

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Corporate Scrutiny Committee**
held on Monday, 14th September, 2009 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

Councillor A Thwaite (Chairman)
Councillor J Narraway (Vice-Chairman)

Councillors A Arnold, G Barton, G Baxendale, S Conquest, J Crockatt,
M Davies, D Stockton, D Topping and S Wilkinson

Apologies

Councillors D Bebbington and P Edwards

36 ALSO PRESENT

Councillor P H Mason – Procurement, Assets and Shared Services Portfolio
Holder

Councillor J Goddard

Councillor D Neilson

Councillor H Gaddum

37 OFFICERS PRESENT

Phil Sherratt

Head of Environmental Services

John Thistlewood

Strategic Manager, Contract Procurement, Shared
Services

Philip Kershaw

Interim Head of Policy Strategy - Assets

Mark Nedderman

Senior Scrutiny Officer

38 DECLARATIONS OF INTEREST

Councillor PH Mason declared a personal and prejudicial interest in respect of
item 4 - Call - In of Key Decision 09/10-24 Joint Waste Treatment PFI Project -
Acquisition of Site for Waste Transfer Station Facilities in accordance with
paragraph 11 of the Member Code of Conduct.

Councillor J Narraway declared a Personal Interest in respect of Item 4 - Call - In
of Key Decision 09/10-24 Joint Waste Treatment PFI Project - Acquisition of Site
for Waste Transfer Station Facilities on the grounds that his Solicitor occupied
part of the premises at Sunrise House, which bordered the proposed PFI Project
site.

39 PUBLIC SPEAKING TIME/OPEN SESSION

Mr Richard May from the Macclesfield Business Centre, Sunrise House, Hulley
Road, attended the meeting and addressed the committee expressing his

concerns about the proposal to construct a Waste Transfer station adjacent to his business premises.

Mr May had written to all members of the Committee prior to the meeting outlining the basic ethos of his business, which was a “Business Hotel” providing a flexible base for new companies to start-up. During the 20 years that the business had been in operation, over 200 businesses had started at Sunrise House. He contended that many of these businesses would not have located there, had such a waste transfer facility had been built so close to his premises.

Mr May questioned the accuracy of the report and accompanying plan to be considered by the committee at today’s meeting and in particular expressed his regret that the existence of the business centre had been omitted from the report. This omission was particularly disappointing; bearing in mind that Sunrise House bordered the site and shared an access. He concluded by stating that his business would be blighted if the proposal were to go ahead.

40 CALL - IN OF KEY DECISION 09/10-24 JOINT WASTE TREATMENT PFI PROJECT - ACQUISITION OF SITE FOR WASTE TRANSFER STATION FACILITIES

On behalf of the Group of members that had signed the call-in notice, Councillor David Neilson addressed the Committee and outlined the basis of the call-in which was in relation to: -

- The appropriateness of this particular site for a Waste Transfer Station in view of its proximity to a housing estate and Astra Zeneca, the largest employer in the town of Macclesfield;
- Potential problems with access and egress to the site, due to congestion problems on the Silk Road

Councillor Neilson amplified the grounds of call-in by stating that:

- During the Shadow year of the Council, a modelling exercise, carried out under the auspices of the Places Advisory Panel, in relation to a potential waste collection centre in the north of the Borough, had pointed to the most appropriate site for a transfer station being located somewhere between Knutsford and Wilmslow;
- A large number of houses would suffer noise nuisance from the proposed site.

Councillors Hilda Gaddum and John Goddard also addressed the committee in support of the call-in.

Councillor P H Mason – Procurement, Assets and Shared Services Portfolio Holder, outlined to the Committee, the basis of the cabinet decision taken on 11 August 2009.

The provision of waste treatment facilities or the closure of the Danes Moss landfill site required a waste transfer station to be located in Macclesfield to allow

refuse collection vehicles to continue to tip locally, to allow the waste to be bulked up for transfer to the waste treatment plant.

The scheme was being driven by the Waste Treatment PFI contract, which would provide waste treatment facilities for Cheshire West and Chester and Cheshire East Councils.

The site at Hulley Road was compatible with the use allocation of the land within the approved Local Plan and Waste Plan.

The facility would minimise the number of vehicular movements by transferring waste in bulk from the transfer station to the treatment plant in Cheshire West and Chester.

The land was available immediately for acquisition, but would require planning consent.

In response to questions from members of the committee, the Portfolio Holder, supported by the Head of Environmental Services and Strategic Manager – Contract procurement – Shared Services stated that:

- Although no other sites were currently under consideration, in the event that the Hulley Road did not progress, the decision of Cabinet did include a contingency for officers to continue to keep options open in respect of alternative sites.
- There had been no guarantee from the current owners that they would sell the land to the Council for its intended use.
- The Council owned the site at Lyme Green Depot.
- The waste Transfer site was expected to be in use for 25 years.
- No work had been carried out to assess how long it would take to prepare the site at Lyme Green depot for a transfer waste facility, but it could be expected that construction costs at that site would be significantly above the budget identified for the scheme at Hulley Road.
- Once Planning consent had been obtained, it was projected that a further 12 – 15 months would elapse before the Hulley Road site would become operational.
- The siting of this facility at Hulley Road was within the Planning Framework, the land was available immediately and the facility could be completed within the PFI Framework, at a price affordable to Cheshire East.
- The modernisation of such facilities using the latest technologies would enable the transfer centre to encompass design features such as automatic doors, and the building would be under negative pressure so that air would be drawn in. The precise details of these features and other attenuation measure would be dealt with at the detailed Planning stage.
- The long-term aims of the Council were to transfer waste over the minimum distance possible from households to the transfer centre and the

proposed facility would provide a fairly central point covering a wide area of Cheshire East.

- There were no industrial sites available to the West of this site to provide a facility in the Wilmslow area.
- Although minimising the cost of the scheme was an important consideration, the Council was also aware of its environmental responsibilities and therefore, cost, time and environment were all key considerations.
- The current drawings, which had been supplied and produced by one of the potential contractors, were not intended to provide detailed information about the site. Matters of detail would be provided at a later stage, including accurate plans.
- It was more efficient to carry waste to the transfer station using compaction than individual trips to the waste treatment plant, as refuse collection vehicles were crewed by 2-3 operatives. A transfer station would allow waste to be transferred in bulk by one driver to the treatment plant.
- Although the site would have an impact on traffic movements in the area, it was considered that extra vehicular movements would be not significant.
- Two of the sites rejected within the supporting documents, Lyme Green Depot and Danes Moss landfill site were in the green belt, and therefore faced significant obstacles in Planning terms. However, work was still ongoing in relation to these sites to assess their viability.
- The current landowners, Astra Zeneca had only been contacted by the Council through their agents. The Council had formally expressed its interest in the site through the appointed agents.
- It would be the Council's wish that the facility would be operational by 2012.
- Where refuse vehicles were operating in the west of the Borough, there may be a case for those vehicles to go direct to the treatment plant. However, all vehicle movements needed to be subjected to a modelling exercise so that precise details of journeys could be planned.
- One of the sites rejected at Moss Lane already had significant traffic problems.
- The routing of vehicles would be covered in the formal contract that the PFI team would develop. It was expected that the majority of vehicles would travel to the site via the Silk Road.
- If Cabinet deferred the acquisition of this site, the current landfill arrangements would continue, until that site reached capacity and at that point it was inevitable that vehicles would have longer journeys to other locations.

Note: Having answered questions, Councillor PH Mason declared a Personal and Prejudicial interest in this matter and withdrew from the meeting.

The Committee considered a report of the Borough Solicitor outlining the procedure for the call-in, the original report of the Waste PFI Project Director and Joint Team Manager considered by Cabinet on 11 August 2009, the response of the Waste PFI Project Director and Joint Team Manager to the call-in of the decision and the additional comments of the Portfolio Holder.

The Committee raised the following points:

- That the original report to Cabinet and response to the call-in notice lacked sufficient detail for members to be assured that the acquisition of the Hulley Road site was the best long term option for the waste transfer site;
- Concerns remained about the potential impact of the transfer station on the business located at Sunrise House and about the fact that the owner had not been consulted about the proposal;
- A question mark remained over the Hulley Road site, if officers were still looking at alternative sites including two, which had previously rejected.
- The report lacked information on the impact of the scheme on the local economy and environment.

RESOLVED –

- (a) That in view of uncertainty identified by this Committee concerning the future release for sale of land at Hulley Road Macclesfield by the owners, inaccuracies in the plan submitted, and concerns about the impact on the economic viability of the existing Hurdsfield Industrial Estate, it be recommended to Cabinet that Minute 79 dated 11 August 2009 be deferred and consequently, the purchase of a site at Hulley Road Macclesfield for use as a Waste Transfer Station in connection with the Waste Treatment PFI contract be not proceeded with, until such time as a full consultation exercise has been undertaken with local businesses, local residents and Hurdsfield Primary School.
- (b) That in tandem with the consultation exercise recommended in (a) above:
 - (i) A thorough investigation be carried out into alternative sites to locate a Waste Transfer facility and the results be presented to Corporate Scrutiny Committee for comment before any further action is taken to acquire land for the Waste Treatment PFI project.
 - (ii) A Full Economic and Environmental Impact Study of the proposed scheme be carried out.

- (c) That clarification be sought with the with Waste PFI Project Director and Joint Team Manager in relation to the ownership, status and joint access of land between Sunrise House and the proposed site which was included within the plan appended to the report submitted to the Committee, but is not part of the proposed scheme.

41 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED - That in accordance with Section 100(A)4 of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest in maintaining the exemption outweighs the public interest in disclosing it.

(Paragraph 3 concerns information relating to the financial or business affairs of any particular person, including the authority holding that information.)

42 CALL - IN OF KEY DECISION 09/10-24 JOINT WASTE TREATMENT PFI PROJECT - ACQUISITION OF SITE FOR WASTE TRANSFER STATION FACILITIES EXEMPT REPORT

The Committee considered Appendix A to the report in respect of the acquisition of a site for waste transfer station facilities in Macclesfield.

RESOLVED - That Appendix A be noted.

The meeting commenced at 2.00 pm and concluded at 4.15 pm

Councillor A Thwaite (Chairman)