

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee**
held on Thursday, 1st February, 2024 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Warren (Chair)
Councillor J Snowball (Vice-Chair)

Councillors J Bird, M Brooks, L Buchanan, A Farrall, S Gardiner, D Jefferay,
B Posnett, H Seddon, L Smetham, H Whitaker and J Clowes

OFFICERS IN ATTENDANCE

Tom Shuttleworth, Interim Director of Environment and Neighbourhoods
Ralph Kemp, Head of Environmental Services
James Miller, Green Spaces Projects Officer
Tom Evans, Neighbourhood Planning Manager and Interim Environmental
Planning Manager
Mandy Withington, Principal Solicitor
Tracy Baldwin, Finance Manager
James Thomas, Principal Solicitor
Josie Lloyd, Democratic Services Officer

ALSO PRESENT

Councillor J Bratherton
Councillor N Cook

129 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Dean. Cllr Clowes attended as a substitute.

130 **DECLARATIONS OF INTEREST**

In the interest of openness and transparency, Cllr Gardiner made the following declarations:

In relation to item 6 Sustainable Urban Drainage Supplementary Planning Document – there were representations within the report from Barratt and David Wilson Homes. Through his employment, Cllr Gardiner had regular communications with their engagement team although not relating to this report.

In relation to item 7 Conservation Area Appraisals and Management Plans – as a Knutsford Town Councillor, Cllr Gardiner was one of the lead members in respect of reviewing conservation areas.

Mr Tim Minay addressed the committee in relation to item 4 – Green Spaces Maintenance Review. Mr Minay raised concerns that the questionnaire was misleading and that subsequent reports contained inaccuracies. Mr Minay asked why the Tatton Drive estate was being treated differently to Grange Way and stated that there was a lack of effort in establishing who owns the land and a lack of consistency in applying criteria.

Mr Peter Jennings spoke in relation to item 4 – Green Spaces Maintenance Review and raised concerns about a lack of full disclosure in response requests to view road adoption documents.

Cllr Sandra Broad from Sandbach Town Council attended to represent Alex Porter in relation to item 4 – Green Spaces Maintenance Review and asked that the committee take the £15,000 mentioned in the report in relation to Sandbach out of consideration as it was not designated for a particular ward and, if split between all four wards, it would not be sufficient to make significant impact on rectifying the proposed cuts.

Ms Cathy Bruderer attended to speak in relation to item 4 – Green Spaces Maintenance Review. Ms Bruderer highlighted a number of alleged discrepancies in the information relating to the Grange Way estate in Sandbach, including issues of identifying highway land and land registry documentation showing plots of Council owned land which were not referenced within the report. Ms Bruderer asked that the Grange Way estate be removed from the proposals until all facts were collated and correct, and that the estate be maintained at the same level as the Tatton Drive estate until there was clarity.

Mr Steve McDermott spoke in relation to item 4 – Green Spaces Maintenance Review and stated that there was flawed information within the report in relation to the Grange Way estate which had not been addressed and highlighted the discrepancy over whether the land was adopted by the Council.

Cllr Ann Nevitt from Sandbach Town Council attended to speak in relation to item 5 - Approval of Cemeteries Strategy. Cllr Nevitt stated that the Cemeteries Strategy document of 2019 was severely flawed and did not recognise the existence of the adjacent field that was included in the original purchase and was listed as cemetery land. Cllr Nevitt stated that paragraph 218 of the Cemeteries Strategy Review of 2023 repeated same omission but that at a meeting of this committee in January 2023 she was given confirmation that this was cemetery land. Cllr Nevitt asked the committee to endorse this statement and confirm that this would be used as cemetery land when needed and that there were no plans to use this for anything other than originally intended.

132 **MTFS 91 GREEN SPACES MAINTENANCE REVIEW - FINAL RECOMMENDATIONS**

The committee considered the report on the Cheshire East Green Spaces Maintenance Review.

Councillor Cook attended as a visiting ward member to support the statements made by residents of the Grange Way estate in Sandbach. Councillor Cook supported the view that there were errors within the report and had provided supporting documentation within her consultation response.

Members asked for assurance that there was no legal obligation to maintain areas of green space. The Legal Officers present confirmed that they were not aware of any statutory duty other than highways maintenance and that due diligence on the status of these plots of land hence the Council's obligation to maintain them had been ongoing for a period of 2-3 years. The policy being considered was not related to maintenance of adopted highway land which is a function overseen by the Highways and Transport Committee. The policy under consideration deals with maintenance standards to areas such as parks, gardens, playing fields, play areas and ancillary green spaces.

Officers further confirmed that the sites in question on the Grange Way estate are registered as being owned by third parties, not Cheshire East Council.

Following the issues raised by members of the public at the meeting regarding whether land at the Grange Way Estate in Sandbach was adopted as public highway, the following amendment was proposed and seconded. This was carried unanimously.

- *To remove the affected Category 3 plots on the Grange Way Estate, Sandbach Elworth from the scope of the Green Spaces Maintenance Policy whilst further due diligence is undertaken.*
- *To continue any maintenance activities required post 1st April 2024 relative to other similar sites not owned by the Council (included at Schedule 2) Typology D Urban Open Spaces, Low Amenity*
- *To recommend to Highways and Transport Committee to consider the continued maintenance of these sites at a future meeting, following the conclusion of the required due diligence.*

RESOLVED (by majority):

That the Environment and Communities Committee:

1. Note the progress made to date in implementing the Green Spaces Maintenance Review included as a specific proposal within the Medium-Term Financial Strategy 2023-27 as approved at Council

on 22 February 2023, including the feedback from the recent public consultation exercise

2. Approve the final details of the proposed Green Spaces Maintenance Policy and associated schedules contained at Appendices A, B and C and their implementation as of 1st April 2024
3. Delegate authority to the Interim Director Environment and Neighbourhoods to take all necessary steps to:
 - a. implement the Green Spaces Maintenance Policy;
 - b. make all consequent changes to service provision and;
 - c. make technical amendments to the implementation of the Green Spaces Maintenance Policy, specifically for those sites contained within the site schedule at Appendix B, as required and to update the Committee on any significant changes at a future meeting
4. Note the proposal to bring back to future Committee meeting(s) further updates on the continued due diligence around ownership for those sites not registered in Cheshire East Council's ownership, as contained in Category 2 within Appendix C. Where appropriate these reports will seek approvals related to future maintenance proposals for these Category 2 sites, in line with the Policy
5. Delegate authority to the Head of Environmental Services to enter into agreements with third parties relating to the ongoing and/or enhanced maintenance of green spaces outside that undertaken by Cheshire East Council, as per that application process set out at Appendix F
6. With regard to the Grange Way Estate in Elworth, Sandbach:
 - a) To remove the affected Category 3 plots on the Grange Way Estate, Sandbach Elworth from the scope of the Green Spaces Maintenance Policy whilst further due diligence is undertaken
 - b) To continue any maintenance activities required post 1st April 2024 relative to other similar sites not owned by the Council (included at Schedule 2) Typology D Urban Open Spaces, Low Amenity
 - c) To recommend to Highways and Transport Committee to consider the continued maintenance of these sites at a future meeting, following the conclusion of the required due diligence

The committee considered the report on the updated Cemeteries Strategy for Cheshire East.

Cllr Bratherton attended to introduce the report as Chair of the Member Advisory Panel. The committee thanked the Panel for their work.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Note the progress made to date in reviewing and updating the Cemeteries Strategy and Cemetery Regulations, including how the feedback on these documents from the recent public consultation exercise has been used to shape their content
2. Approve the adoption of the updated Cemeteries Strategy, as contained at Appendix C to this report
3. Note the intended next steps in relation to production of operational management plans for each site or group of sites in scope and to authorise the Head of Environmental Services to develop and approve these plans
4. Note the intention to bring back at a future date for Committee's approval a Cemeteries Investment Programme
5. Approve the adoption of the Cemetery Regulations, as contained at Appendix D, to be applied across all cemeteries within scope

134 **SUSTAINABLE URBAN DRAINAGE SUPPLEMENTARY PLANNING DOCUMENT**

The committee sought approval to adopt the final Sustainable Urban Drainage Guide Supplementary Planning Document.

Officers presented a further recommendation in addition to those set out in the report:

To delegate authority to the Head of Planning to make any further minor changes or corrections to the SUDS SPD ahead of its publication.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Consider the key issues raised in representations received to the public consultation that took place between September and October 2023 and the corresponding modifications to the Sustainable (urban) Drainage Guide Supplementary Planning Document (SuDss SDP) (Appendix 1)

2. Approve and adopt the SuDss Guide Supplementary Planning Document (Appendix 2)
3. To delegate authority to the Head of Planning to make any further minor changes or corrections to the SUDS SPD ahead of its publication

135 **CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS**

Officers advised the committee that this report was being deferred to a future meeting of the Environment and Communities Committee.

RESOLVED:

That the report be deferred.

136 **WORK PROGRAMME**

The committee received the work programme.

Cllr Farrall asked for a report to be brought forward on lessons learned from the Cleaner Crewe project.

Cllr Clowes asked, as a reminder, that all MTFS budget lines are scheduled onto the work programme.

RESOLVED:

That the work programme be noted.

The meeting commenced at 10.00 and concluded at 12.30

Councillor M Warren (Chair)