

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee**
held on Thursday, 9th September, 2021 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor M Warren (Chair)

Councillors M Benson, J Buckley, T Dean, A Farrall, L Gilbert, P Groves,
C Leach, J Nicholas, J Parry, A Critchley, B Burkhill and S Corcoran

OFFICERS IN ATTENDANCE

Paul Bayley- Director of Environment and Neighbourhood Services
Many Withington- Legal Officer
Paul Goodwin- Finance Officer
Tom Evans- Neighbourhood Planning Manager
Claire Coombs- Principal Planning Officer
Kim Evans- Licensing Team Leader
Amanda Andrews- Licensing Enforcement Officer
Helen Davies- Democratic Services Officer

12 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Laura Crane (Councillor Sam Corcoran was substituting), Councillor Quentin Abel (Councillor Barry Burkhill was substituting) and Councillor Joy Bratherton (Councillor Anthony Critchley was substituting).

13 DECLARATIONS OF INTEREST

There were no declarations of interest.

14 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting 07 July 2021 be accepted as a correct and accurate record.

15 PUBLIC SPEAKING/OPEN SESSION

Sandbach resident Dave Poole attended the meeting and asked a question in relation to agenda item 5, To receive petitions. The question related directly to Sandbach Cemetery and had been posed to Sandbach Town Council also. Mr. Poole would like to know why the land for Sandbach Cemetery had been registered in a different parish given the Land Registry had on record: Land to the South of Newcastle Road, Arclid which was three miles to the east of Sandbach.

RESOLVED: The Chair agreed a written response would be provided.

Alsager Town Councillor Sue Helliwell attended the meeting and asked a question in relation to agenda item 5, To receive petitions. The question related directly to Alsager Burial Ground. Councillor Helliwell advised the Committee than in August 2018 a meeting took place between interested stakeholders and Cheshire East Council, with the aim to support Alsager residents in getting extra burial ground in Alsager. It was agreed that Cheshire East Council would establish ownership and tenancy of Close Lane Farm as one potential site and to establish the area needed for a 100 year capacity cemetery. Sue queried if this had ever been done.

Sue also asked if Cheshire East Council could assist Alsager Town Council and Alsager residents with the acquisition of a new burial ground for traditional or alternative burials. This was on the basis that the current graveyard in Alsager reached capacity in 2019 and the Council had no scope to extend or invest in it. Sue noted that given the aging population and reliance on public transport the Alsager Neighbourhood Plan Steering Group did not consider proposals for residents to use facilities in Crewe and Macclesfield a viable option.

RESOLVED: Paul Bayley, Director for Environment and Neighbourhood Services confirmed a report was sent to Alsager Town Council on the 17 April 2019 that outlined how much land would be needed to provide burial provision in Alsager for 100 years. Paul Bayley also advised that the Council does not own land known as Close Lane Farm, although there was land in ownership of the Council that was accessed via Close Lane Alsager that formed part of the Farm's estate and this land was occupied on a long term tenancy basis.

Sandbach resident Phillip Brooks attended the meeting and asked a question in relation to agenda item 6, Potential Future Items for the Work Programme. The question related directly to the Cheshire East Cemeteries Strategy. Mr. Brooks felt that the original draft document was flawed in two respects. 1) There was no account of the subject of the land available to extend Sandbach Cemetery and 2) the distances that had previously been calculated related to funeral corteges moving between either Crewe or Macclesfield cemeteries and not those who wanted to frequent the cemetery as friends and family who would want to visit cemeteries more than once and perhaps daily. These kind of distances would not be feasible to do regularly on public transport.

Mr. Brooks asked the Committee to take into account the human costs of implementing the cemeteries strategy as it stood and to consider reviewing it as a matter of urgency.

RESOLVED: That Mr. Brooks be thanked for his attendance and his comments be noted by this Committee.

16 TO RECEIVE PETITIONS

Local resident and Lead Petitioner Ann Nevitt attended the Committee to present her petition, on behalf of the residents of Sandbach and surrounding villages, titled Save Sandbach Cemetery.

The petition called for Cheshire East Council to allocate part of the land adjacent to Sandbach Cemetery to be utilised as additional burial plots as originally intended when the cemetery was established in 1934. This option had already been exercised in the 1970's and in 1998. Local residents had always understood this land to be earmarked for this purpose as and when required.

Cheshire East draft Strategy document was approved for consultation in July 2018, during that time Sandbach Town Council had indicated concern that the land next to the Cemetery had been intended to be used for this purpose.

The draft document did not indicate that the land had been registered by the Land registry as a cemetery and this remained the position today. Cheshire East Council have indicated that no further utilisation of the land was possible when current capacity was reached and future burials would have to go to Crewe or Macclesfield. Sandbach residents feel this is an unacceptable position.

The final strategy was approved in March 2019 without an opportunity for the omission to be corrected. Many local residents had not realised that the strategy had been finalised.

Ann felt that with the significant increase of new housing to Sandbach, the original estimate of 8 years capacity would need to be reviewed.

There were close to 6,000 signatures on the petition which demonstrates strong support for a review of the strategy.

RESOLVED: That:

- Ann be thanked for her attendance and participation at Committee;
- the petition be received; and
- an Officer report be requested on Sandbach Cemetery for future review by this Committee.

17 POTENTIAL FUTURE ITEMS FOR THE WORK PROGRAMME

The Committee considered an item brought by Committee Member Councillor Mike Benson that related to the medium and long term provision of cemetery places within the borough. Councillor Benson had produced a briefing note that had been circulated to the Committee before the meeting.

Councillor Benson advised the Committee that it had been three years since the start of the cemetery review, and he felt that sufficient time had passed to better understand the medium and long term provision of burial spaces in Sandbach. The report that recommended provision in Crewe and Macclesfield had not taken into account the land earmarked for extra capacity in Sandbach.

Councillor Benson was of the opinion that a strategic decision had been made that did not take into account all of the facts that related to the land in Sandbach and incorrect assumptions had been drawn. This issue did not just relate to Sandbach but also to neighbouring communities that use the cemetery.

Councillor Benson felt that a review of the cemeteries strategy should be undertaken in a timely manner and also felt that there could be capacity to also incorporate a football pitch on the land earmarked for extra cemetery capacity in Sandbach.

Visiting Member, Councillor Edgar attended the Committee and spoke in his capacity as a Weston and Basford Parish Councillor on behalf of the Parish Council for new cemetery provision for Weston Village.

Councillor Edgar advised the Committee that the Parish Council has considered the proposals and found them to be overly elaborate and not in keeping with the location within the village. Whilst the land is available some of the items preventing the commencement appear to be excessive due to lack of capital provision.

The Parish Council are seeking permission from Cheshire East Council to put its own plans together in keeping with the original budget to enable the project to move forward enabling additional cemetery provision now and into the future.

The old cemetery was now full, being established in the 1800's and given the expansion of the village had reached 700 additional homes with projections for a further 1300 homes by 2030, the Parish Council was confident it could expedite plans using recognised contractors to fit both the budget and ambition for the village.

RESOLVED: That Councillor Edgar be thanked for his attendance and contribution to the Committee and that he be given a written response to his comments and questions.

Visiting Member Councillor Janet Clowes attended the Committee and spoke on the issue of the Wynbunbury combined Parishes. The two graveyards in the area had been closed this year, through the Parochial Church Council. The current cemetery strategy deals with the closure of graveyards and the role of the Council in absorbing maintenance of these spaces.

The graveyards in Wynbunbury had existed for over 1200 years, they were of historical interest and part of conservation area as documented in the Wynbunbury Combined Parishes Neighbourhood Plan.

The spaces had served for 100s of years the wider estates such as Dodington, Shavington, Weston etc. All the communities would now have to be served by Crewe. Councillor Clowes advised the Committee there were concerns and confusion about the maintenance of Wynbunbury cemetery.

Councillor Clowes felt that the current strategy is vague and gave an overview of the wider, national strategy which did not take into account the impacts on Town and Parish Councils or the residents who make up the Parochial Church Councils. Councillor Clowes felt that a review of the strategy at this time was extremely important and would give confidence to town and parish communities when facing the issue of the closure of graveyards particularly in light of the financial implications for both borough and town and parish councils.

RESOLVED: That Councillor Clowes be thanked for her attendance and contribution to the Committee.

The Chair then opened the debate from Councillor Benson's address to the Committee. There was some discussion that covered:

- When Cabinet had originally debated the item back in July 2018, there had been a period of consultation that followed

- The football pitch had stopped being hired out and there was an understanding locally that the land was going to be used as cemetery plots;
- That under the old form of Leader and Cabinet form of governance, a Call-In could not be done with just one Member and that procedures were followed according to the procedure rules;
- That the impact of people prebooking cemetery spaces had a significant effect on capacity and with investment current capacity at Sandbach could raise from potentially 8 years to 16-20 years,
- Existing bookings would be honoured but provision of plots should be on the basis of need and not wealth; and
- That after three years there should now be some form of review of the strategy.

RESOLVED:

That a report be brought back to this committee to review the current cemeteries strategy for the whole of the borough.

18 GEN4 (RECOVERY OF FORWARD FUNDED INFRASTRUCTURE COSTS) SPD

Paul Bayley, Director for Environment and Neighbourhood Services introduced the report that sought approval to carry out four weeks of public consultation on the draft Forward Funded Infrastructure Supplementary Planning Document (SPD).

Tom Evans, Neighbourhood Planning Manager attended the meeting to address any questions the Committee had.

The Committee noted that at section 9.6 of the SPD it stated:

9.6 Where a financial obligation is necessary, payment would normally be required on commencement or on first occupation of a development. However, in the case of a large-scale development, it may be that the payments would be phased to meet the proportional impact of each phase. Trigger points for payments will be included in the legal agreement, as will the period in which any contribution will have to be spent.

Tom confirmed this was an error as the contributions will already be spent and so the monies will be repaying.

RESOLVED: That:

- a) the reports be received and noted and that Tom be thanked for his attendance and contributions at Committee;
- b) the Draft Recovery of Forward Funded Infrastructure Supplementary Planning Document be approved for four weeks of public consultation;
- c) the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report be published; and
- d) the associated Equalities Impact Assessment Screening Report (EQIA) be published.

19 ENVIRONMENTAL PROTECTION SPD

Paul Bayley, Director for Environment and Neighbourhood Services introduced the report that sought approval to carry out a minimum of four weeks of public consultation on the draft Environmental Protection Supplementary Planning Document (SPD).

Tom Evans, Neighbourhood Planning Manager attended the meeting to address any questions the Committee had.

Tom advised the Committee that this SPD would only apply to planning applications within the borough once the document had been formally adopted.

The Committee had some discussion about smart consultation and the potential audience to engage with, such as those living near land earmarked for new builds. Tom advised that consultation was always challenging but the usual process for the council was to publish press releases, email a database of 6k people and use social media, sometimes drop in events were scheduled but that related more to documents such as the local plan etc. This document was focused on applicants and developers.

RESOLVED: That:

- a) the reports be received and noted and that Tom be thanked for his attendance and contributions at Committee;
- b) the draft Environmental Protection Supplementary Planning Document be approved for a minimum of four weeks of public consultation, including the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA"); and
- c) the associated Equalities Impact Assessment Screening Report ("EQIA") be published.

20 HOUSES OF MULTIPLE OCCUPATION SPD

Paul Bayley, Director for Environment and Neighbourhood Services introduced the report that sought approval adopt the Houses in Multiple Occupation Supplementary Planning Document (HMO SPD).

Claire Coombs, Principal Planning Officer attended the meeting to address any questions the Committee had.

The Committee agreed that damage can be done to the community if there was a concentration of HMOs in one area, it was noted there were parts of Crewe where concentrations were above 10%.

RESOLVED: That

- a) the report be received and noted and that Claire be thanked for her attendance at Committee; and
- b) the Houses in Multiple Occupation Supplementary Planning Document be approved for adoption.

21 TAXI LICENSING POLICY

Paul Bayley, Director for Environment and Neighbourhood Services introduced the report that advised the Committee of the publication of the Department for Transport (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' and subsequent changes that may be considered to the existing Cheshire East Council Taxi Licensing policies and procedures to implement the recommendations within the standards.

Kim Evans, Licensing Team Leader and Amanda Andrews, Licensing Enforcement Officer attended the meeting to address any questions the Committee had.

The Committee asked that the three separate licensing zones for hackney carriages (coterminous with the previous district council boundaries) that currently existed within the borough be considered when this item came back to Committee. This would ensure procedures were more streamlined for the council, reduce reputational risk to the council, make better financial sense for drivers and also have an environmental impact of reducing dead mileage..

The Committee noted that on the subject of car emissions, some drivers were entitled to Grandfather Rights however it was expected these rights would be time limited.

RESOLVED: That

- a) Kim and Amanda be thanked for their attendance and contribution at Committee;
- b) the reports be received and noted;
- c) the public consultation on the Draft Taxi Licensing Policy be approved; and
- d) following consultation, the policy be presented to this Committee for final approval.

22 WORK PROGRAMME

The Committee considered it's Work Programme. There had been two minor amendments since the agenda had been published:

- 1) That the Carbon Neutral Programme Progress report; and
- 2) Everybody Sport and Recreation Annual Report

Would now be reviewed at the meeting on the 20 January 2022.

RESOLVED:

That the Work Programme be received and noted.

The meeting commenced at 10.30 am and concluded at 12.06 pm

Councillor M Warren (Chair)

