUPPORT TO LOCAL COUNCILS 2016/17

Cabinet considered a proposal for support to Local Councils and the development and implementation of a Local Councils Charter in 2016.

There were increasing opportunities through devolution for local town and parish councils to undertake the delivery of services and manage assets. It was considered appropriate for Cheshire East Council to have a proposal which set out how it intended to provide funding to enable support for town and parish councils for 2016/17. The report also proposed the development and implementation of a Local Councils Charter which would set out expectations and agreements between the different tiers of local government and help to define and improve their relationships with one another.

RESOLVED

That

1. the proposal for support for Local Councils be agreed;

2. funding of £14,213 for 2016/17 be awarded to Cheshire Association of Local Councils (ChALC) in order to support Local Councils for purposes as specified in the Proposal; and
3. the development and implementation of a Local Councils Charter in 2016 be agreed.

117 **CHILDREN'S CENTRE CONSULTATION**

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chairman was of the opinion that by reason of special circumstances as specified below, this item should be considered at the meeting as a matter of urgency.

Cabinet considered a report on the findings of a statutory consultation exercise as part of plans to make significant changes to the Children's Centre delivery in Cheshire East.

There was a need to address a significant financial shortfall in the Council's budget associated with reducing Central Government grant and increasing costs. The savings being consulted upon would achieve a £500k saving against the Council's base budget. The matter would need to be considered by Council at its meeting on 25th June 2016 in conjunction with the Medium Term Financial Strategy 2016/17.

RESOLVED

That Cabinet, having considered the contents of the report along with the attached Equality Impact Assessment, confirms its previous recommendation to Budget Council regarding the rationalisation of Children's Centre Provision to save £0.5million.

118 **LOCAL GOVERNMENT FINANCE FINAL SETTLEMENT 2016/17**

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chairman was of the opinion that by reason of special circumstances as specified below, this item should be considered at the meeting as a matter of urgency.

The 2016/17 Final Local Government Finance Settlement had been received on Monday 8th February 2016. The settlement contained some good news in the form of temporary Transitional Grant Support, although it also confirmed that by the start of the 2019/20 financial year the Council would have lost all of its Revenue Support Grant. Details were set out in the report.

Cabinet was asked to consider, and make recommendations to Council on, an appropriate financial strategy that would achieve the best overall impact from the additional temporary Transitional Grant that had now been confirmed. Council would then consider the matter at its meeting on 25th

June 2016 in conjunction with the Medium Term Financial Strategy 2016/17.

RESOLVED

That Council be recommended that the Medium Term Financial Strategy 2016/17 (due for approval at Council 25th February 2016) reflects the new Transition Grant funding as follows:

- (a) Income from Government Grant is increased by £2.973m in 2016/17 and by £2.974m in 2017/18.
- (b) Expenditure in Outcome 5 in 2016/17 is increased by £473,000 to reflect feedback received to proposals within the Pre-Budget Report and to support the transitioning and targeting of services.
- (c) A 'Transformation' earmarked reserve is established for £2.5m from 1st April 2016. The Portfolio Holder for Finance & Assets (in consultation with the Chief Operating Officer) is given responsibility for managing allocations of funding from the reserve on an 'Invest to Save' basis.
- (d) Transition Grant of £2.974, receivable in 2017/18 is allocated to the new Transformation Reserve.

The meeting commenced at 2.00 pm and concluded at 4.25 pm

Councillor D Brown (Chairman)