

# Public Document Pack

## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Highways and Transport Committee**  
held on Thursday, 20th June, 2024 in the The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

### PRESENT

Councillor M Goldsmith (Chair)  
Councillor L Crane (Vice-Chair)

Councillors C Browne, L Braithwaite, R Chadwick, H Faddes, A Gage,  
C Hilliard, M Muldoon, J Priest, M Sewart and K Edwards

### OFFICERS IN ATTENDANCE

Tom Moody, Director of Highways and Infrastructure  
Richard Hibbert, Head of Strategic Transport and Parking  
Nicola Lewis-Smith, Public Rights of Way Manager  
Richard Chamberlain, Public Path Orders Officer  
Adele Mayer, Definitive Map Officer  
Steve Reading, Principal Accountant  
Mandy Withington, Solicitor  
Karen Shuker, Democratic Services Officer

### 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Coan and A Coiley. Councillor K Edwards attended as a substitute.

### 2 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3 MINUTES OF PREVIOUS MEETING

#### RESOLVED:

That the minutes of the meetings held on Thursday 4 April 2024 be approved as a correct record and signed by the Chair.

### 4 PUBLIC SPEAKING/OPEN SESSION

Ms C Jones addressed the committee in relation to agenda item 5 - Bus Service Improvement Plan Refresh 2024/25 Delivery Programme. Ms Jones requested that the bus user groups were provided with regular updates by officers as it was difficult to get updates at times and they wanted to help residents and the Council to achieve a better bus service.

Officers requested that a forward plan of the bus user group meetings was shared with them, and they would endeavour to attend the meetings where possible.

## **5 BUS SERVICE IMPROVEMENT PLAN REFRESH 2024/25 DELIVERY PROGRAMME**

The committee considered a report which outlined the Cheshire East Bus Service Improvement Plan (BSIP) refresh. The new BSIP built on the previous plan prepared in 2021 and reflected the recovery of the bus market post-pandemic. The plan updated the vision, delivery programme, ambition to 2030, targets and performance monitoring framework.

The BCIP draft report had been submitted to the DfT on the 12 June 2024. Any amendments required by the committee would be incorporated into the document and the final version published at the end of June 2024. The indicative funding allocation for 2024/25 was £3.455m.

Officers reported that the majority of the funding was revenue and was intended to be used to increase bus services within the borough such as reintroducing a Sunday service. There were plans to look at changes to tickets such as a reduced fare for 16–19-year-olds which was due to go live in September, and multi operator tickets in certain areas.

The committee welcomed the report, asked questions, and made comments in respect of

- Whether other groups such as parish/town councils and community groups would be able to feed their views into the consultation.
- if there was a plan to introduce food and drink provision at bus stations
- would real-time information displays include bus stops as well as bus stations.
- Would advertising at bus shelters help generate more income or would that go into the general pot.
- when there were traffic delays or roadworks were bus operators having that information relayed to them in a timely manner
- how the website would be reviewed with regards to those people with learning disabilities
- whether an inhouse application could be developed for live GPS tracking as used by some of the larger operators.

In response, officers reported that:

- Engagement with all parties on further route changes would form part of the planning process once next year's funding had been agreed.
- There would need to be conversations with Town Councils and traders as having food and drink provision, whilst handy for

passengers, could lead to competition and a requirement for extra cleansing etc.

- There was a plan to roll out real-time information displays to the two principal bus stations and then potentially roll it out in other areas.
- Acknowledged that there was further work to be done with bus operators to ensure that they get information on street works in a timely manner.
- The Councils contract to sell marketing space at bus shelters was coming up for renewal so there would be a need to assess the market to see how much people would pay.
- Work was ongoing with the relevant team within the council who provide specialist support and advice, then sense checking the design with relevant specialists and local groups.
- The larger companies track their own services, but the statutory role of the Council was as the transport coordinating authority – aiming to give a complete picture and estimated costs were £20k.

The committee welcomed the funding given but emphasised that support was required for maintaining finance in this area as the overall authority budget must be maintained at least at the same level to ensure eligibility for future funding.

The committee agreed that the challenge, and the key to stabilising, strengthening, and growing the network would be to get those who do not use buses to use them.

#### **RESOLVED: (Unanimously)**

That the Highways and Transport Committee

1. Approve the draft Bus Service Improvement Plan (BSIP) refresh 2024 for submission to the Department for Transport (DfT) and publication on the Council's website by the end of June 2024.

2. Approve the proposals for spending the Council's allocation of BSIP+ funding (value £1,187,596) and the BSIP phase 3 funding (£2,268,000) for the current financial year 2024/25 and delegate the authority to spend the funding to the Director of Infrastructure and Highways, in consultation with the Enhanced Partnership Board.

## **6 FINAL OUTTURN 2023/24**

The Committee received a report which provided an overview of the Cheshire East Council provisional outturn for the financial year 2023/24 and the financial performance of the Council relevant to the committee remit.

Some members expressed their disappointment that the Highways £0.6million underspend could not be rolled over and shared fears that residents would end up paying the price for this on car repairs etc due to

potholes. They also encouraged the Council to be transparent with the community as to why this money would be returned so that they had a better understanding of the financial process.

In respect of a question raised in relation to the HS2 underspend, this was a similar process and was a wider council decision on where best to spend the money or make savings.

Following a question raised about what documentary evidence there was to demonstrate that the service doubled up on shifts to spend money given that adverse weather was listed as the cause for this underspend officers agreed to provide a written response outside of the meeting.

In respect of a question raised as to what type of vacancies the service was carrying officers reported that these included Civil Enforcement Officers, Transport Planners, and Contract Managers within the Highways Thin Client Team. Vacancies varied throughout the year and there had been several applications for Civil Enforcement Officers which were going through the assessment process and others which were currently undertaking training, so the situation had improved in the last 6 months.

In respect of a question in relation to debt, officers agreed that they would provide a written response summarising figures and how they change over time.

In respect of a question as to why there were such challenges with adverse weather due to climate change and communicating what had gone wrong to residents' officers agreed to provide a summary note of what had happened in the recent period and what mitigations were being put in place for the future. This would be made available online for residents to view.

**RESOLVED: (By Majority)**

That the Highways and Transport Committee:

1. Note the factors leading to a positive Net Revenue financial outturn of £1.5m against a revised budget of £21.1m (7.1%), for Highways and Transport Committee services.
2. Note the contents of Annex 1 and note that any financial mitigation decisions requiring approval will be made in line with relevant delegations.
3. Approve the Supplementary Capital Estimate above £500,000 up to and including £1,000,000, as detailed in Annex 1, Section 3 Capital Strategy, Table 3 of the report.
4. Note that Finance Sub Committee will be asked to approve the Supplementary Capital Estimate (SCE) over £1,000,000 in accordance with Financial Procedure Rules as detailed in Annex 1, Section 3 Capital Strategy, Table 4 of the report.

## **7 SERVICE BUDGETS 2024/25 (HIGHWAYS & TRANSPORT COMMITTEE)**

The committee received the report which set out the allocation of the approved budgets for 2024/25 to the Highways and Transport Committee.

Service committees were being allocated budgets for 2024/25 in line with the approved MTFS. The financial reporting cycle would provide regular updates on progress on delivery of the budget change items, the forecast outturn position, progress on capital schemes, movement on reserves and details of any supplementary estimates and virements.

In respect of a question raised as to why the implementation of parking charges was taking place during the Pre-election Period officers reported that the Committee had made this decision back in January 2024 and the Council had not departed from business as usual during the Pre-election Period.

A further question was raised in respect of whether all the infrastructure requirements necessary were in place. Officers stated that the new tariffs would commence from the 8 July 2024 and would take effect in those car parks which already had charging. The programme to equip those free car parks with ticket machines remained in place as agreed at the January Committee and the parking charges in those car parks would commence no later than 1 October 2024.

Officers agreed to check the specifics of the lease for electric vehicle charges and confirm whether there was a need to pay for parking if people were charging their vehicles in a car park.

In respect of a question raised about whether the Highways and Transport Committee would be consulted on the actions to be taken to address any adverse variances from the approved budget officers reported that the Director of Transformation would be providing members with a briefing, which would include the next steps.

In respect of a request to see further detail around the Highways Revenue Services, in particular the service levels and business plans officers agreed to provide further details outside of the meeting.

In respect of a request to have further information on highway maintenance savings identified officers agreed to provide further information outside of the meeting.

Officers agreed to check whether the £88,433 allocated to Congleton Link Road included lighting as currently there were lampposts but no lighting.

### **RESOLVED:**

That The Highways & Transport Committee

1. Note the decision of the Finance Sub-Committee to allocate the approved revenue and capital budgets, related budget policy changes and earmarked reserves to the Highways & Transport Committee, as set out in Appendix A of the report.

2. Note the financial reporting timetable for 2024/25 set out in Appendix B of the report, as approved at Finance Sub-Committee on 22 March 2024.

3. Note the progress on the delivery of the MTFs budget policy change items, the RAG ratings and latest forecasts, and understand the actions to be taken to address any adverse variances from the approved budget.

*The Committee adjourned for a short break following this item.*

## **8 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 3 (PART) IN THE PARISH OF SMALLWOOD**

The committee considered a report which outlined the investigation to divert part of Public Footpath No. 3 in the Parish of Smallwood following receipt of an application from the landowner.

The committee considered the evidence submitted as outlined within the report and in accordance with Section 119 of the Highways Act 1980, noted it was within the Council's discretion to make an Order if it appeared to be expedient to do so in the interests of the public or of the owner, lessee or occupier of the land crossed by the path. The committee agreed that the proposed diversion to divert part of Public Footpath No.3 in the Parish of Smallwood was in the interests of the landowner.

### **RESOLVED: (Unanimously)**

That the Highways and Transport Committee

1. Agree that a Public Path Diversion Order be made under Section 119 of the Highways Act 1980, as amended by the Wildlife and Countryside Act 1981, to divert part of Public Footpath No.3 in the Parish of Smallwood as illustrated on plan number HA/153D on the grounds that it is expedient in the interests of the landowner

2. Agree that public notice of the making of the Order be given and in the event of there being no objections within the period specified, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.

3. Note that in the event of objections being received, Cheshire East Borough Council be responsible for the conduct of any hearing or Public Inquiry.

**9 APPLICATION NO. CN-7-28: APPLICATION FOR THE ADDITION OF A PUBLIC FOOTPATH IN AUDLEM PARISH**

The committee considered a report detailing the evidence submitted and researched in the application to amend the Definitive Map and Statement in adding Public Footpaths in Audlem Parish.

The committee considered the evidence submitted as outlined within the report and agreed that the balance of user evidence combined with documentary evidence did not support the case that the route or routes being used, and public footpaths could not be reasonably alleged to subsist on a balance of probabilities.

**RESOLVED: (Unanimously)**

That the Highways and Transport Committee

1. Agree that the application for the addition of footpaths is to be refused on the grounds that it cannot be demonstrated that the rights subsist or can be alleged to subsist.

**10 APPOINTMENTS TO SUB-COMMITTEES, WORKING GROUPS, PANELS, BOARDS AND JOINT COMMITTEES**

The committee considered a report which sought approval from the Highways and Transport Committee to appoint the Public Rights of Way Consultative Group and to nominate two elected Members of the Highways and Transport Committee to it.

The committee were also asked to note the Terms of Reference (Appendix 1 of the report) of the Public Rights of Way Consultative Group and the membership for the Enhanced Partnership Board.

In respect of a question asked in relation to whether there was any flexibility in expanding the membership of the Enhanced partnership Board officers agreed to take that away and report back.

**RESOLVED: (Unanimously)**

That the Highways and Transport Committee

1. Appoint Councillors L Crane and H Faddes to the Public Rights of Way Consultative Group.
2. Note the Terms of Reference for the Public Rights of Way Consultative Group attached as Appendix 1 to the report;
3. Note the Enhanced Partnership Board membership, as set out within Appendix 2.

## 11 WORK PROGRAMME

The committee considered the Work Programme. It was noted that

- The Tree Planting and Verge Maintenance Policy had been moved from November 2024 to the January 2025 committee meeting.
- The Lane Rental Scheme had been moved from November 2024 to January 2025 committee meeting, but this would not delay the implementation of the scheme.

In respect of a question asked as to whether there would be an all-member briefing on the line rental scheme officers reported that a briefing for Highways and Transport Committee members was the main priority but if there was interest from other members officers would review this.

In respect of a question raised about whether the Highways and Transport Committee would be responsible for the decision on the allocation of where Network North money would be spent officers assured members that the money would be allocated in the most responsible way.

Officers informed members that a briefing would be taking place shortly on the Parking Permit scheme.

### **RESOLVED:**

That the Work Programme, with the amendments highlighted above be noted.

The meeting commenced at 6.00 pm and concluded at 8.00 pm

Councillor M Goldsmith (Chair)