

## **CHESHIRE EAST COUNCIL**

### **Minutes of a meeting of the Environment and Prosperity Scrutiny Committee**

held on Tuesday, 18th September, 2012 at Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

#### **PRESENT**

Councillor W Livesley (Chairman)  
Councillor (none)

Councillors D Brickhill, H Davenport, W S Davies, K Edwards, W Fitzgerald,  
R Fletcher, P Hayes and S Hogben

#### **Apologies**

Councillors D Stockton and P Hoyland

#### **ALSO PRESENT**

Councillors R Menlove, A Thwaite and S Wilkinson

#### **OFFICERS PRESENT**

Brendan Flanagan – Tatton Park and Visitor Economy Manager  
Richard Milkins – Visitor Economy Development Manager  
Mark Averill – Service Leader, Cheshire East Highways  
Simon Davies – Customer Services Team Leader, Ringway Jacobs  
Steve Irvine – Development Management and Building Control Manager  
Chris Williams – Transport Manager  
Jenny Marston – Policy and Accessibility Manager, Transport  
James Morley – Scrutiny Officer

#### **37 DECLARATIONS OF INTEREST**

None of the members of the Committee wished to declare an interest.

#### **38 DECLARATIONS OF PARTY WHIP**

There were no declarations of party whip.

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

There were three members of the public present at the meeting who wished to speak. Each was offered a maximum of 5 minutes.

Regarding Item 11, a member of the public raised concerns about the time table for implementation of ceasing subsidies of selected services. He suggested that consideration needed to be given to the negative press the Council may receive

by ceasing subsidies for chosen services on the 20 December 2012 during the Christmas period.

Regarding Item 9, two members of the public spoke seeking clarification about parts of alfresco licenses. Clarification was sought as to whether the 6 months license was for a continuous period or whether the license could be used intermittently. Clarification was also sought regarding disputes over ownership of land and how to establish whether soil under the pavement was owned by the Council.

#### **40 MINUTES OF PREVIOUS MEETINGS**

Councillor David Brickhill wished it to be noted that he did not agree with the need to hold the meeting on 4 September 2012 as an urgent meeting to allow the Cheshire East Car Park Management Review report to be submitted to Cabinet on 17 September 2012 as no decisions were made by Cabinet regarding the report at the Cabinet meeting.

RESOLVED – That the minutes of the meetings held on 24 July 2012, 8 August 2012 and 4 September 2012 be approved as correct records and signed by the Chairman.

#### **41 WORK PROGRAMME**

The Committee gave consideration to the Work Programme. Members discussed the possibility of reviewing the decision by Cabinet on 17<sup>th</sup> September regarding streetscape services being outsourced to Ringway Jacobs. There seemed to be a strong variance of opinion among councillors at the Cabinet meeting about whether the decision was a good idea; it was suggested that delaying the decision and taking time to review councillor opinions and alternative options may be the way to proceed.

It was reported that as a result of failed bids by the Council for four towns in Cheshire East to be part of the Portas Pilot for sustainable towns' projects the Council had been rewarded £10,000 for each town to be spent on some of the projects that had formed part of the bids. Members felt that it would be useful for the Committee to be briefed on the proposals for the funding to monitor whether the funds were being spent effectively.

RESOLVED – That the work programme be updated.

#### **42 FORWARD PLAN**

The Committee gave consideration to the Forward Plan. Members discussed the Delivery of Streetscape Operations and the potential transfer of service operation to the Highways Service Provider Ringway Jacobs. Members believed that serious consideration needed to be given to whether transferring these services to Ringway Jacobs would actually be more cost effective and produce better performance before deciding to outsource more services.

Members discussed the decision on the future operation of Macclesfield Town Hall. The Committee agreed that the list of consultees should include all Cheshire East Councillors not just Macclesfield Charter Trustees.

RESOLVED – That the forward plan be noted and that the Committee request that all Cheshire East Councillors should be consulted on the future operation of Macclesfield Town Hall.

#### **43 VISITOR ECONOMY**

The Committee received a report supported by a presentation on the visitor economy in Cheshire East. The Tatton Park & Visitor Economy Manager and the Visitor Economy Development Manager attended the meeting. Section 10 of the report summarised the performance of the Visitor Economy Strategy to date.

Members of the Committee were pleased with the update and that the visitor economy in Cheshire East was performing well. The Committee was pleased that more visitors were being attracted from outside the region and from abroad. It was suggested that visitors don't recognise the Cheshire East as a place however they do recognise the individual towns and the local attractions such as Tatton Park so the emphasis was placed on these areas rather than Cheshire East as a place.

Members were pleased that small local community projects were being supported and given press coverage as well as the larger events and attractions.

RESOLVED:

- (a) That the Committee note the progress in delivery of Cheshire East's Visitor Economy Strategy.
- (b) That the economic value of the visitor economy be noted.

#### **44 ALFRESCO POLICY - PROGRESS UPDATE**

The Committee received a report providing an update on the Council's Alfresco Policy. The Service Leader for Cheshire East Highways attended the meeting and gave an overview of Alfresco Policy and the changes that were being proposed to the charging structure.

Feedback from traders suggested that the current charging regime did not reflect the needs of all traders and in some cases prohibited business growth. It was hoped that a revised charging regime would address the concerns of traders and make the scheme more attractive to all businesses. The introduction of 6 month licenses was designed to reduce the cost for small businesses that wished to take advantage of good weather during the summer whilst maintaining the 12 month licenses allow the larger retailers to operate alfresco facilities all year round. The six month license was for a continuous time period and could not be applied intermittently (i.e. 2 separate 3 month periods or every other week for 12 months).

The Committee was pleased that consideration had been given to providing a more attractive charging regime for smaller businesses. Members wanted to be assured that the new regime did not result in an overall cost to the Council and requested the financial information to show that the Council still recovered its costs. The possibility of charging large retailers more based on the increased income they were able to generate from the additional space provided by the Council was suggested by Members. This would not be possible as legislation

only allowed the Council to recover its costs from the licenses and did not allow the generation of surplus revenue.

RESOLVED:

- (a) That the Progress report be noted.
- (b) That the Committee support the revised charging regime.
- (c) That the accounting figures for the revenue and cost of providing alfresco licenses be shared with the Committee to show that the new charging regime isn't resulting in an overall cost to the Council.

#### **45 PLANNING PRE-APPLICATION FEES**

The Committee received a report on the performance of the Planning Pre-Application Service. The Development Management and Building Control Manager attended the meeting to present an update on the pre-application services since the Committee meeting in February.

The report provided information on the fees charged to various types of applicant from householders wanting to alter a single property to large scale developments. Original targets were set at 7.8% of applications to be submitted for pre-application service with income for the first year of £75,000.

The actual performance of the service to date had been a 10% take-up from all applications and £155,860 total income with one month still remaining before the end of the first year. These figures seemed to show that the service had been a great success and had resulted in a number of benefits to the Council, besides increase revenue, including: better interaction between Council staff across departments; more timely responses to enquiries; and a higher quality of response perceived by applicants.

It was noted that any charging regime should not stifle development and charges needed to be monitored carefully. However, the costs of pre-application service charges in Cheshire East were no more than 0.1% of the total cost of developments.

The Development Management and Building Control Manager had identified three areas where the service could be improved. These improvements were: increased engagement from development with the local community and local councillors; expanding the service to include advice given by other sections of the Council; and increasing the use of Planning Performance Agreements.

The Committee congratulated officers on the performance of the service and were glad that there had been a positive response from developers. The Committee were pleased with the proposals to increase the encouragement of consultation with local councillors and the community and supported the improvements proposed by the Development Management and Building Control Manager.

RESOLVED:

- (a) That the income generated and the positive reaction to the pre-application service be noted.
- (b) That the Committee support the generation of pre-application consultation standards and the proposal that Council advice letters should not be provided to developers if the Council believes that adequate consultation had not been carried out.
- (c) That the Committee support proposals to expand the pre-application service to include charging developers for advice given by the Places Directorate that is not currently linked to the pre-application service.
- (d) That the Committee support proposals to encourage greater use of Planning Performance Agreements on major developments to provide guarantees regarding the timely delivery of applications to Planning Committees which will improve the Council's performance in relation to major application targets.

#### **46 FINANCIAL SUPPORT FOR PUBLIC TRANSPORT**

At the Committee meeting on 8 August 2012 the Committee requested that the draft Financial Support for Public Transport report to Cabinet, with associated recommendations, be presented at this meeting. The draft Cabinet report contained analysis of the consultation that took place in relation to the proposals for changes to public transport subsidy. The purpose of the consultation was to establish the impact that the proposed changes to services would have on user so that an equality impact assessment (EIA) could be produced. This EIA allowed the Transport Service to develop proposals which would allow the Council to reduce its financial support whilst minimising the impact on protected equality groups, particularly older and disabled people.

Appendices 3A and 3B contained the proposals to reduce or withdraw funding subsidies for particular bus services supported by Cheshire East which would result in a reduction in spending of £736,000 per annum. Appendix 5 of the report contained an implementation timetable for ceasing of subsidies. The date given for ceasing of subsidies was 20 December 2012 which concerned some Members as this was just before Christmas. The Transport Manager reassured the Committee by stating that decisions on individual contract decisions would be made by him in consultation with the Cabinet Member for Environment and dates of subsidies ceasing were flexible. This meant that where it was felt appropriate subsidies would continue beyond the 20 December 2012 date.

Councillor Brickhill asked whether it would be appropriate for any parish council to provide funds to subsidies public transport in its community. The Transport Manager stated that Cheshire East would support any decision to supply funds to maintain subsidies to any services from any source including town and parish councils, employers, traders and other organisations.

Councillor Brickhill wished it to be noted that he voted against the resolution of the Committee.

Votes for- 4; votes against- 3; and abstentions- 1.

RESOLVED - That the draft Cabinet report be noted.

The meeting commenced at 2.00 pm and concluded at 3.48 pm

Councillor W Livesley (Chairman)