

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Highways and Transport Committee** held on Tuesday, 21st September, 2021 at The Assembly Room - Town Hall, Macclesfield SK10 1EA

### **PRESENT**

Councillor C Browne (Chair)  
Councillor L Crane (Vice-Chair)

Councillors S Akers Smith, M Benson, L Braithwaite, B Burkhill, H Faddes, A Gage, L Gilbert, M Hunter, M Sewart, D Stockton and P Williams

### **OFFICERS IN ATTENDANCE**

Mrs S Baxter (Democratic Services Officer), Mr D Brown (Director of Governance and Compliance), Mr R Hibbert (Head of Strategic Transport and Parking), Mr C Hindle (Head of Infrastructure), Mr A Ross (Director of Infrastructure and Highways) Ms J Wilcox (Head of Financial Management) and Mrs M Withington (Senior Solicitor (Acting) Property Legal Team Manager)

### **11 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **12 DECLARATIONS OF INTEREST**

In the interest of openness in respect of item 5 on the agenda-Car Parking and Proposed Statutory Consultation, Councillor P Williams declared he had been involved in car parking consultations in the past as a member of Alsager Town Council and recently there had been a vote taken in respect of the matter by the Town Council which he had not taken part in. He had received a number of representations from members of the public and organisations, however he had not expressed a view on those. He had however, expressed a view in the media opposing car parking charges for certain car parks but because the information contained within the report referred to the consultation process he was happy to continue with the debate.

In the interest of openness in respect of item 5 on the agenda-Car Parking and Proposed Statutory Consultation, Councillor L Gilbert declared he had received a number of representations from Alsager residents. He had also made representations on initial surveys relating to car parking whereby he had highlighted some reservations, however he had not expressed an opinion and had not pre-determined the item as he was not aware of the content of the report until the agenda had been published.

In the interest of openness in respect of item 5 on the agenda-Car Parking and Proposed Statutory Consultation, Councillor M Sewart declared that he was a member of Poynton Town Council who were opposed to certain items on the agenda and he had expressed his support for their opinions, however he had not taken part in a recent vote by the Town Council.

In the interest of openness in respect of item 10 on the agenda-Request for a Review of the Tranche 1 Active Travel Schemes submitted by Councillor M Benson, Councillor S Akers Smith declared that she was the Council's Cycling Champion.

### **13 MINUTES OF PREVIOUS MEETING**

#### **RESOLVED**

That the minutes of the meeting held on 19 July 2021 be approved as a correct record and signed by the Chair.

### **14 PUBLIC SPEAKING/OPEN SESSION**

The following member of public attended the meeting and spoke in respect of item on the agenda 5-Car Parking Review and Proposed Statutory Consultation:-

Town Councillor Michael Unett

Sue Helliwell

Town Councillor Helen Ellwood

Dave Poole

Mr Brooks on behalf of Mr Gooch

Town Councillor Robert Douglas

The following member of public attended the meeting and spoke in respect of item 10-Request for a Review of the Tranche 1 Active Travel Schemes submitted by Councillor M Benson on the agenda:-

Mr Brooks on behalf of Mr Gooch

The following Councillors attended the meeting and spoke in respect of item 5-Car Parking Review and Proposed Statutory Consultation on the agenda:-

Councillor Ashley Farrall

Councillor Patrick Redstone

Councillor James Nicholas

Councillor June Buckley

The following Councillor attended the meeting and spoke in respect of item 7-Highways Service Plan Improvement - Update on the agenda:-

Councillor Ashely Farrall

In addition statements were read out by the Democratic Services Officer on behalf of Councillor Rachel Bailey in relation to item 8-Annual Road Safety Report on the agenda and on behalf of Town Councillor David Latham Item 5- Car Parking Review and Proposed Statutory Consultation on the agenda.

## 15 **CAR PARKING REVIEW AND PROPOSED STATUTORY CONSULTATION**

Consideration was given to a report on the car parking review and proposed statutory consultation. Extensive debate ensued with a number of points being made in relation to the principle of standardised parking zones with Members expressing views both in favour of this and against it. Key concerns expressed by Members were the lack of reference to Wilmslow (page 18 of Appendix 1) alongside the need for circumstances in individual towns to be considered in car parking consultations, the failure of the report to include a range of tariffs for consultation, the importance of consulting the public, the requirement to make car parking charges fairer and the ability to address the current injustices, the need to generate income and invest in key services, inclusion of some free parking was considered necessary in towns where new charges were proposed to support town centre vitality and the timetable for the consultation process and how this was to be undertaken.

A motion was moved and seconded which sought to approve the recommendation subject to the following amendments:-

- Insertion of the words 'the consultation is commenced subject to the removal of the proposal for the implementation of parking charges on Sunday' at the end of paragraph 2.2.1 of the report;
- Removal of paragraph 2.1 of the recommendation in its entirety;
- Removal of the words 'application of the zonal' from paragraph 2.2 of the report;
- Inclusion of the words 'which may come forward as a result of the consultation' after the words 'car parks' in respect of paragraph 2.2.3 of the report.

Further to this in accordance with the provisions as outlined in paragraph 2.31 of the Constitution a request for a recorded vote was made with the following results:

### **FOR**

Councillors S Akers Smith, C Browne, B Burkhill, L Crane and H Faddes.

## **AGAINST**

Councillors M Benson, L Braithwaite, A Gage, L Gilbert, M Hunter, M Sewart, D Stockton and P Williams.

The motion was declared lost with 5 votes for and 8 against.

(The meeting was adjourned for lunch from 12.50pm until 1.30pm).

## **16 CHESHIRE EAST BUS SERVICE IMPROVEMENT PLAN**

Consideration was given to a report on the progress made towards the Bus Service Improvement Plan including recommendations as to how this document would be completed to meet the timescales set out in the National Bus Strategy.

Members welcomed the recommendations outlined in the report and acknowledged the work undertaken by officers in producing a draft plan within the short timescales. Members acknowledged the importance of measures to improve bus services in the borough, however the need to ensure the success of the BSIP could be effectively measured was emphasised.

## **RESOLVED**

1. That the objectives defined within the draft BSIP (see paragraph 1.8 and Appendix 1), as supporting the Council's wider policy objectives and the local context as set out in the evidence base be approved.

2. That it be noted the draft BSIP document would be subject consultation with all community groups and residents before it was finalised and submitted to Government.

## **17 HIGHWAYS SERVICE IMPROVEMENT PLAN - UPDATE**

Consideration was given to a report on the work done to date and the proposals for implementing the recommendations of the Highway Service Improvement Plan.

Concerns were raised by the Committee that funding for highway maintenance to the local highways network provided by Government was inadequate.

The potential recruitment of a Quality Assurance Officer to the Council was welcomed as was the introduction of the value for money. Further discussions ensued in relation to lack of funding provided by Government. It was suggested that Members of all political groups should lobby their local MP's in respect of the lack of funding for highway maintenance.

Further to this it was agreed that the Chair of the Highways and Transport Committee should write to the Department for Transport expressing concerns at the shortfall in this funding.

### **RESOLVED**

1. That the progress to date on the development and implementation of the Highways Service Improvement Plan be noted and the feedback on the plan and the actions being taken to implement an improved service also be noted.

2. That the Chair of the Highways and Transport Committee be requested to write to the Department for Transport expressing concerns relating to the shortfall in funding for highways maintenance.

## **18 ANNUAL ROAD SAFETY REPORT**

Consideration was given to a report on the activities and measures undertaken during the 2020/21 Financial year to address road safety issues in Cheshire East.

The road safety initiative workshops with schools, cyclists and so forth was welcomed.

### **RESOLVED**

That the report and the comments made on the highway service's road safety activity undertaken in 2020/21 be noted.

(The following item was considered after Minute No.20).

## **19 THE MIDDLEWICH EASTERN BYPASS**

Consideration was given to a report on the Middlewich Eastern Bypass which sought authorisation for the sealed and made orders to be withdrawn.

It was noted that when the agenda had been originally published the report made reference to the scheme and its associated Orders. However, due to time constraints, a further report would be brought to at an additional meeting scheduled to take place in October 2021.

### **RESOLVED**

1. That the Director of Governance and Compliance be authorised to withdraw:-

- (a) the sealed and made Compulsory Purchase Order known as "The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2021" and,

(b) the sealed and made Side Roads Order known as “The Cheshire East Council Middlewich Eastern Bypass) (Classified Road) (Side Orders) Order 2021”

both made on 18 June 2021.

2. That the Director of Governance and Compliance be authorised to undertake all the necessary and appropriate notification processes to inform all affected landowners (as named in the schedule to the CPO and as notified of the SRO), Statutory Undertakers and National Casework Team at the Department for Transport of the formal withdrawal of the Order.

3. That it be noted a further report to consider new/replacement orders would be provided to the Committee as reasonably practicable.

(During consideration of the item, Councillor A Gage left the meeting and did not return. The following item was considered after Minute No.18).

## **20 REQUEST FOR A REVIEW OF THE TRANCHE 1 ACTIVE TRAVEL SCHEMES SUBMITTED BY COUNCILLOR M BENSON**

In accordance with paragraph 2.41 of the Constitution, consideration was given to Councillor M Benson’s request for a review of the tranche 1 Active Travel schemes. Councillor M Benson spoke in respect of the matter explaining the reasons for his request.

In addition Councillor M Benson put forward the following motion which was not taken forward:-

‘That in respect of the Emergency Active Travel Measure introduced during September 2020 in Old Middlewich Road, Sandbach, this Scheme is brought to an end, the cycle lane is removed and parking on both sides of Old Middlewich Road is restored.’

Members sought clarification as to how officer decision records could be reviewed. Members were advised that this scheme had been implemented as a temporary traffic order and therefore could only last for 18 months. If the decision were to be made to make the traffic order a permanent one, members of the public, organisations and Members would be consulted. Members were advised that all Traffic Regulation Orders were dealt with as officer delegated decisions with the final decision being taken by the Director of Infrastructure and Highways and this had not changed from the previous Constitutional arrangements.

Mandy Withington, the Senior Solicitor (Acting) Property Legal Team Manager who was in attendance advised the Committee that the terms of reference of the Committee did not include involvement in officer decision records which this matter fell under.

Disappointment was expressed that an officer's decision could not be "called in" once it had been made by an officer and if this was the case then it was felt the matter should be referred to the Constitution Committee for further consideration. Members were advised that any decision authorised by the Committee which gave delegated powers to the officer then that decision was subject to a referral of that decision in accordance with Paragraph 4.19 of Chapter 3 Part 1 Section 2 of the Constitution.

### **RESOLVED**

That Councillor M Benson's comments be noted.

(Once the vote had been taken, the Senior Solicitor (Acting) Property Legal Team Manager explained a written response would be circulated in respect of the question raised by Councillor A Gage of how officer decision records could be reviewed by the Committee).

### **21 WORK PROGRAMME**

Consideration was given to the work programme.

It was reported that the Flowerpot Junction Improvement Scheme would be considered at the 22 January 2022 meeting.

### **RESOLVED**

That the work programme be approved subject to the inclusion of the amendment as outlined above.

The meeting commenced at 10.30 am and concluded at 3.09 pm

Councillor C Browne (Chair)