

# Environment and Communities Committee

## Agenda

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**Date:** Monday, 7th March, 2022

**Time:** 10.30 am

**Venue:** The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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**PLEASE NOTE** –This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. It is advised that this only be removed when speaking at the meeting.

**The importance of undertaking a lateral flow test in advance of attending any committee meeting.** Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:

[https://www.cheshireeast.gov.uk/council\\_and\\_democracy/council\\_information/coronavirus/testing-for-covid-19.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx)

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

#### **1. Apologies for Absence**

To note any apologies for absence from Members.

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For requests for further information

**Contact:**

**Tel:** >

**E-Mail:** with any apologies

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Minutes of Previous Meeting** (Pages 3 - 10)

To approve as a correct record the minutes of the previous meeting held on 20 January 2022.

4. **Public Speaking/Open Session**

In accordance with paragraph 2.24 of the Council's Committee Procedure Rules and Appendix on Public Speaking, set out in the [Constitution](#), a total period of 15 minutes is allocated for members of the public to put questions to the committee on any matter relating to this agenda. Each member of the public will be allowed up to two minutes each to speak, and the Chair will have discretion to vary this where they consider it appropriate.

Members of the public wishing to speak are required to provide notice of this at least three clear working days' in advance of the meeting.

5. **Notice of Motion: Low Carbon Advertising** (Pages 11 - 16)

To consider the Notice of Motion lodged at Council on the 15 December 2021 in respect of Low Carbon Advertising.

6. **Referral of Notice Motion: Replacement Recycling Site at Congleton** (Pages 17 - 54)

To consider the Notice of Motion lodged at Council on the 15 December 2021 in respect of the Replacement Recycling Site at Congleton.

7. **Referral of Notice Motion: Single Use Plastics** (Pages 55 - 58)

To consider the Notice of Motion lodged at Council on the 15 December 2021 in respect of Single Use Plastics.

8. **Standing Item: Members Advisory Panel: Cheshire East Cemeteries Strategy Review**

To receive an oral update from the Chair of the Member Advisory Panel.

9. **Standing Item: Member Advisory Panel: Cheshire East Planning Process Review**

To receive an oral update from the Chair of the Member Advisory Panel.

10. **Work Programme** (Pages 59 - 60)

To consider the Work Programme and determine any required amendments.

**Membership:** Councillors Q Abel (Vice-Chair), M Benson, J Bratherton, J Buckley, L Crane, T Dean, A Farrall, L Gilbert, P Groves, C Leach, J Nicholas, J Parry and M Warren (Chair)

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Environment and Communities Committee**  
held on Thursday, 20th January, 2022 in the The Capesthorpe Room - Town  
Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor M Warren (Chair)  
Councillor Q Abel (Vice-Chair)

Councillors M Benson, J Buckley, L Crane, T Dean, A Farrall, L Gilbert,  
P Groves, C Leach, J Nicholas, J Parry, B Puddicombe and R Fletcher

**OFFICERS IN ATTENDANCE**

Paul Bayley- Director of Environment and Neighbourhood Services  
Helen Davies- Democratic Services Officer  
Emma Fairhurst- Senior Conservation Design Officer  
James Thomas- Senior Lawyer (attended via Microsoft Teams)  
Ben Vickers- Senior Planner  
Paul Goodwin- Head of Financial Services & Deputy Chief Finance Officer  
Ralph Kemp- Head of Environmental Services  
Tom Evans- Neighbourhood Planning Manager

**36 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Joy Bratherton (Councillor Brian Puddicombe was substituting).

**37 DECLARATIONS OF INTEREST**

There were no declarations of interest received.

**38 MINUTES OF PREVIOUS MEETING**

RESOLVED: That the minutes of the meeting 11 November 2021 be accepted as a correct and accurate record.

**39 PUBLIC SPEAKING/OPEN SESSION**

Macclesfield Town Councillor Fiona Wilson attended the meeting to speak in relation to agenda item 8: Draft conservation area appraisal and management plans. The Chair used his discretion to enable Councillor Wilson to speak ahead of that item.

**40 CARBON NEUTRAL PROGRAMME PROGRESS REPORT**

Ralph Kemp, Head of Environmental Services introduced this item to the Committee.

The Committee was advised the report was an update on the delivery of the commitment made by Council to being a carbon neutral council by 2025 and influence carbon reduction across the borough, the Action Plan had been adopted to achieve this.

Ralph advised the Committee that the data suggested that the Council was on track to achieving its carbon neutral ambition, the council had secured its fourth successful funding bid from Government, purchased its first council electric vehicles, planted 21,000 trees and progressed two large solar farms.

Part of the recommendation within the report was to approve joining the UK100 Network and this followed a pledge at full council committing the borough to be carbon neutral by 2045.

In line with the procedure rules within the council Constitution, the proposer of the original motion if present should be invited to speak first, followed by the seconder. The matter would then be opened up to wider discussion.

Councillor Quentin Abel addressed the Committee as the proposer of the original motion at full council, he brought up four points for consideration:

- 1) There was no additional cost to join UK100
- 2) There were many advantages of joining in relation to the access to data
- 3) This could help business and the population with their quality of life; and
- 4) The Council would gain access to funding and advice on securing future funding.

Councillor Rod Fletcher as the seconder of the original motion attended the meeting and addressed the Committee, he noted there had been misinformation spread about this proposal which had contributed to some hesitancy in support from across the council. Councillor Fletcher gave examples of both Liverpool and Surrey Local Authorities joining the UK100 and underlined the point that the organisation was not political and there were real benefits in gaining access to support and help to achieve environmental targets. Councillor Fletcher expressed a desire to see unanimous support for this recommendation.

The Committee was given the opportunity to ask questions. There was a query about the difference between carbon offset and carbon inset. Ralph Kemp explained that carbon inset is the term the Council had adopted for projects to capture carbon within the borough.

Ralph also explained that whilst joining the UK100 target was a pledge and there was no legal requirement to meet the targets, progress would be published.

The Committee asked if Cheshire East had consulted with Cheshire West, Ralph confirmed that Cheshire operate regionally, both through and outside of the Local Enterprise Partnership (LEP), both authorities support each other with different conferences regionally and there would be a need to find some regional solutions e.g. transport solutions. Cheshire West were already committed to UK100.

**RESOLVED: (Unanimously)**

That:

1) progress made towards the Council's target to be carbon neutral for its own emissions by 2025 and wider influence measures to reduce carbon emissions across the borough be noted;

2) Cheshire East Council joining the UK100 network, setting a borough-wide target to be carbon neutral by 2045 be agreed;

3) the Head of Environmental Services be authorised to take all necessary actions to enter into a collaboration agreement between Cheshire East Council and Cheshire Wildlife Trust.

4) the Head of Environmental Services be authorised to take all necessary actions to establish and procure an electric vehicle car club as a solution to reducing the carbon footprint of the Council's business travel and borough wide carbon emissions through public use of the car club.

5) the adoption of the Manchester City Council Low Carbon Build Standard as a requirement for all construction projects undertaken by the Council be recommended to the Economy and Growth Committee;

6) the £3.714 million Public Sector Decarbonisation Scheme Grant from the Department for Business, Energy and Industrial Strategy (BEIS) for further decarbonisation of Council buildings be accepted;

7) the Council plan to plant trees on suitable council owned agricultural land holdings as part of the Carbon Neutral Action Plan 2020- 2025 commitment to develop natural climate solutions such as tree planting and peatland management on at least 100ha of Council owned land be noted.

**41 REFERRAL OF NOTICE OF MOTION: PROTECT THE RIGHT OF COMMUNITIES TO OBJECT TO INDIVIDUAL PLANNING APPLICATIONS**

Tom Evans, Neighbourhood Planning Manager introduced the referral of the Notice of Motion from full Council in October 2021 to the Committee.

Tom advised the Statement of Community Involvement (SCI), set out and engaged with stakeholders and residents on planning applications. This needed to be refreshes to remove covid provisions. Tom also explained that in October 2020, the Council responded to the Government's White Paper on proposed reforms to the planning system in which concern had been expressed about proposed changes that could remove an opportunity for the public to comment on the detail of a planning proposal. Given the length of time since the consultation took place, it could be timely to re-emphasis the Council's position to the new Secretary of State for Levelling Up, Housing and Communities (LUHC).

RESOLVED: (Unanimously)

That:

1) the updated Statement of Community Involvement, January 2022 attached at Appendix 1 be approved; and

2) the Chair of the Committee be authorised to write to the Secretary of State for Levelling Up, Housing and Communities calling on Government to protect the right of communities to comment on individual planning applications.

#### **42 BROWNFIELD LAND REGISTER UPDATE**

Paul Bayley introduced item to the Committee, Ben Vickers, Senior Planner and report author attended the Committee to answer any questions.

Councillor June Buckley raised a point about Ward Members and Town and Parish Clerks being notified 14-7 days prior to any publication of land to avoid any surprises.

RESOLVED: (Unanimously)

That:

1) the 2021 update and publication of the Cheshire East Brownfield Land Register, comprising the sites listed in Appendix 1 be approved; and

2) future updates and publications of Part 1 of the Cheshire East Brownfield Land Register be delegated to the Head of Planning.

#### **43 DRAFT CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS**

Macclesfield Town Councillor Fiona Wilson attended the meeting and addressed the Committee specifically in support of the Macclesfield Town Centre Conservation Area Appraisal.

Town Councillor Wilson gave the Committee some background to the document, the previous appraisal dated back to September 2005 and a review had been overdue. The Committee were advised that Macclesfield Town Council took forward a decision to fund a review of Macclesfield Town Centre in December 2019 in response to an approach offered by the Cheshire East Regeneration Team. Macclesfield Town Councillors were trained and had sessions with Cheshire East Neighbourhood Planning officers and following a tendering process, consultants were appointed.

A Stakeholder Engagement Plan was developed, in consultation with key groups in Macclesfield, these included: an internal group with Macclesfield Town Councillors, Cheshire East Council Planning, Regeneration and Conservation and Enforcement, a Heritage Conservation Group, Local Historians, the Civic Society, the Silk Heritage Trust, a Local Interest Group consisting of Residents, Cheshire East Members, Peaks and Plains Housing Trust, and schools.

Two workshops were held, one in March for consultation and one in June to gather feedback on the Draft Conservation Area Appraisal. The Final Draft Conservation Area Appraisal, the Management Plan and the Gazetteer are to be considered by the Committee today. An offshoot to this project has been a shopfront and signage design guide and a Macclesfield character assessment is also a work in progress.

Paul Bayley, Director of Environment and Neighbourhood Services introduced the item to the Committee. Emma Fairhurst, Senior Conservation Design Officer and report author attended the Committee to answer any questions.

There was some discussion about the potential conflicts between energy efficiency and conservation of buildings. Emma explained to the Committee that conservation areas are not just building heritage it includes trees and land such as tree protection and better management for replacement tree schemes following tree loss.

In terms of retrofitting historical buildings that are not listed, yet have historical value to the community there is a flexibility to enabling positive outcomes. There was a discussion about the retaining and embedded carbon in existing buildings rather than demolishing the whole building and building new. Whilst this was not policy it was guidance to stop demolition of buildings, as most buildings can be upgraded to meet modern living standards.

RESOLUTION: (Unanimously)

That:

- 1) the draft Ollerton School Lane Conservation Area Appraisal (including a boundary review) and Management Plan be approved and then such plan be made available for a minimum of 4 weeks of public consultation.(Appendix 1a/b);
- 2) the draft Macclesfield Town Centre Conservation Area Appraisal and Management Plan be approved and to then such plan be made available for a minimum of 4 weeks of public consultation.(Appendix 2a/b/c);
- 3) the draft Alderley Edge Conservation Area Appraisal (including Article 4 Direction) be approved and to then such plan be made available for a minimum of 4 weeks public consultation;
- 4) future decisions to consult on draft Conservation Area Appraisals and Management Plans be delegated to the Head of Planning, in consultation with the Chair of the Environment and Communities Committee and relevant ward councillors to gather knowledge from their area.

#### **44 THIRD QUARTER FINANCE REVIEW**

Paul Goodwin, Head of Financial Services & Deputy Chief Finance Officer attended the meeting and introduced the item to the Committee. It was noted that Tracey Baldwin, Principal Accountant was also in attendance to answer any questions from the Committee.

The Committee was advised, as noted in the report, to focus its scrutiny on the financial performance of services within its Terms of Reference (TOR).

The Committee was given the opportunity to ask questions.

Councillor Tony Dean made a general point that as a member of the committee, he understood the areas of responsibility, however at present this committee had

no influence on the budget. Whilst Councillor Dean did comment he could lobby Finance Sub-Committee, he felt it would be more productive, before the next round of the MTFS, to attend a half-day seminar that covered the changes being proposed in order to have more influence over the areas of scrutiny for this committee.

Paul Goodwin advised that the council was within the first year of moving to a committee system, and that this budget had been set under the previous Leader and Cabinet system. One of the reasons for the governance move was to widen committee engagement in budget setting, as reflected in the item on the agenda that related to the Medium Term Financial Strategy (MTFS). It was suggested that further briefings could be held for members, that would provide more information on the budgets of services under each committee's remit, earlier in the next financial cycle.

RESOLVED: That

- 1) the report of the Finance Sub-Committee (1<sup>st</sup> December 2020) be received and noted;
- 2) the recommendations of the Finance Sub-Committee to:
  - a) note the financial update and forecast outturn relevant to the Environment and Communities Committee terms of reference; and
  - b) note that officers will seek to improve the outcomes and financial outturn across all Committees to mitigate the overall forecast overspend of the Council.

be received and noted.

3) Appendix 7 and the following sections specific to this Committee:

- Changes to Revenue budget 2021/22
- Policy Proposals Update
- Corporate Grants Register
- Debt Management
- Capital Strategy
- Reserve Strategy

be noted;

4) the additional specific grant supplementary revenue estimate over £500,000 and up to £1,000,000 in Appendix 7, Section 3 Corporate Grants Register, Table 2 be approved.

5) further briefings be scheduled for members, to provide more information on the budgets of services under each committee's remit, earlier in the next financial cycle.

#### **45 MEDIUM TERM FINANCIAL STRATEGY (MTFS)**

Paul Goodwin, Head of Financial Services & Deputy Chief Finance Officer attended the meeting and introduced the item to the Committee.

The Committee was advised that the Medium Term Financial Strategy (MTFS) report was the opportunity for the committee to feed back on the budget consultation document that related to the MTFS 2022-2026 for services under the remit of this committee. There were no specific new proposals that related to services for this committee but there were a number of existing proposals rolling forward from the MTFS 2021-25 relevant to this committee, these were listed as an appendix within the report.

The Committee were given the opportunity to ask questions.

Councillor Peter Groves asked if the salary levels for planning officers was being considered in relation to retention and recruitment of staff within this area.

Paul Bayley, Director for Environment and Neighbourhood Services noted that the Executive Director for Place had instigated a deep-dive review of planning services within Cheshire East and recruitment and retention of Planning Officers, including salary levels, would be considered within the scope of this review.

RESOLVED: That:

- 1) the MTFS 2022 to 2026 Consultation Document be received and noted;
- 2) comments made by individual Councillors be fed back to the Corporate Policy Committee for its consideration;
- 3) the following proposals rolling forward from the MTFS 2021-25 relevant to the committee (as part of Appendix 1 (Appendix A of the report) be noted:
  - 26) Regulatory Services and Environmental Health ICT procurement
  - 27) CCTV migration to wireless networks
  - 29) Orbitas income and management fee
  - 31) Everybody Sport and Recreation Management Fee
  - 39) Review of governance of ASDVs
  - 42) Strategic Leisure Review
  - 84) Waste Contract Inflation and Tonnage Growth
  - 85) Environment Strategy and Carbon Neutrality
  - 86) Tree Risk Management
- 5) the impact of the local government financial settlement as provided at Appendix 2 on the MTFS Consultation Document be received and noted;
- 6) it be noted that this committee can comment on any other element of the MTFS Consultation Document related to the responsibilities of the Committee (including WOC Business Plans, and Reserves levels);
- 7) it be noted that the minutes of this meeting will form the consultation response of the Committee for the consideration by the Corporate Policy Committee.

#### **46 MEMBERS ADVISORY PANEL: CHESHIRE EAST CEMETERIES STRATEGY REVIEW**

In the absence of Councillor Joy Bratherton, Councillor Mike Benson addressed the Committee on this item.

The Committee were advised that the Member Advisory Panel had met and agreed comprehensive Terms of Reference (TOR). The next meeting was the 10<sup>th</sup> Feb, before then the Sub-Committee will review data and then undertake site visits.

#### **47 MEMBER ADVISORY PANEL: CHESHIRE EAST PLANNING PROCESS REVIEW**

Councillor Tony Dean updated the committee on the work of the Planning Member Advisory Panel (MAP). This MAP was sitting alongside a deep-dive full-systems review of Planning services as instigated by the Executive Director of Place. The review included staffing issues and external users of the planning service.

The review entails three phases, the first is the largest and will report back in April. Phase two and three will complete in December 2022.

Councillor Dean noted that Cheshire East Council experienced one of the highest numbers of planning applications in the country with over 6,000 a year; Cheshire was an area where people wanted to build and extend, however the council does spend more in resources than the cost of the application which was an area of scrutiny. Other councils operate a definitive cut off point and reject applications for lack of information after three-weeks and it is incumbent on the applicant to pay again.

#### **48 WORK PROGRAMME**

Paul Bayley, Director for Environment and Neighbourhood Services introduced the item to the Committee.

The Committee were advised that three Notice of Motions from full Council would be added to the Work Programme and scheduled for March. These were: low carbon advertising, the replacement for Congleton Household Waste and Recycling Centre and single use plastics.

RESOLVED: That the Work Programme be received and noted.

The meeting commenced at 10.30 am and concluded at 12.21 pm

Councillor M Warren (Chair)





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## Environment and Communities Committee

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<b>Date of Meeting:</b>	7 <sup>th</sup> March 2022
<b>Report Title:</b>	Notice of Motion: Low Carbon Advertising
<b>Report of:</b>	Jayne Traverse, Executive Director of Place
<b>Report Reference No:</b>	EC/33/21-22
<b>Ward(s) Affected:</b>	All

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### 1. Purpose of Report

- 1.1. At the full Council Meeting of 15<sup>th</sup> December 2021 a notice of motion was proposed in relation to Low Carbon Advertising. This report responds to that notice of motion.

### 2. Executive Summary

- 2.1. A Notice of Motion relating to Low Carbon Advertising, set out below, was proposed to Council at its meeting on 15<sup>th</sup> December 2021. The motion was proposed by Cllr Brian Puddicombe and seconded by Cllr Quentin Abel. Council referred the motion to the Environment and Communities Committee.

- 2.2. Notice of Motion: Low Carbon Advertising

*This Council notes:*

*It is possible for local authorities to implement advertising policies against specific products if they consider them to be harmful to the amenity of an area.*

*The Council holds an Advertising Concession Agreement with ClearChannel UK (Adshel) to provide advertising on bus shelters.*

*The Council promotes advertising opportunities on roundabouts across the Borough.*

*That as a Local Planning Authority this Council is responsible for planning consent for advertising infrastructure.*

*This Council believes:*

*That the purpose of advertising is to stimulate demand for goods and services.*

*That some advertising content undermines the Council's objectives regarding public health, air pollution and sustainable consumption.*

*This Council resolves:*

*To review its Advertising Concession Agreement to investigate the current set of prohibitions to include products that undermine the Council's objectives regarding public health, air pollution and sustainable consumption.*

*To implement a Low Carbon Advertising Policy as part of the Council's planning policies to apply to bus stops, billboards and advertising spaces within the jurisdiction of the local planning area.*

*To adopt a presumption against planning applications for all new digital advertising screens due to the high electricity use of these technologies.*

- 2.3. The Advertising Concession Agreement to provide advertising on bus shelters expires in 2022. Conditions on the type of advertising that is permissible could be reviewed prior to the procurement of a new contract.
- 2.4. The Council's draft Site Allocations and Development Policies Document (SADPD) includes policies relevant to this matter. Once the SADPD is adopted these policies will require applicants to demonstrate that their advertising illuminations are energy efficient.
- 2.5. Planning applications must be determined on their own merits and in accordance with the development plan. The Council cannot prejudice decisions by introducing any presumptions prior to the decision making process.

### **3. Recommendations**

- 3.1. That the Committee:
  - 3.1.1. Notes that the current Advertising Concession Agreement is due for renewal in May 2022 which will provide an opportunity to review the current set of prohibitions.
  - 3.1.2. Decide what action, if any, they wish to take in response to the Notice of Motion.

### **4. Reasons for Recommendations**

- 4.1. The Cheshire East Council Constitution sets out the procedure for Notices of Motion submitted to Council. A motion referred to the relevant decision-making body must be considered within two meeting cycles. At the meeting to which the motion has been referred for consideration, the proposer of the motion if present shall be invited to speak first, followed by the seconder. The matter will then be opened up to wider discussion.

### **5. Other Options Considered**

- 5.1. None. The Constitution sets out the procedure for responding to Notices of Motion.

## **6. Background**

- 6.1. The Council has a contract for the provision of an Advertising Concession Agreement providing on-street advertising at Bus Shelters. Advertising shelters are generally located on key bus routes with high levels of pass-by traffic. Advertising content at these sites is not controlled directly by the Council but is marketed through a third-party agency on a commercial basis. The current contract expires in 2022. If the Council wishes to condition the type of advertising that is permissible under the contract, this could be included within terms of the contract. The Highways and Transport Committee is responsible for developing policies and making decisions on matters relating to Transport.
- 6.2. The control of advertising is subject to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Many advertisements are either permitted or benefit from deemed consent where they meet criteria set out in the regulations. Where an advertisement does not fall into the classifications that mean it is either permitted or benefits from deemed consent, planning consent must be secured. Most illuminated adverts require planning consent and where consent is required, applications are subject to policies of the National Planning Policy Framework and those held in the Local Plan or relevant neighbourhood plans.
- 6.3. Planning policy may only be introduced through the local plan process or through a neighbourhood plan, both of which require significant time and resource to complete. The Council's draft Site Allocations and Development Policies Document (SADPD) includes three policies relevant to this matter: Policy GEN 3 Advertisements, Policy ENV 14 Light Pollution and Policy RET 4 Shop Fronts and Security.
- 6.4. Policy GEN 3 - Advertisements requires that illuminated adverts should be discrete and comply with provision of Policy ENV14 'Light Pollution'.
- 6.5. Policy ENV 14 - Light Pollution requires that lighting should be efficient as possible and follow guidance set out by the Institute of Lighting Engineers and the Institute of Lighting Professionals.
- 6.6. Policy RET 4 – Shop fronts and security may be relevant where advertising is a component part of a shop front and seeks to ensure positive design.
- 6.7. Once the SADPD is adopted (expected later in 2022) these policies may be applied and will require applicants to demonstrate that their advertising illuminations are as energy efficient as possible.
- 6.8. Where the Council leases out advertising space, the Council could include contractual terms that require illuminated advertisements are both energy efficient and powered by renewable electricity. However, neither the energy

source that advertisements use, nor the products being advertised are matters that may be controlled by planning policy itself.

- 6.9.** Planning applications must be determined on their own merits and in accordance with the development plan. The Council must use the policies it has to determine applications. Existing policies ensure that the energy use of illuminated advertisements is a criteria that may be assessed during consideration of a planning application and the Council cannot prejudice decisions by introducing any presumptions prior to the decision making process.

## **7. Implications**

### **7.1. Legal**

- 7.1.1. The control of advertising is subject to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).
- 7.1.2. Rejecting the part of Motion related to adopting a presumption against planning applications for digital advertising, would ensure the council continues to determine applications on their own merits in accordance with its legal duty in under section 70(2) of the Town and Country Planning Act 1990 and section 38 (6) of the Planning and Compulsory Purchase act 2004.

### **7.2. Finance**

- 7.2.1. Rejecting the part of the Motion related to adopting a presumption against planning applications for digital advertising may have a positive financial impact by reducing the risk of costs awards against the Council through planning appeals.

### **7.3. Policy**

- 7.3.1. There are no policy implications arising from this report. .

### **7.4. Equality**

- 7.4.1. The Council needs to ensure that its policies and processes for planning engagement enable all sections of the community to be involved in the plan making and decision-making process. Rejecting the Motion preserves this ability by assuring that debate on the individual merits of an application may continue to take place.

### **7.5. Human Resources**

- 7.5.1. There are no Human Resources implications arising from this report..

### **7.6. Risk Management**

- 7.6.1. All decisions of a public authority are open to challenge by Judicial Review. Rejecting the Motion reduces the ability of the Council to make decisions contrary to its legal obligations and therefore continues the current

situation of ensuring proposals are in accordance with relevant legislation and current guidance.

**7.7. Rural Communities**

7.7.1. There are no implications for rural communities arising from this report.

**7.8. Children and Young People/Cared for Children**

7.8.1. There are no implications for children and young people / cared for children arising from this report.

**7.9. Public Health**

7.9.1. There are no implications for public health arising from this report.

**7.10. Climate Change**

7.10.1. Whilst supporting the motion may have some positive impacts on climate change through the reduction of carbon in powering digital advertisements, and through an unquantifiable reduction in carbon through sales of material that may have an impact on the environment, these matters do not fall within the remit of the planning system. Existing and emerging policies (via the SADPD) in the Councils' local plan provide a framework within which planning decisions can be made to support lower carbon development.

Access to Information	
Contact Officer:	Tom Evans <a href="mailto:Tom.Evans@cheshireeast.gov.uk">Tom.Evans@cheshireeast.gov.uk</a> 01270 383709   07772629846
Appendices:	n/a
Background Papers:	n/a

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## **Environment and Communities Committee**

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<b>Date of Meeting:</b>	7 <sup>th</sup> March 2022
<b>Report Title:</b>	Congleton recycling centre (notice of motion)
<b>Report of:</b>	Jayne Traverse, Executive Director of Place
<b>Report Reference No:</b>	EC/35/21-22
<b>Ward(s) Affected:</b>	Congleton East, Congleton West

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### **1. Purpose of Report**

- 1.1.** At the full Council meeting on 15<sup>th</sup> December 2021, a notice of motion was submitted in relation to a replacement recycling site at Congleton. This report responds to that notice of motion.

### **2. Executive Summary**

- 2.1.** On 15<sup>th</sup> December 2021, a Notice of Motion was proposed to Council in relation to the investigation of costs and feasibility of a replacement recycling site at Congleton. The motion was proposed by Cllr Denis Murphy and seconded by Cllr June Buckley. Council referred the motion to the Environment and Communities Committee.

- 2.2.** Notice of Motion: Investigation of Costs and Feasibility of a Replacement Recycling Site at Congleton.

*This Council authorises the full Environment and Communities Committee to carry out a full investigation to ascertain the detailed costs and feasibility of an alternative replacement recycling site for the residents of Congleton and surrounding areas following the closure of the former Congleton recycling site in September 2021.*

*This detailed investigation should also give full consideration to the replacement recycling site to include the provision of a reuse and repair facility as part of this Council's policy and commitment to work with communities to reduce carbon.*

*This investigation should also fully consider all potential suitable locations for such a permanent replacement recycling site including all those sites identified as being suitable in the report issued by consultants to the previous Cheshire East Council Administration in 2018 at a cost of about £ 50,000.*

*The full Environment and Communities Committee to provide a full report of its conclusions from these detailed investigations to full Council for its consideration no later than 30th June 2022.*

- 2.3. On 4<sup>th</sup> May 2021, Cabinet considered a report on Household Waste Recycling Centre (HWRC) provision. The report advised that the current contract for the provision of HWRCs ends in March 2023. The report also advised that the facility in Congleton operated on a site leased by the Council which was due to expire in September 2021 and that the owner of the site had informed the Council that they would not consider a renewal of the lease.
- 2.4. Cabinet resolved that the Congleton HWRC would not be replaced while the procurement of the new contract for the provision of HWRCs is undertaken and a decision is taken regarding the overall provision for the borough.
- 2.5. The procurement of the new contract is progressing and will be brought to the Environment and Communities Committee in August 2022 for consideration.

### **3. Recommendations**

- 3.1. The committee decide what action, if any, they wish to take in response to the Notice of Motion.

### **4. Reasons for Recommendations**

- 4.1. The Cheshire East Council Constitution sets out the procedure for Notices of Motion submitted to Council. A motion referred to the relevant decision-making body must be considered within two meeting cycles. At the meeting to which the motion has been referred for consideration, the proposer of the motion if present shall be invited to speak first, followed by the seconder. The matter will then be opened up to wider discussion.

### **5. Other Options Considered**

- 5.1. None. The Constitution sets out the procedure for responding to Notices of Motion.

### **6. Background**

- 6.1. At the Council meeting of 15<sup>th</sup> December 2021 a notice of motion was proposed in relation to the investigation of costs and feasibility of a replacement recycling site at Congleton. The full motion proposed was as follows:

*This Council authorises the full Environment and Communities Committee to carry out a full investigation to ascertain the detailed costs and feasibility of an alternative replacement recycling site for the residents of Congleton and surrounding areas following the closure of the former Congleton recycling site in September 2021.*

*This detailed investigation should also give full consideration to the replacement recycling site to include the provision of a reuse and repair*



*facility as part of this Council's policy and commitment to work with communities to reduce carbon.*

*This investigation should also fully consider all potential suitable locations for such a permanent replacement recycling site including all those sites identified as being suitable in the report issued by consultants to the previous Cheshire East Council Administration in 2018 at a cost of about £ 50,000.*

*The full Environment and Communities Committee to provide a full report of its conclusions from these detailed investigations to full Council for its consideration no later than 30th June 2022.*

- 6.2. On 4<sup>th</sup> May 2021, Cabinet considered a report on HWRC provision. The report advised that the current contract for the provision of HWRCs ends in March 2023 and that a key consideration for the commissioning of these facilities from 2023 onwards would be the cost of running such facilities in the future. It is expected that the costs will rise owing to the volatility of the global market for recyclables. The report also advised that the facility in Congleton operated on a site leased by the Council which was due to expire in September 2021 and that the owner of the site had informed the Council that they would not consider a renewal of the lease.
- 6.3. Cabinet resolved not to replace Congleton HWRC until the procurement of the new contract for the provision of HWRCs across the borough is concluded.
- 6.4. The Council have already carried out a detailed investigation of costs and feasibility. When it became clear that the owner of the site of the former Congleton HWRC was unwilling to consider a renewal of the lease, a feasibility study was commissioned to identify the key requirements of a HWRC. This feasibility study is provided as appendix 1. Once the requirements were confirmed, a site search was commissioned to identify suitable alternative sites. A suggested layout for a HWRC was prepared along with a cost estimate for each site.
- 6.5. The Council will use this information if a decision is made to build a new HWRC in Congleton. The current procurement includes the flexibility to add an additional site or reduce sites if required to meet the budget cost envelope.
- 6.6. To undertake the investigation and feasibility study proposed by the motion would not be a prudent use of the Council's resources to repeat this work when the procurement process is incomplete.
- 6.7. The procurement process is progressing led by Ansa Environmental Services on behalf of the Council. Informal engagement with potential bidders has been carried out which has informed the tender documents that are now in the public domain. The process will result in a preferred bidder being identified and this will be brought to the committee for ratification in August 2022.

- 6.8.** In order to determine the impact of the closure on nearby sites the Council carried out a visitor number count before and after the closure – see table below.

	Number and % of visits in a week		
Date of sample	Aug-20	Aug-21	Sep-21
Alsager	2,954	2,990	1,857
% share of all visits	17.61%	15.12%	15.16%
Macclesfield	2,725	2,992	2,434
% share of all visits	16.24%	15.13%	19.88%
All sites total	16,772	19,775	12,242

- 6.9.** The situation at Alsager and Macclesfield continues to be monitored and it is noted that over the busy Christmas period there were no particular issues at either of the sites. A traffic management system has been designed for Macclesfield HWRC to reduce queues of traffic on the highway waiting to enter the site at peak times but it has not been required since the closure of Congleton HWRC.
- 6.10.** Officers have engaged with representatives of Congleton Town Council and local ward members since the closure of Congleton HWRC to review the impact of the closure. There have been no incidents of protest fly-tipping at the gate whilst the site was being cleared. The number of fly-tipping incidents within the area remains low but where there is evidence the Council will take enforcement action.
- 6.11.** A review of recycling banks in the area has also been carried out and an additional bank has been installed at Royle St car park. The location of recycling sites in Congleton can be viewed via [Recycle Now](#) website.

## **7. Implications**

### **7.1. Legal**

- 7.1.1. There are no legal implications arising from this report.

### **7.2. Finance**

- 7.2.1. If the notice of motion is accepted, a new investigation and feasibility study would cost an estimated £30,000, for which there is no current budget. There is a risk that the subsequent report could compromise the Council's ability to negotiate a cost-effective site in the future.

### **7.3. Policy**

- 7.3.1. Household Waste and Recycling Centres support the vision within the Corporate Plan for an open, fairer, greener Cheshire East and the goal to improve recycling and reuse rates within the borough.

### **7.4. Equality**

- 7.4.1. There are no equality implications arising from this report.

**7.5. Human Resources**

7.5.1. There are no human resources implications arising from this report.

**7.6. Risk Management**

7.6.1. If the notice of motion is accepted, a report will be prepared that will reveal to local landowners the intentions of the Council. Such a report, revealing potential sites, could compromise the Council's ability to negotiate a cost-effective site in the future.

**7.7. Rural Communities**

7.7.1. There will be no implications on rural communities. The current procurement will, however, explore the option to provide a mobile 'pop up' service to those rural communities that are a significant distance from any sites.

**7.8. Children and Young People/Cared for Children**

7.8.1. There are no implications for children and young/cared for people.

**7.9. Public Health**

7.9.1. There are no implications for public health.

**7.10. Climate Change**

7.10.1. There are no climate change implications arising from this report. The report to Cabinet in May 2021 acknowledged that the decision to not replace Congleton HWRC would have a moderate adverse effect from higher carbon emissions associated with transport as Congleton residents now have to travel further to their nearest site in Alsager or Macclesfield. Although the total number of trips is likely to reduce with residents making fewer trips with larger quantities of materials.

<b>Access to Information</b>	
Contact Officer:	Andrew Dunstone, Waste Contract Manager
Appendices:	Appendix 1 – Congleton HWRC Replacement Site Search Feasibility Paper, October 2018
Background Papers:	<a href="#"><u>Household Waste Recycling Centre Provision – Cabinet 4<sup>th</sup> May 2021</u></a>

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# Congleton Household Waste and Recycling Centre

## Replacement Site Search

## Feasibility Paper

for Cheshire East Council

October 2018



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## 1. Introduction

### 1.1 Remit

AECOM Infrastructure & Environment UK Limited ('AECOM') has been appointed by Cheshire East Council ('the Council') to assist in its search for a site on which to develop a replacement for the existing Household Waste and Recycling Centre (HWRC) at Barn Road, in the West Heath area of Congleton.

AECOM's remit is to:

- produce a feasibility paper which i) identifies the key requirements of a HWRC to enable a meaningful site search to be undertaken, ii) reports on current best operational practice and potential future requirements, iii) identifies the licences and permits which will be required before the HWRC can be brought into operation and iv) identifies the legislation which will apply to the development and operation of the HWRC; and
- assist with the development of a shortlist of sites by evaluating the potential sites identified and providing a reasoned justification for the choices made.

This document is the required feasibility paper and therefore deals with the first part of this remit only.

### 1.2 Existing Congleton HWRC

The existing HWRC at Congleton is operated on the Council's behalf by ANSA Environmental Services Ltd – an 'arms length company' which is owned by the Council and which commenced trading on 1<sup>st</sup> April 2014 following transfer of the Council's Environmental Services functions. ANSA has in turn let a sub-contract to HW Martin Waste Ltd to manage and operate the Congleton HWRC. This sub-contract expires in 2023.

Over the last two years (2016/17 and 2017/18) the Congleton HWRC has handled an annual average of 3,140 tonnes of material - made up of i) residual waste (27%), ii) green waste for composting (16%), hardcore (20%), recyclables (36%) and re-usables (2%) (with rounding).

The facility does not accept asbestos and plasterboard wastes. These are only accepted at the Crewe and Macclesfield HWRCs.

The next nearest HWRCs to Congleton in Cheshire East are those at Alsager approximately 10km to the south west, Macclesfield approximately the same distance to the north east and Middlewich approximately 16km to the west.

Albeit that they are operated by a neighbouring Authority, the following HWRCs are also considered to be relevant in terms of defining the catchment area for the existing HWRC at Congleton – given that local residents are likely to use the facility which is most conveniently located for them regardless of which Authority provides it:

- Biddulph (Bemersley Road, Brown Edge ST8 7QT) in neighbouring Staffordshire Moorlands - approximately 8km to the south; and
- Leek (Fowlchurch Road ST13 6BH) again in neighbouring Staffordshire Moorlands - approximately 13km to the south east.

### 1.3 HWRC Network in Cheshire East

ANSA currently operates 7 other HWRCs on behalf of the Council at:

- Alsager – off Hassall Road ST7 2SJ;
- Bollington – off Albert Road SK10 5HW;
- Crewe – Pym's Lane off the A530 Middlewich to Nantwich road CW1 3PJ;
- Knutsford – off Mobberley Road (B5085) Shaw Heath WA16 8HT;
- Macclesfield – off A536 Macclesfield to Congleton Road, Gawsorth SK11 9QP;
- Middlewich – Croxton Lane CW10 9EZ; and



- Poynton – off Anson Road SK12 1TD.

Together, all 8 HWRCs handle approximately 40,000 tonnes of household waste per annum.

Across the HWRC network, drivers of vans, pick-ups, commercial type 4x4s or vehicles with trailer over a certain size are only allowed access if they first obtain a Household Waste Permit.

Drivers of vehicles with trailers over the specified size or with gross vehicle weight of more than 3.5 tonnes are not allowed to use any of the HWRCs. In addition, the following waste types are banned from all the HWRCs in Cheshire East:

- commercial, business or trade waste (excluding rubble);
- gas cylinders;
- tyres;
- household waste which the carrier has been paid to dispose of; and
- household waste which is not from where the carrier lives.

The Council introduced a charge for rubble in April 2018 and now has the capacity to charge for commercial, business and or trade waste.

## 1.4 Reasons for the Replacement Site Search

The existing Congleton HWRC is rented month to month and the Council has been unable to secure tenure on a long term basis. The Council and ANSA also consider that the existing site cannot be operated in accordance with the safety and efficiency standards which they consider to be appropriate, largely given that the site is too small and that the geometry of the entrance from Barn Lane is sub-standard.

## 1.5 Objectives

The Council wishes to identify, obtain the necessary consents and secure a suitable replacement HWRC in 2018/19. Construction and commissioning of the replacement HWRC meanwhile is targeted for 2019-2020.

## 2. Methodology

### 2.1 Introduction

As stated earlier, this feasibility paper is required to:

- identify the key requirements of a HWRC to enable a meaningful site search to be undertaken;
- report on current operational best practice;
- report on potential future requirements;
- identify the legislation which will apply to the development and operation of the the replacement HWRC at Congleton; and
- identify the licences and permits which will be required before the HWRC can be brought into operation.

At the project inception meeting held on 29<sup>th</sup> August 2018 the Council's officers further explained that:

- the list of key requirements should be brief, focussed on what is important initially and should include i) a plan of the recommended search area, ii) a description of the preferred site characteristics, configuration and size, iii) a list of the site specific features to be noted where possible including underground structures, utility connections and access arrangements, the potential for development of a split level facility, iv) suitable access and vehicle parking/queuing arrangements and current planning status; and
- the consideration of current best practice should highlight specific comparable examples.

### 2.2 Structure

The remainder of this feasibility is structured in terms of the above requirements.

### 3. Area of Search

#### 3.1 Introduction

The catchment area currently served by the existing HWRC at Congleton can be assumed to be largely defined on the basis of journey time / convenience and therefore the proximity/accessibility of the next nearest HWRCs.

#### 3.2 Catchment Area

The nearest HWRCs to Congleton are those to the:

- east and south east at Biddulph and Leek in neighbouring Staffordshire Moorlands (see discussion at section 1.2 above);
- south west at Alsager;
- west at Middlewich; and
- north east at Macclesfield

On the basis that the catchment area boundary for the existing HWRC at Congleton can be reasonably assumed to be broadly at points which are equidistant between that facility and the next nearest in Cheshire East and that the catchment area boundary to the east and south east approximates to the administrative boundary between Cheshire East and Staffordshire Moorlands, the resultant boundary is as shown in Figure 1.

#### 3.3 Area of Search

Within the defined catchment area it can be readily seen that the great majority of the population is to be found in the town of Congleton itself and that the outlying areas are sparsely populated.

Although some comparable searches for replacement HWRCs carried out by other Waste Disposal Authorities are known to have adopted search area based on a 5 mile radius from the main population centre, it is considered that a smaller area of search be defined in this case (by excluding the outermost 5km of the western part of catchment area and the outermost 2km of the northern and southern parts of the catchment area) – to i) ensure that any new HWRC site is conveniently located to serve the main population centre and ii) reflect the relatively high density of HWRC provision in Cheshire East and the need to minimise the risk of duplicating the services provided by the next nearest HWRCs.

On this basis, the recommended area of search boundary is that shown in Figure 2.

## 4. Site Requirements

### 4.1 Introduction

For the replacement site search to be carried out efficiently, prospective replacement sites identified within the area of search need to be assessed initially in terms of various key criteria, namely:

- characteristics;
- affordability;
- consents;
- access; and
- availability.

Each of these criteria is considered in more detail below.

### 4.2 Characteristics

For a prospective site to warrant shortlisting and more detailed evaluation, it needs to be of a suitable configuration and of sufficient size to enable the HWRC to be operated efficiently and safely and to enable the internal layout and functions to be altered as necessary to meet changing needs over time.

Selected examples of HWRC facilities which have been designed having regard to these criteria (albeit that the layout of the parking areas in some require the public to reverse into bays) are provided in Appendix A. Their key characteristics are summarised in the following table:

Name	Location	Capacity	Operational Area (m <sup>2</sup> )	Gross Area (m <sup>2</sup> )	Key Design Features
Waterswallows	Buxton, Derbyshire	To serve the southern part of High Peak District. Population c. 35,000.	c.5,000 (including WTS)	c.6,500 (including WTS)	Segregated customer and service vehicle traffic / one way system. Level HWRC floor. None recyclable / re-usable waste deposited by public via openings in the WTS elevation fitted with a 1.25m high sills. WTS floor level 1.5m below HWRC.
Nursery Road, Riverside Industrial Estate	Boston, Lincolnshire	8,500 tonnes per annum throughput	c. 5,000	c.8,100	Segregation of operational areas of the site from those accessed by the public. One-way system around the outer edges of the site. Dedicated waste and skip storage areas positioned below canopied structures (approximately 4.5m high). Level site floor – safety / convenience issues for customers seemingly addressed by using compactor skips with low level input hoppers.
Judkins Quarry	Nuneaton, Warwickshire	12,000 tonnes per annum throughput	c.5,500	c.7,000	Split-level site including a recycling shop, office building and weighbridge.
Stoneycroft Rise	Eastleigh, Hampshire	12,000 tonnes per annum throughput	c. 5,400	c. 7,700	Split level site with segregation of areas for customer and service vehicles. The design included seven double bin bays, 21 waste containers and an upper level storage area at each end of the bin bays.
Gypsum Close	Leicester	Not known	c. 8,300	c. 8,500	Split level site (HGV circulation area c. 2.3m below public access areas) with segregation of areas for customer and service vehicles. The design a WTS re-use centre and incorporates facilities for trade waste.

Given the amount of waste handled at the existing Congleton HWRC (currently around 3,200 tonnes per annum) and the population within the catchment area of that facility (around 26,700 people in 2012) it is clear from the above table that if a replacement HWRC facility was developed to a size comparable to the Buxton or Boston examples it would provide a comfortable allowance for the increase in throughput which can be expected from the substantial areas of new housing allocated in the Cheshire East Local Plan Strategy.

Relative to the present facility at Congleton, a replacement facility of this size would also enable the facility to be operated efficiently and safely and to include space to enable its layout and functions to be altered as necessary to meet changing needs over time.

The generic HWRC design prepared for Cumbria County Council (included in Appendix A) is considered to be a good template for the Council follow when considering the layout options for any new facility to replace the existing HWRC at Congleton.

In summary then, it is considered that the operational area of any replacement HWRC facility ideally needs to be 4,000m<sup>2</sup> to 5,000m<sup>2</sup> and that the gross site area (allowing for perimeter landscaping and any cut/fill etc) ideally needs to be around 5,000m<sup>2</sup> to 6,000m<sup>2</sup>.

If the Council also wishes to make provision for possible new initiatives e.g. a re-use shop, the Judkins Quarry example referred to above (and included at Appendix A) indicates that this might occupy an area of around 600m<sup>2</sup> i.e. a requirement which could be met within the range of areas referred to above.

Inclusion of space to accommodate any trade and commercial waste which the Council chose to receive on a chargeable basis could increase the required site area significantly – depending on the details of any scheme which the Council adopted.

Prospective sites which are either broadly square or rectangular in outline are also to be preferred - relative to narrow or irregularly shaped sites which are more likely to include space which cannot be usefully employed.

## 4.3 Affordability

For a prospective site to warrant shortlisting and more detailed evaluation, it also needs to be affordable to purchase and develop i.e. the condition and topography of the sites and limitations posed by other constraints e.g. overhead or underground structures / services, need to be such that there is a good likelihood that a replacement HWRC can be constructed on an affordable basis, including the cost / practicality of making the necessary services connections.

## 4.4 Consents

For a prospective site to warrant shortlisting and more detailed evaluation, it also needs to have a good chance of obtaining the main consents needed to enable the development to proceed and for the facility to be brought into operation - planning permission and environmental permit.

To assess the likelihood of obtaining planning permission, each prospective site needs to be assessed in terms of its compliance with:

- the relevant policies in the development plan, namely i) Cheshire East Local Plan Strategy, ii) saved policies of the Cheshire Replacement Waste Local Plan which have yet to be replaced, iii) saved policies of the Congleton Borough Local Plan First Review which have yet to be replaced and iv) any Neighbourhood Plan which has been made.
- relevant 'material considerations' e.g. the Locational Criteria in the National Planning Policy for Waste (NPPW) (reproduced in Appendix B).

As part of this, it will also be Important to recognise the implication of:

- the new housing and employment land allocations shown in Figure 15.29 in the recently adopted Cheshire East Local Plan Strategy 2010 – 2030 (as shown on Figure 2) both in terms of increased HWRC usage and potential land-use conflicts;
- site allocations WM6 (Brunswick Wharf), WM17 (Radnor Park) and WM22 Congleton Sewage Works in the Cheshire Replacement Waste Local Plan; and

- the forthcoming development of the Congleton Link Road (also shown on Figure 2) - which will both relieve congestion on roads in Congleton due to through traffic and improve accessibility to the Somerford, Radnor Park Trading Estate, Congleton Business Park, the A536 Macclesfield Road and the A34 Manchester Road areas of the town in particular.

In terms of Neighbourhood Plans, while the one for Congleton is still at an early stage (and therefore carries little weight) the nearby ones for Astbury & Moreton, Somerford and Hulme Walfield / Somerford Booths have been made and therefore may be relevant - depending on the location of the prospective site in question.

The 'material considerations' in this case include:

- the National Planning Policy Framework and accompanying Planning Practice Guidance published by the Ministry of Communities, Housing and Local Government;
- the NPPW;
- Cheshire East Site Allocations and Development Policies;
- Cheshire East Minerals and Waste Development Plan Document; and
- supplementary planning documents.

Foremost of these in terms of the search for prospective replacement HWRC sites to serve the Congleton area are the Locational Criteria in the NPPW (reproduced in Appendix B).

While the Cheshire East Minerals and Waste Development Plan Document (MWDPD) will allocate sites and areas which will enable the Council to meet its minerals and waste needs and will set detailed planning policies to guide planning application decisions, it is still at a very early stage of preparation (adoption is not expected until the summer of 2020). Accordingly, while this emerging Plan currently carries little weight, the opportunity to put forward and promote any replacement HWRC site which is identified in Congleton through this plan making process is one which should be taken by the Council.

A pre-application meeting with the officers of the Waste Planning Authority to establish, inter alia, the likely response to prospective sites which are not allocated for development but which benefit from i) the support for the development of more sustainable forms of waste management in the NPPW ii) the need to maintain an essential public service in the Congleton area, would also be important in establishing the replacement site search criteria.

In terms of the likelihood of obtaining the necessary environmental permit, consideration needs to be given to the information to be included in the application (see Appendix C) and any obstacles peculiar to an individual prospective site or landowner owner which might prove to be an obstacle in these respects.

## 4.5 Access

For a prospective site to warrant shortlisting and more detailed evaluation, it also needs to have suitable access for vehicles (or the scope to provide such access) and scope for safe and efficient internal traffic circulation, parking, queuing and segregation. In addition the local public highway network needs to be suitable having regard to the likely pattern and nature of traffic generation e.g. busy Bank Holiday periods and an element of HGV movements.

Although discussions should be held with officers of the Local Highway Authority (LHA) to confirm their requirements, it is typically the case that:

- applications for planning permission involving the creation of a new access on to A or B class road normally attract an objection from the LHA where i) with a speed limit above 40mph, ii) with measured vehicle speeds in excess of 40mph, iii) which is rural in nature, iv) which would affect a bus corridor or bus priority measures, v) which is at or near capacity and vi) where there is an existing safety problem;
- new accesses off a minor or side road (with improvements to the junction of the minor road with the main road as necessary) are preferred; and

- new junctions will need to be designed in accordance with the Design Manual for Roads and Bridges (DMRB) standards.

## 4.6 Availability

For a prospective site to warrant shortlisting and more detailed evaluation, it also needs to be available for the Council to purchase or lease – on the assumption that the Council will not wish to use the Compulsory Purchase powers available to it for reasons of cost, uncertainty and delay.

As part of the search process, evidence should therefore be gathered to identify potentially suitable sites already in the Council's ownership and to confirm if the third party landowner of any prospective site is likely to be a willing seller or leasor.

## 5. Best Practice

### 5.1 Introduction

As stated earlier, this feasibility paper is required to:

- report on current best operational practice; and
- report on potential future requirements.

### 5.2 Current Best Practice

Current best operational practice is set out in the WRAP HWRC Guide first published in October 2012 (as updated in January 2016) and HSE guidance on the safe design and operation of HWRCs.

The WRAP guide sets out guidance on:

- current HWRC throughput and recycling rates and appropriate HWRC provision and the composition of waste that arises at HWRCs;
- how to measure HWRC performance and HWRC waste composition;
- how to improve the efficiency of HWRC operations and infrastructure - site layout, containerisation of materials, prioritising and managing the segregation of materials and training and motivating staff and raising public awareness;
- the legislation which applies to HWRCs and the legal options which are available when considering any changes to the HWRC network;
- contracts - materials markets and management of HWRCs;
- managing commercial waste and preventing commercial waste abuse and enabling the acceptance of commercial waste through legitimate means (see section 1.3 above for a brief summary of the regime which applies in Cheshire East);
- working with others - local authorities, private and third sector organisations;
- cost effective network management;
- future developments, trends and developments which may influence HWRC design and operation; and
- case studies highlighting recent activities.

The HSE's guidance on the safe design and operation of HWRCs meanwhile is to be found at <http://www.hse.gov.uk/waste/amenitysites.htm> and highlights that major injury risks at HWRCs include i) transport, ii) slips and trips, iii) falls, iv) cuts, v) machinery and violence at work.

The guidance advises that risks can be controlled by:

- selecting and maintaining suitable equipment, especially vehicles and materials handling equipment;
- adopting a safe site layout and traffic control measures;
- designing and maintaining safe operating procedures;
- organising competency training for employees; and
- providing visitors with adequate supervision, information and instruction.

In terms of adopting a safe site layout and traffic control measures the HSE guidance highlights the case of the new HWRC developed by Cumbria County Council at Brampton and how the design process factored in safety considerations.



At the initial design risk workshop a design risk register was created to document safety and operational aspects identified at the risk workshop, following which a design guide was completed, setting out a generic template for the design of new and upgraded HWRC facilities in Cumbria. This design guide is subject to continuous review following construction and operation experience gained from recent HWRC developments in Cumbria, such as the new facility at Brampton.

To assist those who may wish to design such a HWRC facility, the HSE guidance provides a copy of the generic HWRC layout produced on behalf of Cumbria County Council based on the above safety principles. A copy of that layout is included at Appendix A.

The HSE guidance ends by advising that the main occupational ill-health risks at HWRCs are i) musculoskeletal injury from manual handling and ii) dermatitis caused by poor handling practices and inadequate welfare facilities.

## 5.3 Future Requirements

Although not strictly a future requirement (in that the Environment Agency's requirement for Fire Prevention Plans (FPP) came into effect in 2016), its introduction has led to reviews of current practice at HWRCs by WDAs across the country.

Essentially the Agency requires that the permit holder at certain waste facilities (including HWRCs) which accepts combustible waste (paper, card, plastics, tyres, RDF, etc) has to prepare and submit a FPP for review and approval by the Agency. Permit applications for any new facility accepting such waste will need to submit the FPP as part of the application.

The associated guidance published by the Agency at <https://www.gov.uk/government/publications/fire-prevention-plans-environmental-permits/fire-prevention-plans-environmental-permits> states that the risk of self-combustion should be minimised by carefully managing storage times, pile volumes and height and the temperature of the wastes and in particular that:

- any combustible wastes is stored for less than 6 months (unless the material is compost and the Agency has agreed that it can be stored for longer);
- any storage of combustible wastes in the maximum pile sizes for longer than 3 months must be accompanied by extra measures to prevent self-combustion e.g. monitoring temperatures;
- if waste is stored in containers that can hold more than 1,100 litres, each one must be accessible so any fire inside it can be put out;
- in the event of a fire containers can be moved as soon as is reasonably practicable to prevent the fire spreading; and
- if waste is stored in containers that can hold less than 1,100 litres the amounts stored are not to exceed the maximum pile sizes e.g. 750m<sup>3</sup> of loose and >150mm wood or plastics or paper / cardboard or textiles or metals and 450m<sup>3</sup> of loose and >150mm of tyres or WEEE,

## 6. Licences, Permits and Legislation

### 6.1 Introduction

As stated earlier, this feasibility paper is required to identify the legislation which will apply to the development and operation of the the replacement HWRC at Congleton and the licences and permits needed.

### 6.2 Legislation

The five key pieces of legislation which apply to the development and operation of any new HWRC are:

- Town and Country Planning Act 1990 and related regulations e.g. Town and Country Planning (General Permitted Development) Order 2015 and Town and Country Planning (Development Management Procedure)(England) Order 2018;
- Environmental Protection Act 1990 and related regulations e.g. Environmental Permitting (England and Wales) Regulations (EPR) 2016;
- Health and Safety at Work etc Act 1974 and related regulations e.g. Workplace (Health, Safety and Welfare) Regulations 1992;
- Building Act 1984 and related regulations e.g. Building Regulations 2010; and
- Water Industry Act 1991.

The following is a list of the other regulations which could apply:

- Hazardous Waste (England and Wales) Regulations 2005 (as amended);
- Controlled Waste (England and Wales) Regulations 2012 ;
- Waste (England and Wales) Regulations 2011;
- Transfrontier Shipment of Waste Regulations 2007;
- Waste Electrical and Electronic Equipment Regulations 2006;
- Manual Handling Operations Regulations 1992;
- Lifting Operations and Lifting Equipment Regulations 1998;
- Provision and Use of Work Equipment Regulations 1998;
- Dangerous Substances and Explosive Atmospheres Regulations 2002.

### 6.3 Licences and Permits

Before the HWRC can be developed and brought into operation, the Council will need to obtain:

- planning permission and the approval of any schemes/details which are required to be submitted for further approval pursuant to conditions;
- a standard rule or bespoke environmental permit;
- buildings regulations approval; and
- consent to make a sewer connection.

Under Sections 106 and 107 of the Water Industry Act 1991 (as amended by the Water Act 2003), sewer connections can be made directly to a public sewer or indirectly to a private drain that in turn discharges to a public sewer. Normally the statutory undertaker is responsible for all matters relating to the New Roads and Street Works Act and (if applicable) any serving of notices.

The materials used for the connection must be to the standard set in the latest edition of 'Sewers for Adoption', published by the Water Research Council (WRc) and any additional requirements of the statutory undertaker.

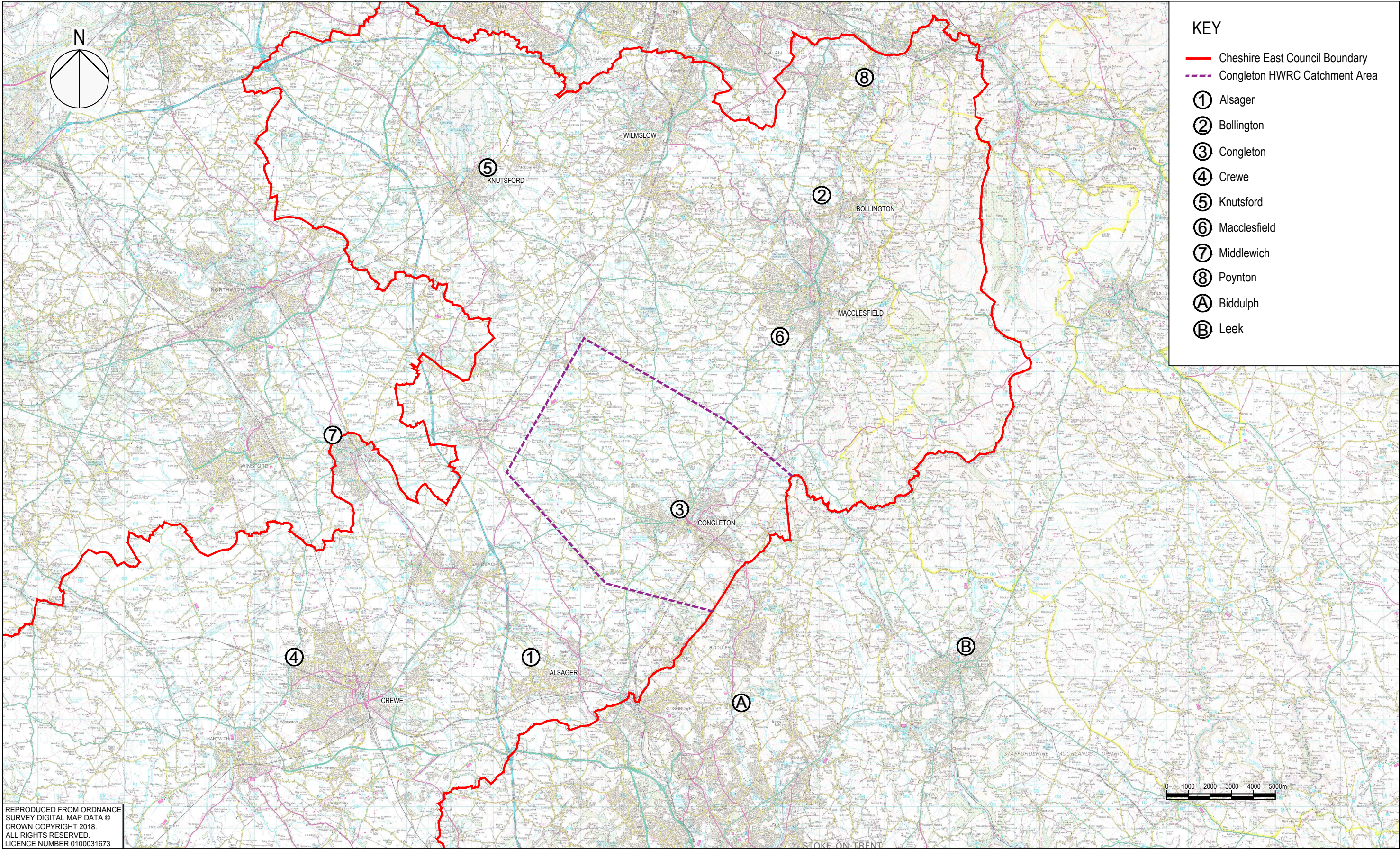
## 7. Summary

This Feasibility Paper:

- recommends that the search for a site to develop as a replacement for the existing HWRC in Congleton be targeted at the area shown in Figure 2;
- recommends that prospective sites be shortlisted for further evaluation only if they are large enough to accommodate an operational area of 4,000m<sup>2</sup> to 5,000m<sup>2</sup> together with additional space for perimeter landscaping etc and if they are generally regular (i.e. square or rectangular) in outline;
- refers to the need for the prospective site search to have regard to factors which could affect the affordability of the development and to the site's availability;
- recommends that prospective sites be assessed in terms of the likelihood of obtaining the two most important consents (planning permission and an environmental permit) and signposts the sources to be consulted in these regards;
- recommends that prospective sites be assessed in terms of the constraints which may apply in terms of creating new accesses to the highway and in terms of the existing highway network;
- highlights the main guidance published in respect of HWRC operational best practice and the implications of the Environment Agency's requirement for Fire Prevention Plans; and
- lists the legislation which applies to the development and operation of HWRCs and the main consents which the Council will need to obtain before the replacement HWRC to serve the Congleton area can be brought into operation.

## Figures





- KEY**
- Cheshire East Council Boundary
  - Congleton HWRC Catchment Area
  - ① Alsager
  - ② Bollington
  - ③ Congleton
  - ④ Crewe
  - ⑤ Knutsford
  - ⑥ Macclesfield
  - ⑦ Middlewich
  - ⑧ Poynton
  - Ⓐ Biddulph
  - Ⓑ Leek

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Project Title  CONGLETON HWRC REPLACEMENT SITE SEARCH		Figure Title  CONGLETON HWRC CATCHMENT AREA	Purpose of issue					THIS DOCUMENT HAS BEEN PREPARED PURSUANT TO AND SUBJECT TO THE TERMS OF AECOM' APPOINTMENT BY ITS CLIENT. AECOM ACCEPTS NO LIABILITY FOR ANY USE OF THIS DOCUMENT OTHER THAN BY ITS ORIGINAL CLIENT OR FOLLOWING AECOM' EXPRESS AGREEMENT TO SUCH USE, AND ONLY FOR THE PURPOSES FOR WHICH IT WAS PREPARED AND PROVIDED.	<div>AECOM Royal Court, Basil Close Chesterfield Derbyshire, S41 7SL Telephone: (01246) 209221 Fax: (01246) 209229 <a href="http://www.aecom.com">www.aecom.com</a></div> <div><div>Figure Number</div><div>FIGURE 1</div></div> <div><div>Rev</div><div>-</div></div>
Client  CHESHIRE EAST COUNCIL			Designed -	Drawn AAO	Checked JH	Approved JH	Date 09/18		
			AECOM Internal Project No. 60582327		-				
			Scale @ A3 AS SHOWN		-				



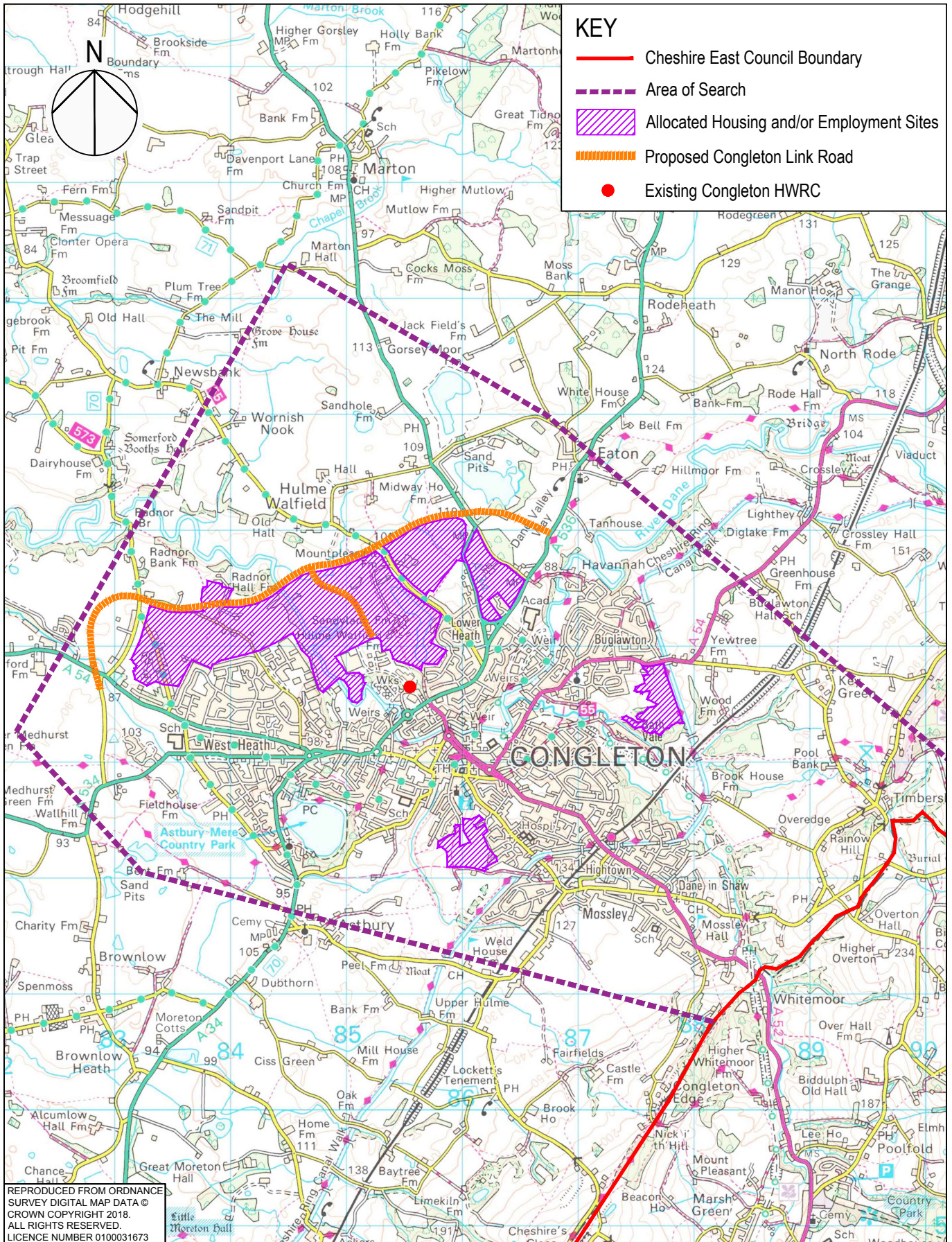


Figure Title

CONGLETON HWRC  
REPLACEMENT SITE  
AREA OF SEARCH

Purpose of issue

Drawn  
AAO

Checked  
JH

Approved  
JH

Date  
09/18

Scale @ A4  
AS SHOWN

Rev  
-

Figure Number

FIGURE 2

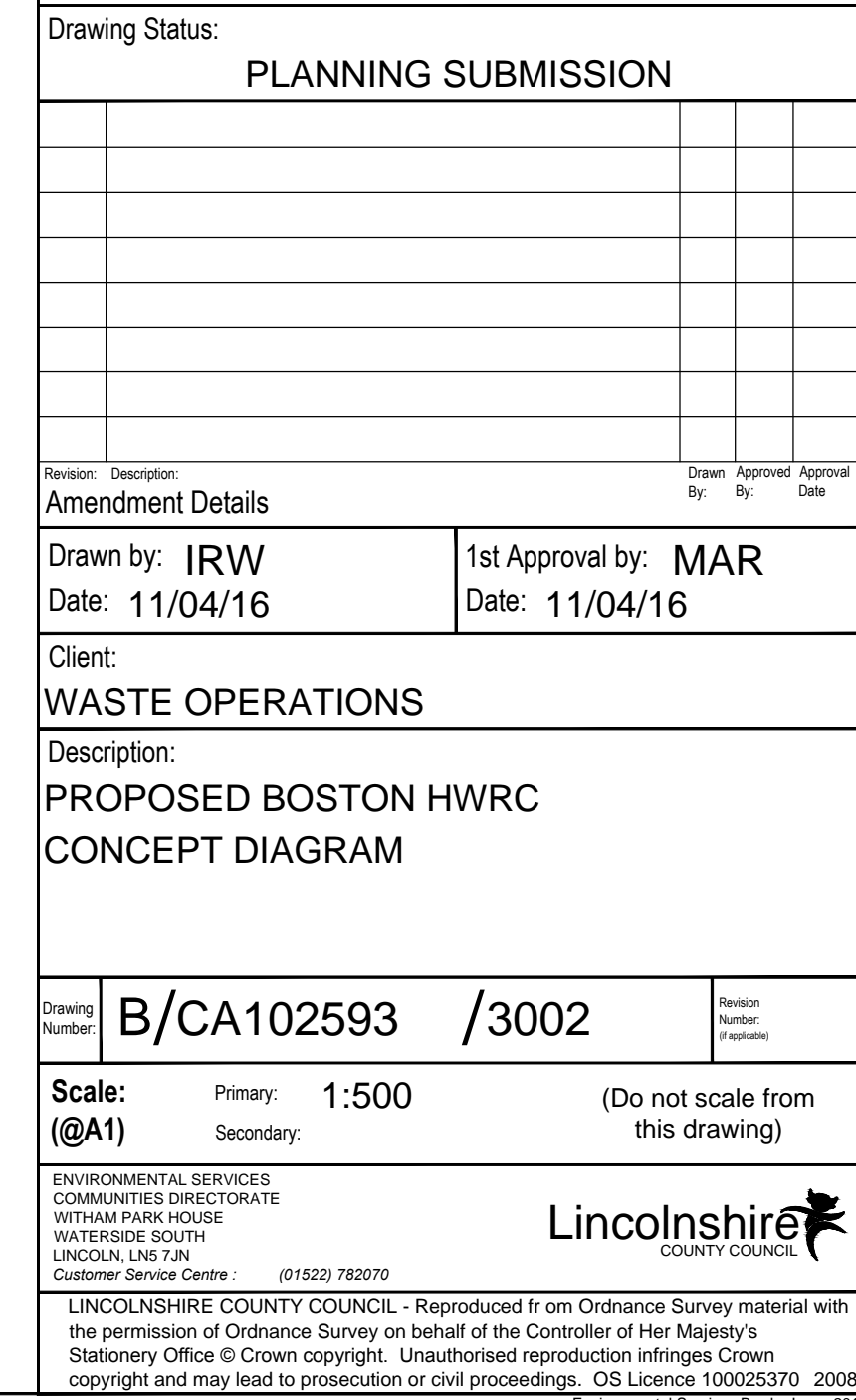
**AECOM**

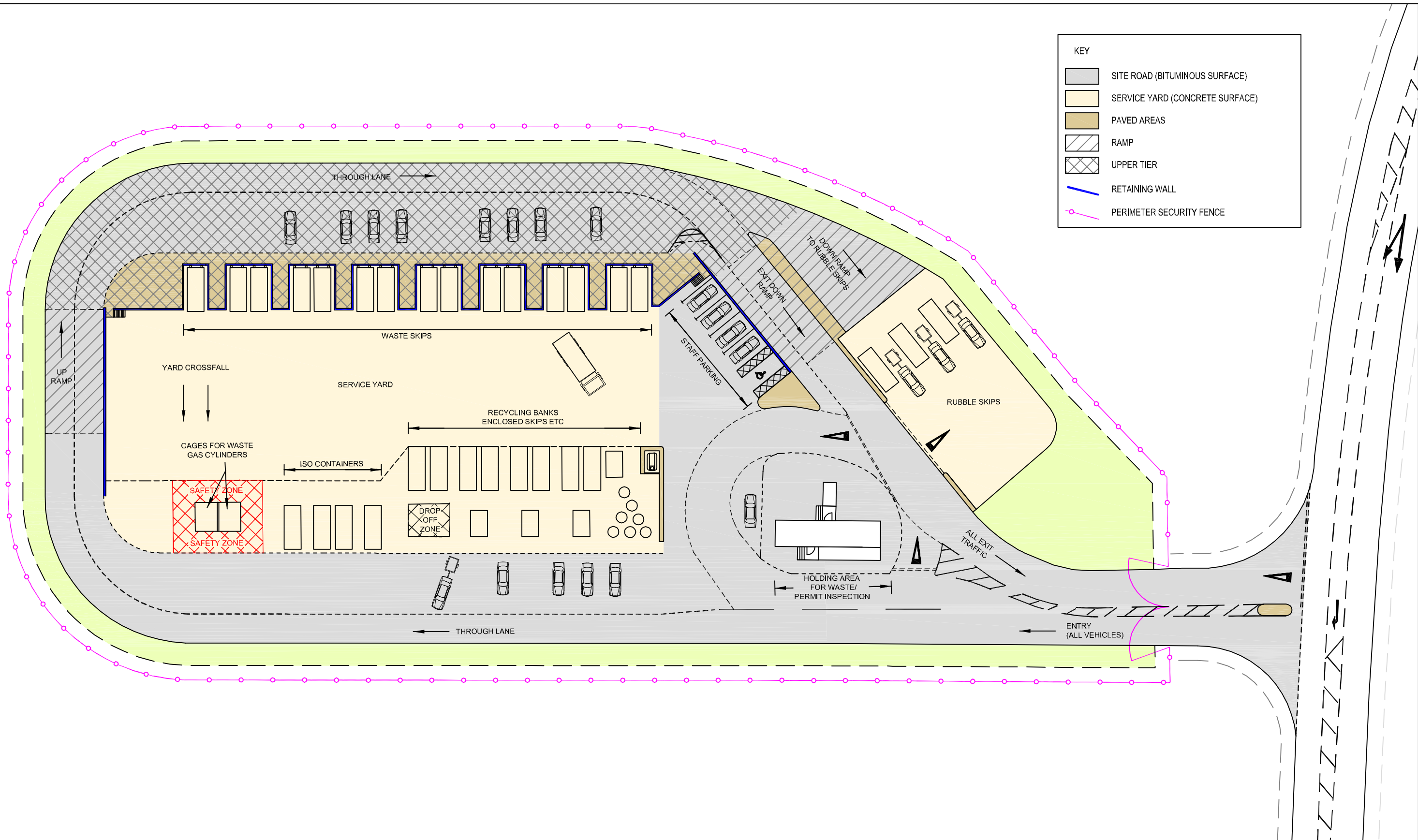
## Appendices



## Appendix A

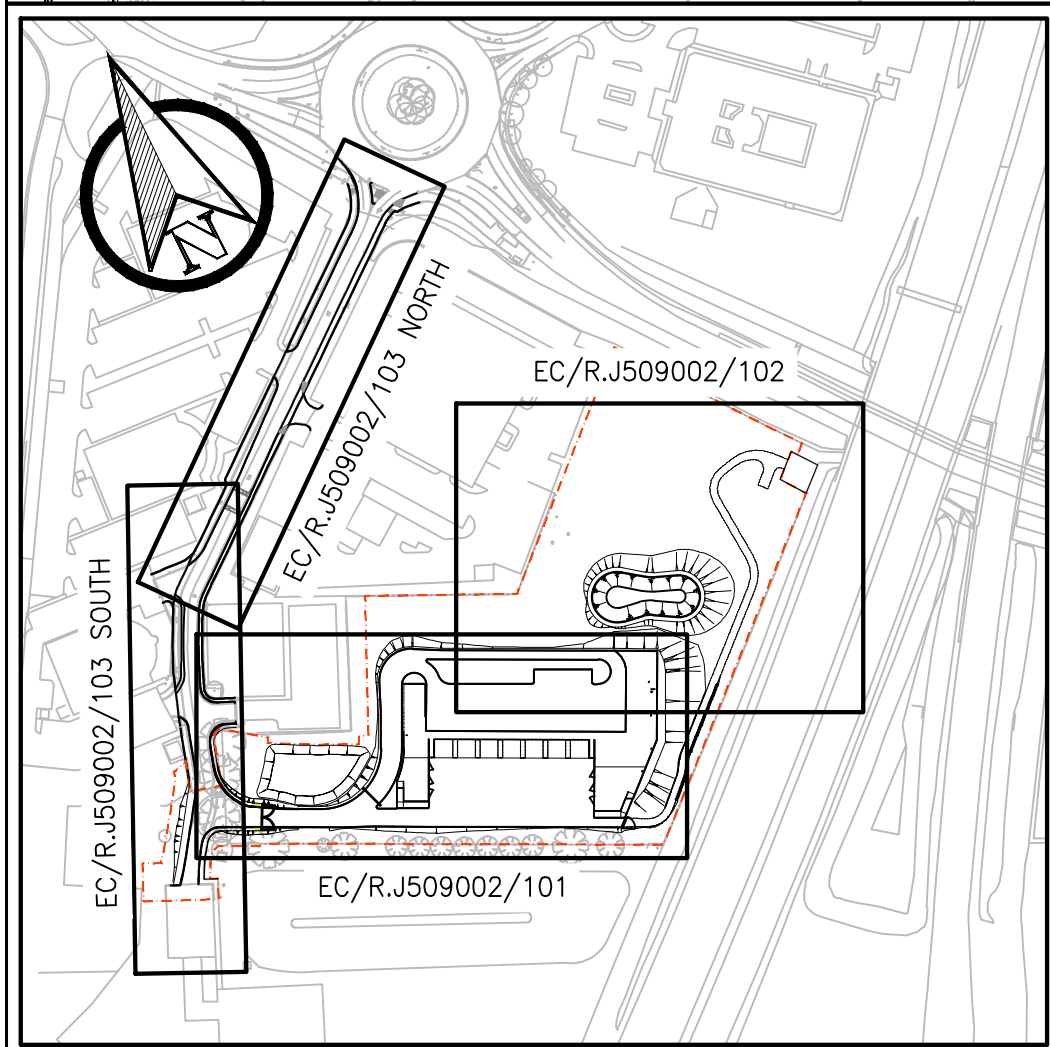
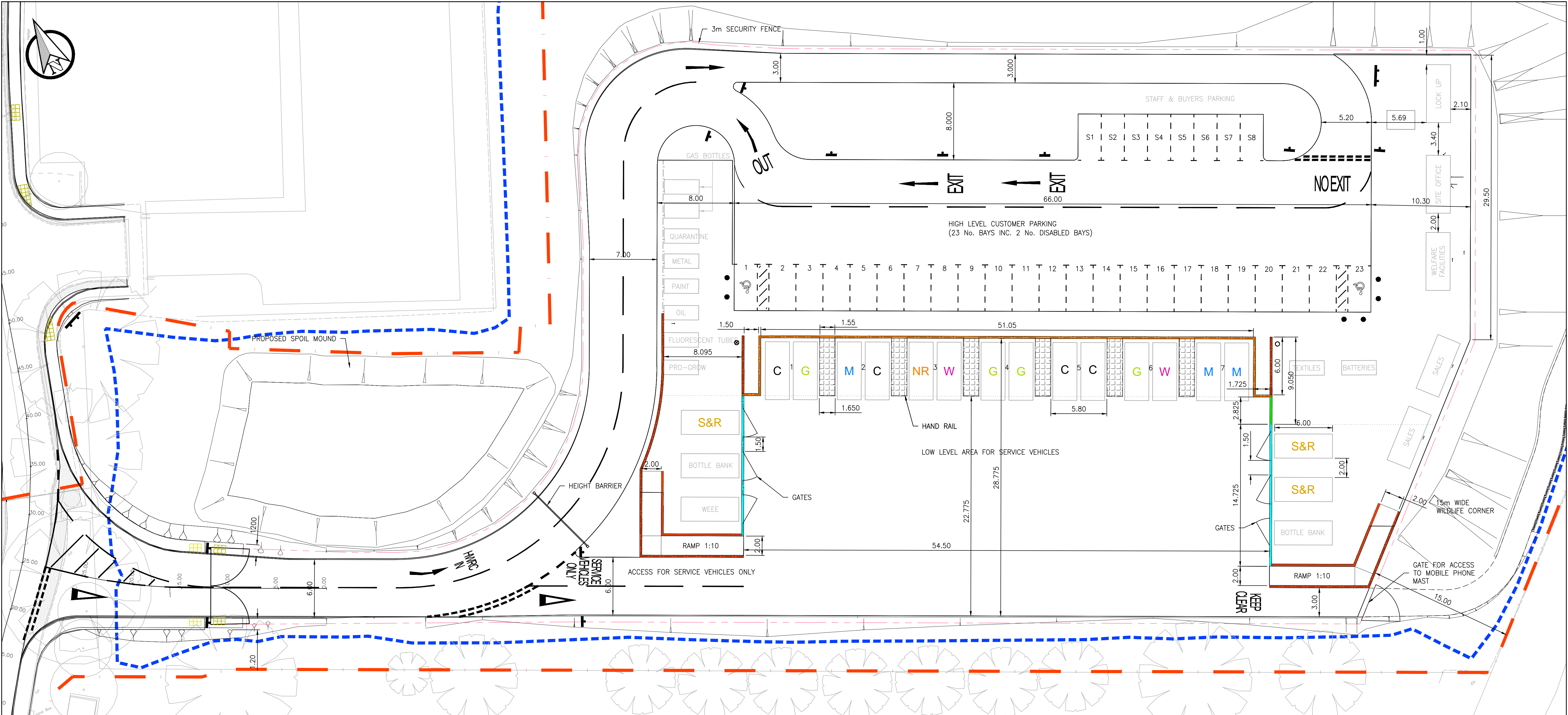
### Selected Examples of HWRC facilities





Client:  CUMBRIA COUNTY COUNCIL	Title:  GENERIC HOUSEHOLD WASTE RECYCLING CENTRE LAYOUT	Drawing No. CS/036701/GE/001		Rev. No.	Date	Amendments	Initials		<div>CAPITA SYMONDS</div> <div>The Capita Building Kingmoor Business Park CARLISLE Cumbria CA6 4SJ</div> <div>Tel. 01228 673000 Fax. 01228 673111</div>
		Job Status. ISSUED					Made	Chk.	
<div>This produce includes mapping data licenced from Ordnance Survey. (c) Crown Copyright 2008. Licence Number 100019596</div>		Scale: 1:500 @ A3		Date: DEC'10					
		Drawn	MM/RA						
		Checked	WS						
		Approved	PB						



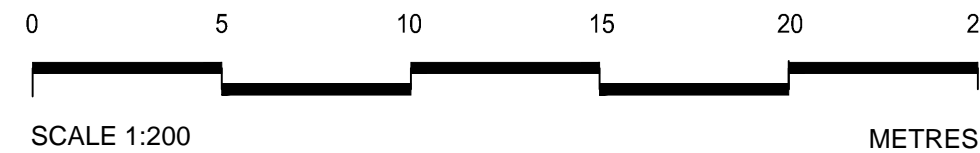


NOTES:

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER ENGINEERING CONSULTANCY DRAWINGS. ANY DISCREPANCIES ARE TO BE REFERRED TO THE SUPERVISOR.
2. DO NOT SCALE. IF IN DOUBT ASK.

LEGEND

- |  |  |  |   |
|--|--|--|---|
|  | FOOTWAY TO BE WIDENED TO SHARED USE CYCLEWAY/FOOTWAY |  | BINS FOR METALS                         |
|  | FOOTWAY TO BE CONVERTED TO CARRIAGEWAY               |  | BINS FOR NON-RECYCLABLE WASTE           |
|  | SITE RED LINE BOUNDARY                               |  | BINS FOR WOOD                           |
|  | REPTILE FENCING                                      |  | BINS FOR GREEN WASTE                    |
|  | PROPOSED TACTILE PAVING                              |  | BINS FOR CARDBOARD/PAPER                |
|  | EXISTING TACTILE PAVING                              |  | WASTE ELECTRICAL & ELECTRONIC EQUIPMENT |
|  | PROPOSED REMOVABLE BOLLARDS                          |  | HAND RAIL                               |
|  | PROPOSED LIGHTING COLUMN                             |  | BIN STORAGE GATE                        |
|  | 5m CCTV POLE   |  | SECURITY FENCE                          |
|  | 5m CCTV POLE WITH AUTOMATIC NUMBER PLATE RECOGNITION |  | PROPOSED GRAVEL TRACK                   |
|  | EXISTING TREE  |  | METAL GANTRIES                          |
|  | ROAD SIGN  |  | HEIGHT BARRIER                          |
|  | LARGE SIGN   |  | RETAINING WALL 1.6m HIGH                |
|  | BINS FOR SOIL & RUBBLE                               |  | RETAINING WALL 1.15m HIGH               |
|  |  |  | RETAINING WALL 1.215m to 1.15m HIGH     |
|  |  |  | BLOCK WORK WALL                         |



SCALE 1:200

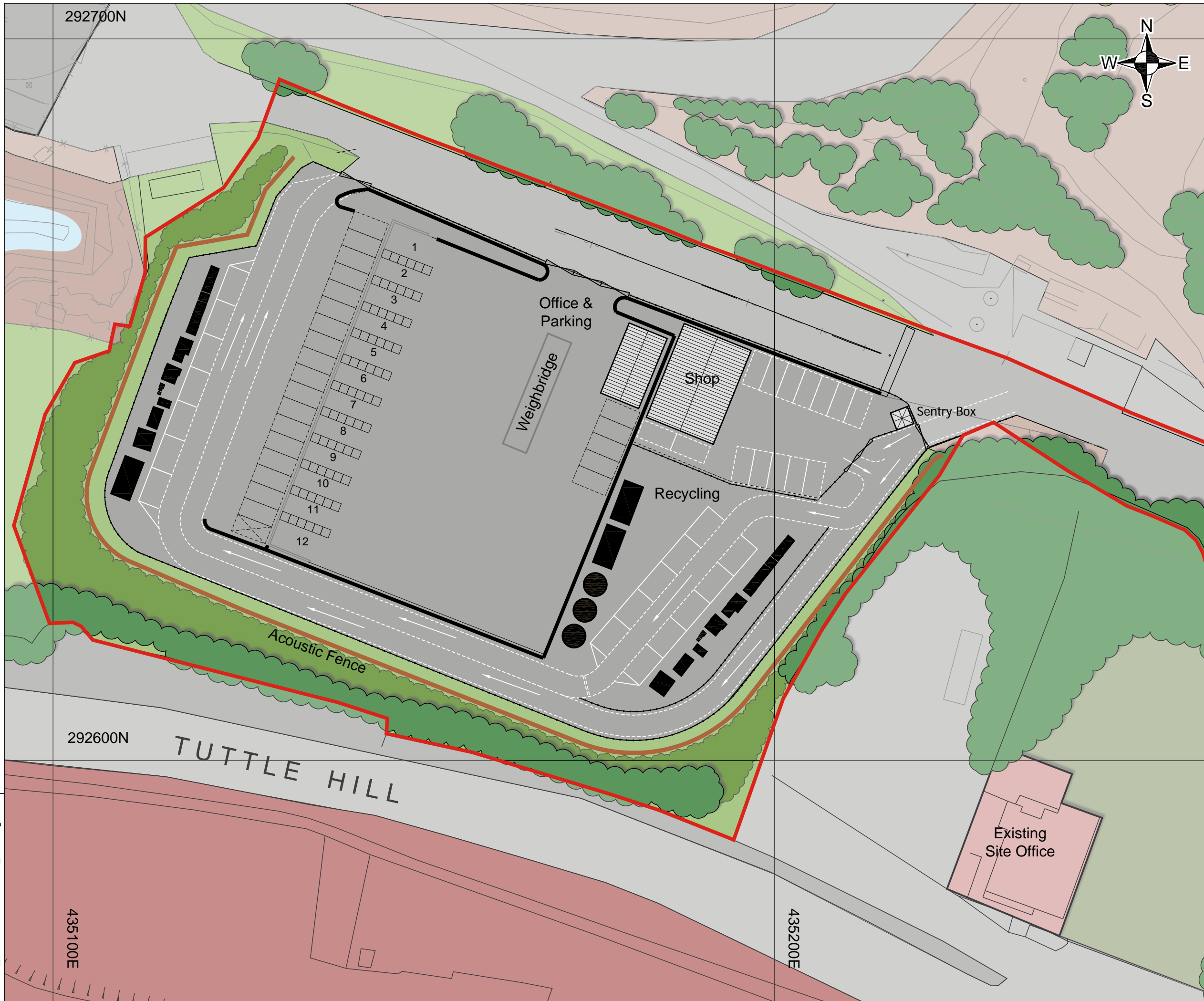
METRES

**TENDER**

CLIENT					CONSULTANT					DRAWN				SCHEME				DRAWING TITLE			
EASTLEIGH BOROUGH COUNCIL					 Hampshire County Council  engineering CONSULTANCY  STUART JARVIS BSc DipTP FCIHT MRTPI: DIRECTOR OF ECONOMY, TRANSPORT & ENVIRONMENT					NM				EASTLEIGH HWRC OFFSITE HIGHWAY WORKS STONEYCROFT RISE				GENERAL ARRANGEMENT LAYOUT HWRC			
										AD				JOB No. R.J509002.01				HCC CADplot:06.Sep.2013 at 10:48am			
										CHECKED				SCALE @ A1				DRG No.			
										APPROVED				1:200				EC/R.J509002/101			
														DATE				REV			
														MAR 2013							
														2 OF 4							



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LEGEND	
	APPLICATION SITE
	EXISTING BUILT UP AREA
	EXISTING WATER BODY
	EXISTING LANDFILL SITE
	EXISTING VEGETATION TO BE RETAINED
	PROPOSED BUILDINGS
	PROPOSED ACOUSTIC FENCE
	PROPOSED SKIPS
	PROPOSED FENCE
	PROPOSED ROAD MARKINGS
	ADDITIONAL TREE AND SHRUB PLANTING

ASPECT HOUSE  
ASPECT BUSINESS PARK  
BENNERLEY ROAD  
NOTTINGHAM. NG6 8WR  
T: 01159 647280  
F: 01159 751576  
www.slrconsulting.com

JUDKINS LANDFILL SITE

HOUSEHOLD WASTE  
RECYCLING CENTRE

LANDSCAPE MASTERPLAN

JK 3/1

Scale  
1:500 @ A3

Date  
FEBRUARY 2012





**KEY**

- LIGHTING COLUMNS (INDICATIVE LOCATIONS ONLY - SUBJECT TO DETAIL DESIGN)
- CITY COLUMNS (INDICATIVE LOCATIONS ONLY - SUBJECT TO DETAIL DESIGN)
- LANDSCAPING (SUBJECT TO DETAIL DESIGN)
- AUTOMATIC NUMBER PLATE RECOGNITION (CAMPS)
- DESIGN LEVELS

**AMENDED PLANS RECEIVED**  
16, 12, 13

REV	REVISION	DATE	BY	CHK
01	ISSUED FOR TENDER	16/12/13	...	...
02	...	...	...	...
03	...	...	...	...

**Leicestershire County Council**  
ENVIRONMENT AND TRANSPORT DEPARTMENT  
PHIL CROSSLAND  
DIRECTOR

**LEICESTERSHIRE HIGHWAYS**  
LEICESTER CITY COUNCIL

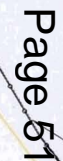
**HOUSEHOLD WASTE RECYCLING CENTRE**  
GYPSUM CLOSE, LEICESTER  
SITE LAYOUT

DRAWING NUMBER: 4071/S1/002C  
SCALE: 1:250

PREPARED BY: A. HALEMAN  
CHECKED BY: B. WATSON-EDWARDS  
APPROVED BY: C. WATKINS  
AUTOCAD PROJECT FILE: C:\PROJECTS\4071\Gypsum Close Layout.dwg  
AUTOCAD PLOT FILE: C:\PROJECTS\4071\Gypsum Close Layout.dwg  
COUNTY HALL - GLENFIELD - LEICESTER - LE13 8JH  
TEL: 01533 5555001 | FAX: 01533 5555002 | WWW.LEICESTER.COUNCIL.GOV.UK

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APPROX AREA  
2650m2

## Appendix B

### Locational Criteria the National Planning Policy for Waste

In testing the suitability of sites and areas in the preparation of Local Plans and in determining planning applications, waste planning authorities should consider the factors below. They should also bear in mind the envisaged waste management facility in terms of type and scale.

#### *a. protection of water quality and resources and flood risk management*

Considerations will include the proximity of vulnerable surface and groundwater or aquifers. For landfill or land-raising, geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination, will also need particular care.

#### *b. land instability*

Locations, and/or the environs of locations, that are liable to be affected by land instability, will not normally be suitable for waste management facilities.

#### *c. landscape and visual impacts*

Considerations will include (i) the potential for design-led solutions to produce acceptable development which respects landscape character; (ii) the need to protect landscapes or designated areas of national importance (National Parks, the Broads, Areas of Outstanding Natural Beauty and Heritage Coasts) (iii) localised height restrictions.

#### *d. nature conservation*

Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR Sites), a site with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves), Nature Improvement Areas and ecological networks and protected species.

#### *e. conserving the historic environment*

Considerations will include the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting.

#### *f. traffic and access*

Considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports.

#### *g. air emissions, including dust*

Considerations will include the proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.

#### *h. odours*

Considerations will include the proximity of sensitive receptors and the extent to which adverse odours can be controlled through the use of appropriate and well-maintained and managed equipment.

#### *i. vermin and birds*

Considerations will include the proximity of sensitive receptors. Some waste management facilities, especially landfills which accept putrescible waste, can attract vermin and birds. The numbers, and movements of some species of birds, may be influenced by the distribution of landfill sites. Where birds congregate in large numbers, they may be a major nuisance to people living nearby. They can also provide a hazard to aircraft at locations close to aerodromes or low flying areas. As part of the aerodrome safeguarding procedure (ODPM Circular



1/20035) local planning authorities are required to consult aerodrome operators on proposed developments likely to attract birds. Consultation arrangements apply within safeguarded areas (which should be shown on the policies map in the Local Plan).

The primary aim is to guard against new or increased hazards caused by development. The most important types of development in this respect include facilities intended for the handling, compaction, treatment or disposal of household or commercial wastes.

*j. noise, light and vibration*

Considerations will include the proximity of sensitive receptors. The operation of large waste management facilities in particular can produce noise affecting both the inside and outside of buildings, including noise and vibration from goods vehicle traffic movements to and from a site. Intermittent and sustained operating noise may be a problem if not properly managed particularly if night-time working is involved. Potential light pollution aspects will also need to be considered.

*k. litter*

Litter can be a concern at some waste management facilities.

*l. potential land use conflict*

Likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility.

## Appendix C

### Environmental Permit Application

The proposed HWRC facility will be regulated under the Environmental Permitting (England and Wales) Regulations (EPR) 2016 (as amended) and as such will require an application to be submitted to the Environment Agency to obtain an environmental permit. The type of permit required for the facility will be determined by the anticipated waste streams (hazardous or non-hazardous), the annual throughput expected and the final location of the site.

Standard rules permits are available for such facilities as follows:

- SR2015 No 19 75,000 tpa Non-Hazardous Waste Amenity site; or
- SR2015 No 20 75,000 tpa Non-Hazardous and Hazardous Waste Amenity site.

A standard rules permit may be applied for i) if the new facility only accepts the EWC waste codes specified in such permit up to 75,000 tpa and ii) can meet the locational criteria, namely the no part of the site is located:

- within 200 metres of a European Site, RAMSAR site or Site of Special Scientific Interest (SSSI); and
- within 50 metres of any well, spring or borehole used for the supply of water for human consumption, including private supplies.

In the event that the conditions of such a Standard Rules permit cannot be met then, the application would be for a bespoke permit under the EPR Regulations 2016, as amended.

The standard rules application would comprise:

- application forms A, B1 and F1;
- non-technical summary (NTS) which would not only outline the reason for the application by would detail the organisational arrangements/approach, confirm acceptance of all standard rules permit condition and include evidence of the necessary technical competence;
- review of the Environment Agency generic risk assessment to pick up any site specific considerations and controls;
- a site condition report (SCR) which would be created by drawing on the information produced from a combination of desk based assessments (such as Envirocheck) and drawing on site specific information identified during any phase I or II studies that may be undertaken on the identified site. This document will follow the EA Guidance “Site Condition Report” and will be tailored for the nature of the application being made;
- a fire prevention plan (FPP) will need to be prepared to reflect proposed waste storage, fire prevention and fire control arrangements for the site. Such documents will be prepared to meet the requirements detailed in the EA Guidance “Fire Prevention Plans: Environmental Permits”; and
- drawings and plans showing the site location, installation boundary, site layout, site drainage arrangements, sensitive receptors plan and a plan to support the development of the FPP.

In the event that a bespoke application is required, the application would require additional information relating to site management arrangements and general operational requirements - which would usually be detailed in a separate plan referenced from the NTS.



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Working for a brighter future together

## Environment and Communities Committee

---

<b>Date of Meeting:</b>	7 <sup>th</sup> March 2022
<b>Report Title:</b>	Notice of Motion – Single Use Plastics
<b>Report of:</b>	Jayne Traverse, Executive Director of Place
<b>Report Reference No:</b>	EC/34/21-22
<b>Ward(s) Affected:</b>	All Wards

---

### 1. Purpose of Report

- 1.1. At the full council meeting of 15<sup>th</sup> December 2021, a notice of motion was proposed that the Council leads by example by banning single use plastic from its operations. This report responds to that notice of motion.

### 2. Executive Summary

- 2.1. On 15<sup>th</sup> December 2021, a Notice of Motion was submitted to Council proposing: *This Council will lead by example by banning single use plastic from its operations.* The motion was proposed by Cllr Kate Parkinson and seconded by Cllr Tony Dean. Council resolved to refer the Notice of Motion to the Environment and Communities Committee.
- 2.2. At a previous Council meeting on 26<sup>th</sup> July 2018, a notice of motion was proposed to eliminate use of all single use plastic within Cheshire East Council managed buildings and facilities by 2020 and seek to encourage the elimination of single use plastic within its supply chain by 2025. This motion was referred to Cabinet on 9<sup>th</sup> October 2018 and it was agreed that the Council should aim to eliminate all single use plastic within CEC managed buildings by 2020 and to eliminate single use plastic within its supply chain by 2025.
- 2.3. Following the previous Notice of Motion, all parts of the Council are seeking to reduce the use of single use plastics. The Council also launched a campaign and community toolkit to provide information on how to reduce plastic use in everyday life.
- 2.4. It is important to note that there are instances when plastic is the best material to use and that it is often the disposal of the plastic, rather than the material itself, that causes the issue. For example, food that is plastic wrapped is preserved for longer and therefore care needs to be taken when replacing this since it could lead to greater food waste.

- 2.5.** The Government is introducing a Plastic Packaging Tax from 1 April 2022 on plastic packaging that has less than 30% recycled content. In addition, an extended producer responsibility measure is being introduced through the Environment Act that will require any producers of packaging to pay for the whole lifecycle of its materials. These changes will contribute to a changing landscape of waste management where plastics will be seen as a valuable resource that can be reused and recycled.

### **3. Recommendation**

- 3.1.** The committee decide what action, if any, they wish to take in response to the Notice of Motion.

### **4. Reasons for Recommendations**

- 4.1.** The Cheshire East Council Constitution sets out the procedure for Notices of Motion submitted to Council. A motion referred to the relevant decision-making body must be considered within two meeting cycles. At the meeting to which the motion has been referred for consideration, the proposer of the motion if present shall be invited to speak first, followed by the seconder. The matter will then be opened up to wider discussion.

### **5. Other Options Considered**

- 5.1.** None. The Constitution sets out the procedure for responding to Notices of Motion.

### **6. Background**

- 6.1.** In response to a notice of motion proposed at the Council meeting of 26<sup>th</sup> July 2018, Cabinet resolved on 9<sup>th</sup> October 2018 to:
- 6.1.1.** Endorse the National Federation of Women's Institutes campaign to reduce micro plastic fibres in our oceans – 'End Plastic Soup'
- 6.1.2.** Agree that the Council should aim to eliminate all single use plastic within CEC managed buildings by 2020 and to eliminate single use plastic within its supply chain by 2025; and
- 6.1.3.** That a progress report be brought to Cabinet in 6 months and to include consideration of the use of cars, cheap fashion, milk containers and retail packaging and raising awareness with Town and Parish Councils.
- 6.2.** It should be noted that the progress report was not brought to Cabinet after 6 months.
- 6.3.** All parts of the Council are seeking to reduce the use of single use plastics. Some of the actions taken to date include:
- 6.3.1.** Procurement - The [Social Value Policy](#) and [Social Value Framework](#) that apply to the Council's commissioning and procurement activities includes the following example measures that could be included within contracts:
- Plastic recycling rate on the contract (e.g., to reduce microplastics)

- Single-use plastic packaging eliminated through reusable packaging solutions or schemes on the contract
- 6.3.2. Facilities Management – prior to 2018 some single use items were available as part of the catering service and at the drinks stations but these have now been removed. Most plastic containers have been removed.
- 6.3.3. School catering – the pandemic has disrupted the plans to go plastic free but once the new normal is resumed there are plans to: not accept unnecessary packaging for fruit and veg; use larger yogurt pots and decant into bowls rather than have individual pots; use jugs of fresh milk rather than individual milk jiggers; use metal spoons that can be washed rather than using plastic cutlery; serve sandwiches on plates rather than in a plastic-coated bag.
- 6.3.4. Leisure Centres – the majority of single use plastic materials have been removed, those that remain serve important purposes such as items in the first aid kits, chemical bottles and overshoes for going onto poolside.
- 6.4. To engage with residents and local communities a campaign and community toolkit was developed to provide information on how to reduce plastic use in everyday life. The Council's website gives examples of what has been done [Life with less plastic \(cheshireeast.gov.uk\)](https://www.cheshireeast.gov.uk/life-with-less-plastic) and has the downloadable toolkit readily available [A Life with less plastic - Toolkit](#)
- 6.5. It is important to note that there are going to be instances where plastic is the best material to use and that it is often the disposal of the plastic, rather than the material itself, that causes the issue. Food that is plastic wrapped is preserved for longer and therefore care needs to be taken when replacing this since it could lead to greater food waste.
- 6.6. The introduction of 'on the go' recycling bins will enable residents to manage their plastics better when in our green flag parks.
- 6.7. In the wider national context, the government are introducing a Plastic Packaging Tax from 1 April 2022 that will apply a £200/tonne levy on plastic packaging that has less than 30% recycled content.
- 6.8. In addition, an extended producer responsibility measure is being introduced through the Environment Act that will require any producers of packaging to pay for the whole lifecycle of its materials.
- 6.9. Historically councils have been the ones to bear the financial burden of managing packaging materials, but these changes mean producers will have to pay for this. The changes will contribute to a changing landscape of waste management where plastics will be seen as a valuable resource that can be reused and recycled.

## 7. Implications

### 7.1. Legal

- 7.1.1. There are no legal implications in rejecting the notice of motion

**7.2. Finance**

- 7.2.1. There are no financial implications in rejecting the notice of motion. Actions carried out to date and ongoing work on reducing single use plastics is funded from individual service revenue budgets e.g., Facilities Management.

**7.3. Policy**

- 7.3.1. The removal of single use plastics aligns with our Environment Strategy and Carbon Neutral Action Plan, and the priority within the Cheshire East Corporate Plan 2021-25 to reduce our impact on the environment.

**7.4. Equality**

- 7.4.1. There are no equality implications arising from this report.

**7.5. Human Resources**

- 7.5.1. There are no human resources implications arising from this report.

**7.6. Risk Management**

- 7.6.1. There are no risks identified in this report.

**7.7. Rural Communities**

- 7.7.1. There are no implications for rural communities.

**7.8. Children and Young People/Cared for Children**

- 7.8.1. There are no implications for children and young/cared for people.

**7.9. Public Health**

- 7.9.1. There are no implications for public health.

**7.10. Climate Change**

- 7.10.1. The removal of single use plastic will encourage greater use of more sustainable materials.

Access to Information	
Contact Officer:	Andrew Dunstone, Waste Contract Manager
Appendices:	None
Background Papers:	<a href="#">NOM - Single Use Plastics - report final.pdf (cheshireeast.gov.uk)</a>



## Work Programme – Environment and Communities Committee – 2021/22

Reference	Committee Date	Report title	Purpose of Report	Report Author /Senior Officer	Consultation and Engagement Process and Timeline	Equality Impact Assessment Required and Published (Y/N)	Part of Budget and Policy Framework (Y/N)	Corporate Plan Priority	Exempt Item and Paragraph Number
EC/33/21-22	7 Mar 2022	Referral of Notice of Motion: Low Carbon Advertising	To consider the referral of the Notice of Motion from Council.	Director of Environment and Neighbourhood Services	N/A	N/A	N/A	A council which empowers and cares about people	N/A
EC/35/21-22	7 Mar 2022	Referral of Notice Motion: Replacement Recycling Site at Congleton	To consider the referral of the Notice of Motion from Council.	Director of Environment and Neighbourhood Services	N/A	N/A	N/A	A council which empowers and cares about people	N/A
EC/34/21-22	7 Mar 2022	Referral of Notice Motion: Single Use Plastics	To consider the referral of the Notice of Motion from Council.	Director of Environment and Neighbourhood Services	N/A	N/A	N/A	A council which empowers and cares about people	N/A
EC/31/21-22	7 Mar 2022	Standing Item: Members Advisory Panel: Cheshire East Cemeteries Strategy Review	To receive the most recent update from the Member Advisory Panel.	Director of Environment and Neighbourhood Services	N/A	N/A	TBC	A council which empowers and cares about people	N/A
EC/32/21-22	7 Mar 2022	Standing Item: Member Advisory Panel: Cheshire East Planning Process Review	To receive the most recent updates from the Member Advisory Panel.	Director of Environment and Neighbourhood Services	N/A	N/A	TBC	A council which empowers and cares about people	N/A
EC/10/21-22	June 2022	The Minerals and Waste Development Plan	To seek approval to publish the draft Cheshire East Minerals and Waste Development Plan Document (Local Plan part 3) along with its supporting evidence for public consultation.	Director of Environment and Neighbourhood Services	N/A	N/A	Yes	A thriving and sustainable place	No

Reference	Committee Date	Report title	Purpose of Report	Report Author /Senior Officer	Consultation and Engagement Process and Timeline	Equality Impact Assessment Required and Published (Y/N)	Part of Budget and Policy Framework (Y/N)	Corporate Plan Priority	Exempt Item and Paragraph Number
EC/14/21-22	June 2022	Bio Diversity Net Gain SPD	To consider the feedback received to the public consultation and publish the supplementary planning document for public representations.	Director of Environment and Neighbourhood Services	N/A	N/A	N/A	A thriving and sustainable place	No
EC/15/21-22	June 2022	Developer Contributions SPD	To approve the draft supplementary planning document for public consultation.	Director of Environment and Neighbourhood Services	N/A	N/A	N/A	A thriving and sustainable place	No
EC/37/21-22	June 2022	Hackney Carriage and Private Hire Licensing Policy	To consider the Hackney Carriage and Private Hire Licensing Policy.	Director of Environment and Neighbourhood Services	N/A	N/A	N/A	A thriving and sustainable place	N/A