

Highways and Transport Committee

Agenda

Date:	Thursday, 20th June, 2024
Time:	6.00 pm
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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 foot 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.

2. **Declarations of Interest**

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

3. **Minutes of Previous Meeting (Pages 5 - 14)**

To approve as a correct record the minutes of the previous meeting held on 4 April 2024.

For requests for further information

Contact: Karen Shuker

Tel: 01270 686459

E-Mail: karen.shuker@cheshireeast.gov.uk with any apologies

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.

Petitions - To receive any petitions which have met the criteria - [Petitions Scheme Criteria](#), and falls within the remit of the Committee. Petition organisers will be allowed up to three minutes to speak.

5. **Bus Service Improvement Plan Refresh 2024/25 Delivery Programme (Pages 15 - 74)**

To consider a report on the Bus Service Improvement Plan Refresh & 2024/25 Delivery Programme.

6. **Final Outturn 2023/24 (Pages 75 - 98)**

To receive a report on the final outturn for Highways and Transport services for the financial year 2023/24.

7. **Service Budgets 2024/25 (Highways & Transport Committee) (Pages 99 - 122)**

To receive the report setting out the allocation of the approved budgets for 2024/25 to the Highways and Transport Committee.

8. **Proposed Diversion of Public Footpath No. 3 (part) in the Parish of Smallwood (Pages 123 - 132)**

To consider an application to divert Public Footpath No. 3 (part) in the Parish of Smallwood.

9. **Application No. CN-7-28: Application for the addition of a Public Footpath in Audlem Parish (Pages 133 - 168)**

To consider an application to amend the Definitive Map and Statement.

10. **Appointments to Sub-Committees, Working Groups, Panels, Boards and Joint Committees (Pages 169 - 180)**

To consider a report on appointments to sub-committees, working groups, panels, boards and joint committees for the 2024-25 municipal year.

11. **Work Programme** (Pages 181 - 186)

To consider the Work Programme and determine any required amendments.

THERE ARE NO PART 2 ITEMS

Membership: Councillors C Browne, L Braithwaite, R Chadwick, P Coan, A Coiley, L Crane (Vice-Chair), H Faddes, A Gage, M Goldsmith (Chair), C Hilliard, M Muldoon, J Priest and M Sewart

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Highways and Transport Committee**
held on Thursday, 4th April, 2024 in the The Capesthorpe Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor M Goldsmith (Chair)
Councillor L Crane (Vice-Chair)

Councillors C Browne, R Chadwick, P Coan, A Coiley, H Faddes, A Gage,
C Hilliard, H Moss, M Sewart, J Snowball and B Drake (substitutue for Cllr
Braithwaite)

OFFICERS IN ATTENDANCE

Tom Moody, Director of Highways and Infrastructure
Hayley Kirkham, Head of Crewe High Growth City
Domenic De Bechi, Head of Highways
Richard Hibbert, Head of Strategic Transport and Parking
Chris Hindle, Head of Infrastructure
Genni Butler, Countryside Access Development Manager
Clare Hibbert, Definitive Map Officer
John Lindsay, Definitive Map Officer
Adele Mayer, Definitive Map Officer
Steve Reading, Principal Accountant
Mandy Withington, Solicitor
Nikki Bishop, Democratic Services Officer
Karen Shuker, Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Braithwaite and J Priest.
Councillors J Snowball and B Drake were present as substitutes.

2 DECLARATIONS OF INTEREST

In the interests of openness and transparency, (in relation to agenda item 12)
Councillor Coan confirmed that he had met with the landowner of Windmill Wood
in his capacity as Mayor of Knutsford and would therefore not participate in the
debate on this item.

3 MINUTES OF PREVIOUS MEETINGS**RESOLVED:**

That the minutes of the meetings held on Thursday 25 January 2024 and
Tuesday 30 January 2024 be approved as a correct record and signed by the
Chair.

4 PUBLIC SPEAKING/OPEN SESSION

Ms E Roddy addressed the committee in relation to agenda item 5, Bus Service Review and highlighted the negative impact that changes to the 14/14a bus routes had on the local community, particularly those disabled residents who relied heavily on bus services to attend medical appointments. Ms Roddy requested that consideration was given to allowing one number 14 bus to extend its route by half a mile to Lyme Green and providing an extra bus in the hour between the 14a buses resulting in an hourly service as previously provided.

A written statement was read out by the Chair, on behalf of Mr B Chaplin (South Knutsford Residents Group), who was unable to attend the meeting. The statement related to agenda item 12 and was in support of the modification proposed within the officer report. Mr Chaplin's statement highlighted that residents felt that the path had been unequivocally established and hoped that the local authority and landowners could work together to seek charitable/grant funding to meet costs that largely fell to the landowner.

Mr S Sheikh addressed the committee in relation to agenda item 12, on behalf of the landowner of Windmill Wood. It was stated that detailed representations had been made after the publication of the officer report which therefore did not take into consideration the legal and evidential implications. It was stated that there was no documentary evidence supporting the route being a public footpath however there was evidence from independent sources of clear signage in the wood during the 20-year period and that trespassers had been challenged during that period.

Ms C Jones addressed the committee in relation to agenda item 5 and highlighted that she welcomed the review of bus services and asked that connections to local hospitals was taken into consideration as a key priority. Ms Jones highlighted the impact for Nantwich residents who often had to travel via 2 buses to attend appointments at Leighton Hospital. Ms Jones also extended an invitation to committee members and officers to attend the Crewe and District Bus Users Group AGM on Thursday 18 April. Officers agreed to share details of the meeting with the committee/officers.

5 BUS SERVICE REVIEW 2024

The committee considered the report which set out proposals for a strategic bus service review of the council's support for local bus services and also provided an update on the Bus Service Improvement Plan (BSIP). It was noted that the council spent £2.5m supporting bus services which were not commercially viable but deemed important and socially necessary. The review of bus services would seek to identify opportunities to improve services to deliver better value for money.

Cllr Lata Anderson addressed the committee as a visiting member and spoke in support of the proposed review. Cllr Anderson highlighted the importance of consulting with the public on services, particularly in relation to Sunday use in order to understand barriers to improving services. Cllr Anderson requested that the consultation be made available to those who did not have online access and suggested that posters be located at bus stops and shared with Town and Parish Councils to display on noticeboards.

Councillor Anna Burton addressed the committee as a visiting member and spoke in support of the review. Cllr Burton highlighted the impact that the lack of local bus services had on residents in Nantwich, particularly those travelling to appointments at Leighton Hospital. Cllr Burton asked that consideration be given to introducing a direct service for residents as soon as possible.

The committee welcomed the report and thanked officers for their work to date. The committee agreed that a key priority of the review should be to ensure direct routes for residents from towns to local hospitals. It was requested that forms were accessible for all individuals (younger individuals/vulnerable/disabled) to ensure thorough consultation. Officers agreed to share the draft BSIP with the committee prior to submission to the Department for Transport.

RESOLVED (unanimously):

That the Highways and Transport Committee

1. Agree a review of the supported bus network commencing in April 2024.
2. Approve the objectives and methodology (Appendix 1) for undertaking the bus service review and delegate to the Director of Highways and Infrastructure the provision to make all necessary arrangements to complete the bus service review.
3. Approve the proposed approach to stakeholder and public consultation in line with the Consultation and Engagement Plan at Appendix 2 and Communications Plan at Appendix 4.
4. Delegate authority to the Director of Highways and Infrastructure to prepare the BSIP refresh in consultation with the Enhanced Partnership Board and submit a draft to DfT by their deadline of 12 June 2024. Noting that a further report to Highways and Transport Committee will follow in June 2024 seeking endorsement of this updated document.
5. Note that a report will be provided to Highways and Transport Committee in November 2024 setting out the recommendations for the supported bus network in Cheshire East.

6 A500 CREWE CORRIDOR

The committee considered the report which set out proposals to update the Outline Business Case for the A500 Dualling Scheme in response to the government's cancellation of HS2.

Cllr Janet Clowes addressed the committee as a visiting member and raised a number of questions in relation to S106 monies, active travel, rural communities, risk management and spending obligations. Officers committed to providing a written response.

The committee noted that the scheme was still considered financially viable and was included in the approved MTFS. Members queried the % used to calculate future inflation. Officers committed to providing a written response but confirmed that this % had been calculated in line with national predictions. It was noted that an updated Outline Business Case would be added onto the Work Programme in approx. 18months time for the committee to consider.

RESOLVED (by majority):

That the Highways and Transport Committee

1. Authorise the Director of Highways and Infrastructure to:
 - a. Take all steps necessary to prepare an Updated Outline Business Case for a redefined A500 Scheme to produce a fundable scheme to be brought to a future meeting of the committee for approval for submission to the Department for Transport. (Appendix 2 is a non-exhaustive list of the types of work that will be required)
 - b. Appoint a contractor through the SCAPE Framework to provide a scheme design and delivery feasibility report for any new elements of the updated scheme and to continue to develop those elements of the original scheme that remain.
2. Authorise the Head of Estates to:
 - a. Where land negotiations for the full A500 Dualling scheme are advanced, to continue to seek to acquire the land and rights required, by agreement, to support the delivery of the updated scheme objectives and so that the full scheme could be implemented at a future time, should funding be made available, and to instruct the Director of Governance and Compliance to negotiate and enter into any agreement necessary to complete such acquisitions.
 - b. Recommend that Full Council approve a Supplementary Capital Estimate for £2.435m, to a new capital scheme in the MTFS titled 'A500 Corridor OBC Update' that is fully funded by the DfT to provide funding for the preparation of the Outline Business Case Update for a revised scheme. This forms a change to the MTFS approved at Council on 27 February 2024.
 - c. Recommend to the Chair of the Finance Sub Committee and the S.151 Officer that expenditure be approved from the existing A500 scheme budget on the following:
 - i. Completion of the purchase of land, by agreement, that will also be necessary for any redefined scheme, or to support the future implementation of the full dualling, should funds become available.
 - ii. Costs of "mothballing" the existing A500 scheme in terms of meeting existing commitments, finishing pieces of work, paying outstanding fees, etc

which is estimated at up to £2m (£1m in 2024/25 and £1m in 2025/26) and is included in the MTFS approved by Council on 27 February 2024 as a scheme requiring further approval before further expenditure.

3. Authorise the Director of Governance and Compliance to:

- a. Withdraw :
 - i. the sealed and made Compulsory Purchase Order known as “The Cheshire East Council (A500 Dualling Meremoor Moss Roundabout to M6 Junction 16) Compulsory Purchase Order 2023” and,
 - ii. (b)the sealed and made Side Roads Order known as “The Cheshire East Council (A500 Dualling Meremoor Moss Roundabout to M6 Junction 16) (Classified Road) (Side Roads) Order 2023”.

both made on 4 July 2023.

- b. Undertake all necessary and appropriate notification processes to inform all affected landowners (as named in the schedule to the CPO and as notified of the SRO), Statutory Undertakers and the National Casework Team at the Department for Transport of the formal withdrawal of the Orders.

7 FINALISING DEVELOPMENT OF A LANE RENTAL SCHEME

The committee considered the report which set out the process for finalising the development and implementation of a lane rental scheme (LRS) for Cheshire East, noting that a final proposal would be considered by the committee prior to an application being made to the Secretary of State.

Councillor Janet Clowes addressed the committee as a visiting member. Cllr Clowes welcomed the report however highlighted her disappointment at the length of time it had taken for this to be progressed. Cllr Clowes stated that income generated from fines could be reinvested into the service and asked if officers had completed the national consultation on upgrading and refining the LRS, a consultation which closed in March 2024. Officers committed to providing a written response.

The committee welcomed the report however queried the length of time it would take for a LRS to be developed. It was confirmed that the 7-month period would include both a full evaluation and consultation prior to submission to the Secretary of State. It was noted that implementation of the scheme to cycle lanes would be developed in line with national/DfT guidance which was not currently available.

RESOLVED (unanimously):

That the Highways and Transport Committee agree delegation to the Director of Highways and Infrastructure to

1. Finalise development of a Lane Rental Scheme proposal.
2. Conduct consultation upon the proposed scheme; and
3. Present the proposed scheme (as developed following consultation) to the Highways and Transport Committee for approval prior to its application to the Secretary of State.

8 WARD MEMBER BUDGET SCHEME UPDATE

The committee considered the report which provided an update on the operation of the Ward Member Budget Scheme during its first year of operation (2023-24).

Some concerns were raised in relation to the proposal to reduce the annual allocation per elected member to £4,512 as it was felt that, when used correctly, the Ward Member Budget Scheme supported savings from the revenue budget. It was confirmed that the council did not have a sufficient capital programme budget to maintain the highway asset and therefore any increase to the annual allocation would result in a reduction of capital funding from other programmes within the service, the majority of which were safety focussed. It was confirmed that members could aggregate their annual allocation, and/or combine this with another ward members allocation for schemes that crossed local ward boundaries.

Members asked that a guidance document be developed which provided an overview of the types of works that could be funded within the annual allocation with examples of cost estimates.

RESOLVED (by majority):

That the Highways and Transport Committee

1. Note the progress made on the operation of the Ward Member Budget Scheme during its first year of operation during 2023-24 and the ongoing work being undertaken with local ward members to identify works and deliver on these across the network.
2. Note the proposed steps being taken as set out within the report to improve the overall scheme delivery.
3. Approve, for the 2024-25 financial year, the annual allocation per elected member of £4,512.
4. Agree that all Members are provided with a quarterly electronic update on the scheme by the Highways service.

The meeting adjourned for a short break at 11.46 and reconvened at 11.55am.

Councillor P Coan left the meeting and did not return.

9 APPLICATION NO. MA/5/222 APPLICATION FOR THE ADDITION OF A BRIDLEWAY BETWEEN MOSS LANE AND NEWTON HALL LANE, MOBBERLEY ALSO KNOWN AS GRAVEYARD LANE

The committee considered the report which detailed the investigation into a 2003 application made by Alderley Edge, Wilmslow and District Footpaths Preservation Society to modify the Definitive Map and Statement of Public Rights of Way by the addition of a Bridleway over the route between Newton Hall Lane and Moss Lane. The Committee considered the application and the evidence submitted as set out within the officer report.

The Committee considered that, on the balance of probabilities, that there was strong evidence that Bridleway rights had been acquired.

RESOLVED (by majority):

That the Highways and Transport Committee

1. Agree that an Order be made under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by adding a Bridleway between Newton Hall Lane and Moss Lane, Mobberley as shown between points A-B on Plan No. WCA/34.
2. Agree that public notice of the making of the Order be given and, in the event of there being no objections within the specified period, or any objections received being withdrawn, the Order be confirmed in exercise of the power conferred on the Council by the said Act.
3. Agree that, in the event of objections to the Order being received, Cheshire East Borough Council be responsible for the conduct of any hearing or public inquiry.

10 APPLICATION NO. CN/7/34: APPLICATIONS FOR THE UPGRADING TO BRIDLEWAY OF PUBLIC FOOTPATHS 21 AND 22 BUERTON AND IN SHROPSHIRE, APPLICATION 251 FOR THE ADDITION OF A BRIDLEWAY IN SHROPSHIRE

The committee considered the report which detailed an investigation into two applications made by the British Horse Society to Cheshire East Council and Shropshire County Council to upgrade two Public Footpaths (Nos. 21 and 22) in the Parish of Buerton to bridleway, and to add a bridleway to the Definitive Map and Statement in Shropshire. The committee considered the application and evidence as set out within the officer report.

The committee agreed that, on the balance of probabilities, that higher rights could not be demonstrated.

RESOLVED (by majority):

That the Highways and Transport Committee

1. Agree the application for the upgrade to bridleway of Public Footpath Nos. 21 and 22 Buerton is to be refused on the grounds that it cannot be demonstrated that higher rights subsist.
2. Propose that Shropshire County Council enter into a dedication agreement to modify the Definitive Map and Statement for Shropshire by adding a Footpath between the county boundary and Audlem Road, Woore as shown between points C and D on Plan No. WCA/33.

11 WILDLIFE & COUNTRYSIDE ACT 1981 -PART III, SECTION 53, APPLICATION NO: MA/5/248: APPLICATION FOR THE ADDITION OF A PUBLIC RESTRICTED BYWAY / BYWAY OPEN TO ALL TRAFFIC ALONG TEGGSNOSE LANE, NR MACCLESFIELD

The committee considered the report which detailed an investigation into an application made by Mr C Eagles to amend the Definitive Map and Statement to add a Public Restricted Byway / Byway Open to All Traffic between Buxton Old Road along Teggsnose Lane to join existing Public Footpaths Nos. 4 and 5 near Teggsnose Farm and also a second connecting route to the east of Teggsnose Lane to join existing Public Footpath No. 3. The committee considered the application and evidence as set out within the officer report.

The committee agreed that, on the balance of probabilities, public footpath rights had been acquired.

RESOLVED (by majority):

That the Highways and Transport Committee

1. Agree that a Definitive Map Modification Order be made under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 adding a Public Footpath as shown on Plan No WCA/343/039.
2. Agree that public notice of the making of the Order be given and in the event of there being no objections within the period specified, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
3. Note that in the event of objections being received, Cheshire East Borough Council be responsible for the conduct of any hearing or Public Inquiry.

12 WILDLIFE & COUNTRYSIDE ACT 1981 - PART III, SECTION 53, APPLICATION NO. MA/5/256: APPLICATION FOR THE ADDITION OF A PUBLIC FOOTPATH FROM THE EAST END OF EXISTING PUBLIC FOOTPATH NO. 6 NEAR TOFT CHURCH TO JOIN PUBLIC FOOTPATH NO. 4 IN WINDMILL WOOD IN THE PARISH OF TOFT

The committee considered the report which detailed an investigation made by Mr B Chaplin (representing South Knutsford Residents' Group) to amend the Definitive Map and Statement to add a Public Footpath between existing Public Footpath No. 6 near Toft Church to join existing Public Footpath No. 4 in

Windmill Wood. The committee considered the application and evidence as set out within the officer report. It was noted that recommendations set out within the officer report had been supported by local ward members.

The committee agreed that on the balance of probabilities it could be reasonably alleged that public footpath rights subsist.

RESOLVED (by majority):

That the Highways and Transport Committee

1. Agree that a Definitive Map Modification Order be made under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 adding a Public Footpath as shown on Plan No. WCA/037.
2. Agree that public notice of the making of the Order be given and in the event of there being no objections within the period specified, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
3. Note that in the event of objections being received, Cheshire East Borough Council be responsible for the conduct of any hearing or Public Inquiry.

13 WORK PROGRAMME

The committee considered the Work Programme. It was noted that:

- Tree Planting and Verge Maintenance Policy had been moved to the November 2024 committee meeting.
- Street Lighting Energy Savings Proposal decision paper had been removed from the Work Programme.

It was also noted that as a result of approval at today's meeting, the following items would be added to the Work Programme in due course:

- Updated A500 Crewe Corridor Business Case
- Bus Service Review – recommendations
- Lane Rental Scheme – proposals.

Members discussed the recommendation arising from a recent Corporate Policy Committee for Service Committees to arrange one twilight meeting during the course of the municipal year. It was agreed by a majority that the June 2024 meeting would be held at 6pm.

The meeting commenced at 10.00 am and concluded at 12.40 pm

Councillor M Goldsmith (Chair)

OPEN

Highways and Transport Committee

20 June 2024

Bus Service Improvement Plan Refresh & 2024/25 Delivery Programme

Report of: Tom Moody, Director of Highways and Infrastructure

Report Reference No: HTC/17/24-25

Ward(s) Affected: All Wards

Purpose of Report

- 1 The report presents the Cheshire East Bus Service Improvement Plan (BSIP) refresh for approval. The new BSIP builds on the previous plan prepared in 2021 and reflects the recovery of the bus market post-pandemic. The plan updates the vision, delivery programme, ambition to 2030, targets and performance monitoring framework.
- 2 The report also confirms the funding from central government for 2024/25 and sets out an indicative delivery programme for approval. A significant step forward since 2021 is the formation of the Enhanced Partnership with local bus operators, which enables much closer collaboration in the delivery of our improvement programme.
- 3 The BSIP refresh was submitted to the Department for Transport (DfT) as a draft document on 12 June 2024, in line with guidance published in January 2024. Any amendments required by Committee will be incorporated and a final version submitted to DfT by the end of June 2024 to release the 2024/25 funding allocation for Cheshire East.

Executive Summary

- 4 The bus network in Cheshire East plays a key role in providing access to jobs and services and connecting people and places. Buses are an essential component of an integrated transport network. They have a vital role in delivering key Council policy priorities for the economy, social cohesion, public health and environmental sustainability, including decarbonisation.

- 5 The 2024 BSIP for Cheshire East includes:
 - a. the bus vision – the shared vision for the borough, linked to corporate strategic priorities and the Local Transport Plan (LTP).
 - b. summary of the current offer to bus passengers – key facts and insights about current bus services and updated metrics for measuring progress against targets.
 - c. outline of the improvements programme in 2024/25 – delivery programme for bus improvements within known funding envelope available from BSIP grants and all other budget sources.
 - d. ambitions and proposals for 2025-2035 – the bus vision translated into specific ambitions and proposals for post-2025.
 - e. targets, performance monitoring and reporting – summary of performance against 2021 BSIP targets.
- 6 Engagement to inform the 2024 BSIP has been carried out as part of the Enhanced Partnership (EP), including the operator working group (25 April), EP Forum (8 May) and EP Board (16 May) to seek the views of bus operators, service users, local businesses and town and parish councils. The plan also builds on themes identified as part of previous engagement with residents on the 2021 BSIP.
- 7 The 2024 BSIP sets out a realistic and attractive plan. It explains clearly what was delivered in 2023/24, what is programmed for delivery by the end of 2024/25 and the ambitions and proposals till 2030 (subject to funding).
- 8 The following themes are reflected in the 2024 BSIP:
 - a. Bus network planning and improvements to bus services: service levels and network coverage.
 - b. Bus priority: delivering faster and more reliable services on priority routes/corridors.
 - c. Improvements to fares and ticketing – simpler and more affordable fares.
 - d. Improvements to the bus passenger experience:
 - Improved bus stops, bus stations and interchanges
 - Improved bus information and network identity
 - Accessibility, inclusiveness, personal safety and security
 - Implementing the Bus Passenger Charter
 - e. Improvements to the bus fleet.
 - f. Longer term transformation of the network.
- 9 Every local transport authority needs to produce a 2024 BSIP to secure the release of DfT funding for 2024/25. BSIPs should be comprehensive and authoritative, whilst also being concise and accessible to the public. It is a requirement that the final 2024 BSIP is made publicly available

and published on the Council's website. A draft version of the BSIP refresh 2024 is attached as Appendix 1.

- 10 To support the delivery of BSIP proposals, DfT have allocated funding to local transport authorities. Cheshire East has been awarded a further round of BSIP+ funding (value £1,187,596) for 2024/25. In addition, in April 2024 BSIP phase 3 funding was confirmed (value £2,268,000).
- 11 Cheshire East Council therefore has a total BSIP allocation of £3,455,596 for the 2024/25 financial year. The indicative delivery programme is set out at Appendix 2.

RECOMMENDATIONS

The Highways and Transport Committee is recommended to:

1. Approve the draft Bus Service Improvement Plan (BSIP) refresh 2024 for submission to the Department for Transport (DfT) and publication on the Council's website (see Appendix 1) by the end of June 2024.
2. Approve the proposals for spending the Council's allocation of BSIP+ funding (value £1,187,596) and the BSIP phase 3 funding (£2,268,000) for the current financial year 2024/25 (see Appendix 2) and delegate the authority to spend the funding to the Director of Infrastructure and Highways, in consultation with the Enhanced Partnership Board.

Background

- 12 The local bus network is made up of 37 bus services, of which 21 services are fully supported by the Council (57%), a further 8 are partially supported by the Council (22%), such as evening journeys. 8 services (22%) operate on a fully commercial basis. The Council currently spends £2.5m supporting bus services, which are not commercially viable but are deemed important and socially necessary.
- 13 The timescales set by Government for the development of the 2024 BSIP were challenging. The Council had already started developing the data and evidence base to support the refreshed BSIP, with guidance provided in January 2024. This evidence base is also feeding into the ongoing Bus Service Review, ensuring that a joined-up approach is being adopted for fixed (commercial and supported) and flexible transport (i.e. FlexiLink and Go-Too) within the borough.

Consultation and Engagement

- 14 In developing the 2024 BSIP there has been engagement with local bus operators, user groups, stakeholders, businesses and town and parish councils as part of the Enhanced Partnership (EP). The following meetings have enabled partners to inform and influence the BSIP:
- Operator Working Group – 25 April 2024
 - Enhanced Partnership Forum – 8 May 2024
 - Enhanced Partnership Board – 16 May 2024
- 15 Local bus operators have inputted to the development of the BSIP to ensure a collaborative approach, as we work in partnership to deliver the schemes and initiatives included in the BSIP.

Reasons for Recommendations

- 16 The BSIP will guide future investment and ensure our approach is in accordance with published guidance, including the National Bus Strategy (Bus Back Better) and latest Bus Service Improvement Plans – Guidance to local authorities and bus operators (January 2024).
- 17 The BSIP refresh has been produced after extensive analysis of the evidence base; a thorough review of the latest transport policy; and through engagement with bus operators, bus users and key stakeholders, including town and parish councils. Updating the BSIP ensures we place Cheshire East in the strongest possible position to attract future funding from central government.

Other Options Considered

- 18 The alternative option is to do nothing and retain the 2021 BSIP. However, DfT would not release BSIP funding, as the submission of a 2024 BSIP is a condition of the 2024/25 funding allocations.

Option	Impact	Risk
Do Nothing	Remain with the existing 2021 BSIP for Cheshire East.	DfT would not release BSIP funding allocations for 2024/25 to the Council.

Implications and Comments

Monitoring Officer/Legal

- 19 In developing and implementing a BSIP, the Council must have regard to the transport needs of all of the residents in the borough, which may include disabled persons, persons who are elderly or have mobility problems and mothers with young children. Development of plans will need to be in accordance with statutory and legal requirements for Community Engagement and Equalities Impact Assessment.
- 20 Before implementing the outcomes of the BSIP, the Council should consult with local bus operators, various organisations including the chief of police for the area to seek their views on the planned proposals. The Secretary of State may issue secondary legislation and additional guidance in relation to the BSIP outcomes that feed into future Enhanced Partnership plans and schemes, the Council must have regard to the guidance.
- 21 In implementing the refreshed BSIP the Council must have regard to its adopted Enhanced Partnership and ensure that the BSIP proposals meet the aims of the Enhanced Partnership.

Section 151 Officer/Finance

- 22 In 2023/24, the Council was awarded £1,187,596 BSIP+ (phase 2) funding from central government and Committee approved an indicative delivery programme in November 2023. The delivery of these measures is progressing, and Appendix 3 provides an update on each initiative.
- 23 For the 2024/25 financial year, the DfT have confirmed a further round of £1,187,596 BSIP+ (phase 2) funding and a new allocation of BSIP phase 3 funding of £2,268,000. The total BSIP allocation for 2024/25 is £3,455,596 (see table below).

	2023/24	2024/25
BSIP + (Phase 2)	£1,187,596	£1,187,596
BSIP (Phase 3)	0	£2,268,000
Total	£1,187,596	£3,455,596

- 24 DfT make clear in the associated Memorandum of Understanding that to be eligible for future funding, the overall authority budget must be maintained at least at the same level. DfT expect the grant funding to be

spent within a reasonable timeframe and outputs delivered within 12 months of funding receipt.

Policy

- 25 Cheshire East's corporate plan recognises the importance of the bus network in supporting key strategic objectives such as reducing carbon emissions, reducing health inequalities, enabling employment and housing growth and improving quality of place.
- 26 The Local Transport Plan (2019-2024) outlines the role transport will play in supporting the long-term goals to improve the economy, protect the environment, improve health and wellbeing and the quality of place.
- 27 The BSIP 2024 sets out the ambition for the bus network to improve the speed, reliability and quality of public transport, to encourage more residents to choose bus, make fewer car journeys and contribute to carbon reduction.

An open and enabling organisation	A council which empowers and cares about people	A thriving and sustainable place
<p>Ensure that there is transparency in all aspects of council decision making.</p> <p>Support a sustainable financial future for the council, through service development, improvement and transformation.</p> <p>Promote and develop the services of the council through regular communication and engagement with all residents.</p>	<p>Work together with our residents and partners to support people and communities to be strong and resilient.</p> <p>Reduce health inequalities across the borough.</p>	<p>A great place for people to live, work and visit.</p> <p>To reduce the impact on our environment.</p> <p>A transport network that is safe and promotes active travel.</p> <p>Thriving urban and rural economies with opportunities for all.</p> <p>To be carbon neutral by 2025.</p>

Equality, Diversity and Inclusion

- 28 The Council has fully evaluated the equality implications of the BSIP refresh through an Equality Impact Assessment (EqIA). The EqIA incorporates Transport Focus data and engagement with user groups and stakeholders through the Enhanced Partnership. The vision to grow bus patronage in Cheshire East will benefit protected equality groups,

particularly young people, older people and people with disabilities. An EqlA is included at Appendix 4.

Human Resources

- 29 There are no direct implications for Human Resources.

Risk Management

- 30 Every local transport authority is required to produce a 2024 BSIP to secure the release of DfT funding for 2024/25. A draft was submitted to DfT by their deadline of 12 June 2024 and the intention is to submit a final version, approved by committee, by the end of June. Any delay in submitting and publishing a final version will delay the release of BSIP funding, which is a risk to the delivery programme.
- 31 In terms of governance and corporate oversight, a Bus Strategy Programme Board has been established including key enabling services, such as legal, finance, procurement, research & consultation, and communications. This has ensured that the development of the BSIP 2024 has been robust. A detailed risk register for the BSIP delivery programme will continue to be maintained and updated throughout the life of the project.

Rural Communities

- 32 The Corporate Plan outlines targets to reduce areas of the borough not served by public transport. The Council has already demonstrated a commitment to this through its successful bid to DfT funding as part of the Rural Mobility Fund, subsequent operations of the Go-Too service and continued delivery of the boroughwide FlexiLink service.
- 33 The Corporate Plan also identifies the desire for thriving and active rural communities by 2025. The importance of local buses for rural communities has been reflected in the BSIP 2024 through the theme on rural communities and demand responsive transport.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 34 The Corporate Plan outlines the significant pressures in Children's Services, particularly placements for looked after children and services for children with special educational needs, including home to school transport. A significant number of school children across the borough use buses to access educational establishments and this is considered in the BSIP 2024.

Public Health

- 35 There are pockets of deprivation in Cheshire East related to income, health and life chances. Bus services enable a greater proportion of residents to access important services such as health care facilities. The continued delivery of these services therefore helps to address the Corporate Plan target to reduce health inequalities across the borough. The Index of Multiple Deprivation (IMD) is used to prioritise services based on their ability to serve highly deprived areas.

Climate Change

- 36 Cheshire East Council have committed to be carbon neutral by 2025 and to influence carbon reduction across the borough in order to become a carbon neutral borough by 2045 – the decarbonisation of the transport network is a key component of this programme of work.

Access to Information	
Contact Officer:	Richard Hibbert Richard.Hibbert@cheshireeast.gov.uk
Appendices:	<ol style="list-style-type: none"> 1. Draft BSIP 2024 2. 2024/25 BSIP Delivery Programme 3. 2023/24 BSIP Progress Update 4. Equality Impact Assessment
Background Papers:	Cheshire East BSIP 2021

Cheshire East Bus Service Improvement Plan 2024



June 2024

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Foreword

Welcome to our Bus Service Improvement Plan for 2024-2035

To be completed after Pre-Election Period (in final version).

Final Draft

1. Our Bus Vision

Our Vision

Cheshire East has a rich natural environment, strong sense of community and successful economy, making Cheshire East one of the best places to live and work in the UK, with strong employment opportunities, attractive places to live and high standards of education.

The challenge is how we maintain our position, continuing to create sustainable growth that will support the wellbeing of our residents and the economy on which that depends, whilst protecting existing residents and green spaces.

Improving the bus network is critical to increasing sustainable access for all, to principal towns and key service centres, enabling residents and bus users alike to benefit from an established sense of community and successful economy.

*“Our vision will **transform the bus network** within Cheshire East to provide **attractive, reliable and convenient connections** that enable more residents and visitors to **choose bus, make fewer car journeys**, to contribute to our **carbon reduction challenge** and **improve the health** of our citizens”.*

Our vision for buses continues to align with National Bus Strategy for England (NBSfE) objectives and is linked to our strategic priorities included in our Corporate Plan, Local Transport Plan (LTP), Economic and Environment Strategies and Public Health Annual report and the Joint Needs Assessment.

Cheshire East’s Corporate Plan places an importance on the bus network in supporting key strategic objectives such as reducing carbon emissions, reducing health inequalities, enabling employment and housing growth and improving quality of place. The LTP outlines the role of the bus network in supporting the long-term goals to improve the economy, protect the environment, improve health and wellbeing and the quality of place.

The key overarching objectives of these strategies and plans provide the context within which our Bus Service Improvement Plan (BSIP) has been developed, its principles and what we are trying to achieve.

These BSIP principles (shown below) are our commitment to work together in partnership with our bus industry partners to improve local bus services for users and the residents of Cheshire East.

This BSIP outlines our ambitions for the bus network as well as our commitment to delivering improved services for existing bus passengers and growing passenger numbers by surpassing the expectations of non-bus users to encourage changes in travel behaviour. We have adopted a borough-wide approach, building on the 2021 BSIP, aligning with the NBSfE objectives and through continued engagement as part of our Enhanced Partnership (EP) processes, collaborative engagement with neighbouring authorities, as part of the ongoing bus service review and following the receipt of BSIP+ funding in 2023 and 2024.



More frequent and comprehensive services, better integration with other modes

Faster and more reliable journeys



Cheaper fares

Easier to use for passengers






Easier to understand services



Figure 1-1: Cheshire East BSIP principles and overarching policy context

Objectives and Ambitions

This document sets out our objectives and ambition for buses for the next 10+ years to 2035, building on our 2021 BSIP, focusing on three key phases across our town, inter-urban and rural bus networks:

Stabilise the network	Quality improvements	Network growth
<ul style="list-style-type: none"> Encourage passenger growth following the Covid-19 pandemic Build better relationships with local bus operators and passengers with our Enhanced Partnership & Bus Passenger Charter Continue to support services to ensure access to employment, education and health Improve access to information 	<ul style="list-style-type: none"> Improve the bus fleet - newer, more modern vehicles Improve the town, inter-urban and rural networks, including flexible demand responsive transport Improve bus stop infrastructure and bus priority on core inter-urban corridors and town network routes Improve access to information and network identity Improve ticket offers and technology 	<ul style="list-style-type: none"> Increase frequencies of buses on our town networks, inter-urban routes and socially necessary services Provide more routes and route enhancements for access to services and jobs Expand flexible transport provision Improve bus priority and bus stop infrastructure Coordinate with new developments to capture s106 funding to encourage sustainable growth.
		
Continue	In Progress	Ambition

We have set out how we plan to improve our buses in our BSIP for 2024 and their alignment to NBSfE objectives. This BSIP sets out a realistic and attractive plan summarising what has been delivered up to now within Cheshire East, what we have programmed for delivery by 2025, as well as setting out our ambitions and proposals for the future up to 2035 (subject to funding). It also outlines our achievements against 2021 BSIP targets and our refreshed targets and arrangements for monitoring our performance.

Table 1-1: Alignment of the National Bus Strategy objectives and Cheshire East's Ambitions for Bus

National Bus Strategy Objectives	Cheshire East Ambitions for Bus
More frequent and comprehensive services, better integration with other modes	Improved frequencies on our town and inter-urban routes, with better access to health services, employment, education, transport hubs and leisure/retail. Continued support for socially necessary services, providing flexible and fixed-route services to link into the wider bus network.
Faster and more reliable journeys	Reduced pinch-points on the network to improve journey times and reliability. Collaboration with local bus operators to improve the quality of the bus fleet and reduce emissions.
Cheaper fares	More affordable journeys, within towns and for younger people. Improved integrated ticket offers between bus operators and modes.
Easier to use for passengers	Improvements to waiting environments and bus stops to provide a safe travel experience. Our draft Bus Passenger Charter ensures bus users know their rights to certain standards of bus services and that these standards are met.
Easier to understand services	Bus information readily available, easy to use and up-to-date. Improved journey planning and in-journey information.

Progress since the 2021 BSIP

Considerable progress has been made since 2021 on stabilising the bus network in Cheshire East, notwithstanding the substantial local and national challenges that have impacted the bus network and its passengers. These challenges include the withdrawal of a major operator from the borough, bus driver shortages, the ongoing cost of living crisis and patronage recovery from the pandemic, in particular the limited return of concessionary fare passengers (around 70% of pre-Covid levels).

Given the recent changes to the commercial bus operating environment in Cheshire East in 2023, when a large operator withdrew from the borough, we have, through intensive discussions with our remaining local bus operators, secured and continue to maintain a consistent level of local bus service provision (at retained frequencies) for users and residents of Cheshire East. Additionally, changes to the cross-boundary bus network operations in Greater Manchester into the borough, following their franchising programme, continues to impact the network within Cheshire East (to the north) for service registration requirements and operations.

We continue to safeguard current network stability through our supported bus services, working with local bus operators and our neighbouring local authority partners as part of our Enhanced Partnership to ensure we continue to deliver a bus network that supports our urban and rural economies. Our ongoing mission is to rebuild patronage in the context of the 'cost-of-living' crisis and changes to working and shopping/leisure patterns

Our Enhanced Partnership Plan and Scheme were formed and published in 2022. We have developed a strong Enhanced Partnership with bus operators to collaborate on the development and delivery of our improvement programme, including bus stop and shelter upgrades, bus prioritisation feasibility study and the intelligent adaptive signals (Imflow) trial, developing the draft Bus Passenger Charter and working with local bus operators and neighbouring authorities to ensure the continued support for the bus network. Engagement and collaboration is a key part of our Enhanced Partnership, which includes:

- Quarterly operator working group meetings to discuss technical and operational issues.
- Six-monthly EP Forum meetings, in person, attracting a wide range of stakeholders, including operators, user groups, businesses and Councillors, to engage in the development of local bus services.
- Quarterly EP Board meetings, including all local bus operators with strategic oversight of the improvement programme.

Following the receipt of BSIP+ funding in 2023 and 2024, we are working with our local bus operators to implement a number of interventions to deliver on our BSIP principles and ambitions. These are outlined in more detail in section 3 3.



2. Current Offer to Bus Passengers

Bus Network

The current network of local bus services operating across Cheshire East provide access between, and links within, the principal towns of Crewe and Macclesfield as well as to a number of smaller towns and parishes across the borough including Congleton, Wilmslow, Nantwich and Sandbach.

The local bus network comprises a mix of commercially operated and financially supported services, operated by eleven local operators. Cheshire East Council, as the Local Transport Authority, is responsible for the coordination of socially necessary routes, combined with the preparation and delivery of supporting information provision.



The local bus network operates:

- Principally between **Mondays** and **Saturdays**, with limited or no service on routes outside of urban centres on Sundays and bank holidays.
- During the AM peak (**07:00 to 09:00**), interpeak (**09:00 to 16:00**) and PM peak (**16:00 to 18:00**) periods, with a limited selection of bus routes operating during the post evening peak (**after 18:00**).

The flexible transport offer in Cheshire East is operated by ANSA and currently provides two services, Flexilink and 'Go-Too':

- Flexilink operates Monday to Friday in four areas between 09:30 and 14:30, providing a means of travel for residents within Cheshire East over the age of 80, with a disability, or living beyond the reach of other public transport.
- 'Go-Too' provides access to employment, education, healthcare and other services for people in the rural areas to the south and west of Nantwich. It operates Monday to Saturday between 07:00 and 21:00.

Buses across the borough play a critical role in linking passengers to rail hubs in Crewe and Macclesfield, where 'first and last mile' links only offer a limited alternative to private car use, which is invariably the sole transport option for many rail passengers to access and use key local services.

The cross-boundary services provide key links to neighbouring service centres and employment, such as Greater Manchester, Stoke-on-Trent, Chester and Warrington.

The current bus network for Cheshire East is illustrated in Figure 2-1.



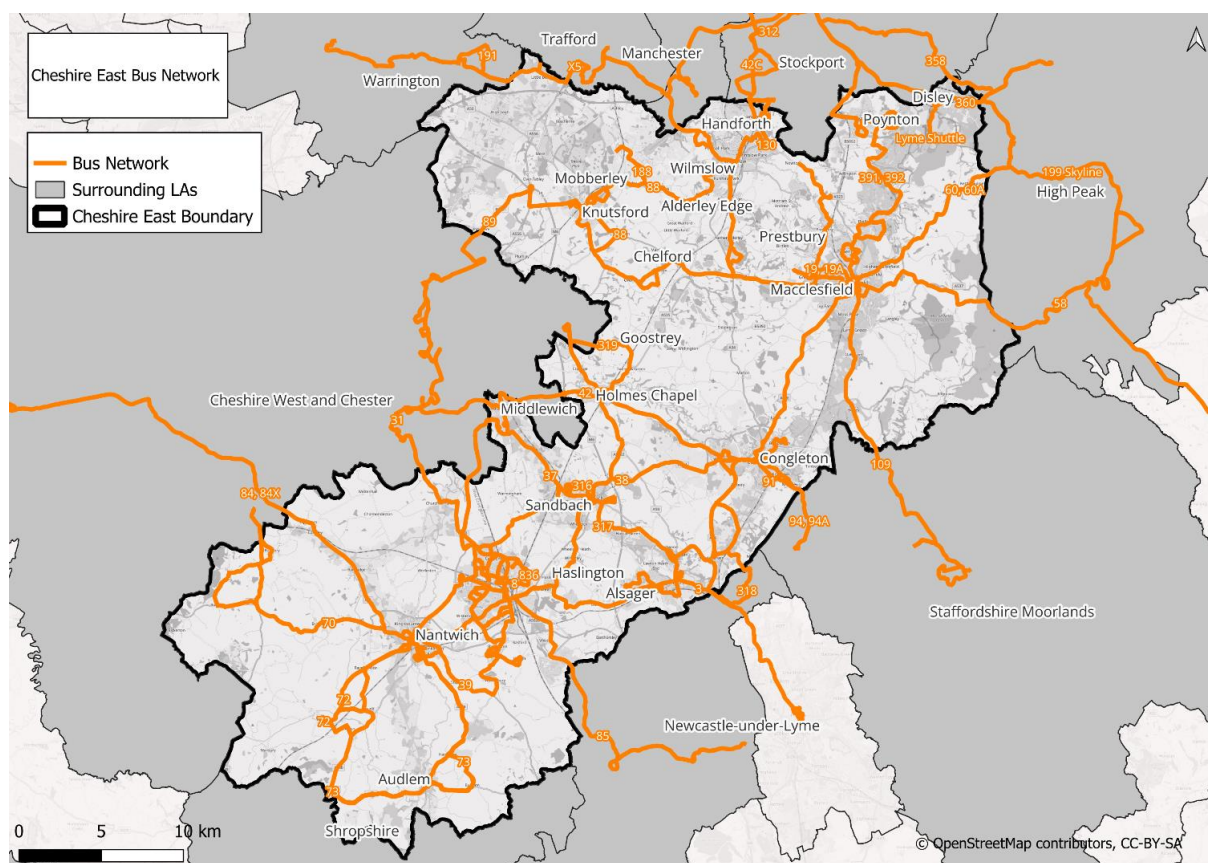


Figure 2-1: Current bus network within Cheshire East (April 2024)

The bus network across Cheshire East comprises of three main types of service:

Towns/urban: predominantly routes serving the urban areas of Crewe, Macclesfield and Congleton. Town/urban services both on weekdays and Saturdays generally tend to provide at least a 30 to 60-minute headway in the AM and PM peaks, increasing to 30 minutes or more between the peaks. Frequencies and service provision reduce in the evening (after 18:00).

Inter-urban: routes that connect the principal towns and key service centres within Cheshire East, as well as key towns and service centres outside of the authority boundary (i.e. Greater Manchester, Stoke-on-Trent, Chester etc.). On average, inter-urban services are provided at least every 60 minutes throughout weekdays and on Saturdays. Frequencies and service provision reduce in the evening (after 18:00).

Rural: routes linking rural areas within Cheshire East to key service centres both within and outside of the authority boundary. Rural services are generally less frequent (two-hourly), providing connectivity from more rural areas in and beyond Cheshire East to principal towns and key service centres. Additionally, in the south of the borough, the current demand-responsive transport service 'Go-Too' operates to provide links between Nantwich and the rural areas to the west and south.



Table 2-1: Average bus frequency by service type (April 2024)

Type of Service	Weekdays (mins)				Saturday (mins)			
	AM Peak	Inter Peak	Evening Peak	Off Peak	AM Peak	Inter Peak	Evening Peak	Off Peak
Town/ Urban	30-60	30-60 ¹	15-30/ 30-60	60-120	30-60	15-30	15-30	60-120
Inter-Urban	60-120	30-60	60-120	60-120	30-60/ 60-120	30-60/ 60-120	30-60	60-120
Rural	60-120	60-120/ 120+	30-60	30-60/ 60-120	30-60	30-60/ 60-120	30-60/ 60-120	60-120

Currently, two out of the eleven operators deliver their services from an operating base or depot within the boundary of Cheshire East and the remainder from neighbouring cross-boundary locations in Cheshire West and Chester, Greater Manchester, Salford, Staffordshire and Warrington. This reflects the close relationships the Council has with its neighbouring authorities in order to deliver bus services throughout the borough.

Table 2-2: Bus operators, number of routes, locations served and depot location

Bus Company	Parent Operator/Owner	No. of Bus Routes	Principal Locations Served	Depot Location
D & G Coach & Bus	D & G Bus Ltd (Centrebus Ltd)	25	Boroughwide	Crewe, Adderley Green
Stagecoach Manchester	Stagecoach Group Ltd	2	Between Stockport/Cheadle & Handforth/Poynton	Manchester
Stagecoach Merseyside, Cheshire & South Lancs	Stagecoach Group Ltd	1	Between Chester, Tarporley, Nantwich and Crewe	Chester
High Peak Buses	High Peak Buses Ltd (The Wellglade Group and Centrebus Ltd)	6	Between Macclesfield & High Peak	Dove Holes
First Potteries	First Group plc	1	Stoke-on-Trent to Crewe	Stoke-on-Trent
Hollinshead Coaches	Hollinshead Coaches Ltd	3	Congleton	Biddulph
Belle Vue Coaches	Belle Vue (Manchester) Ltd	2	Stockport to Macclesfield	Stockport
Warrington's Own Buses	Warrington Borough Transport Ltd	2	Between Knutsford & Warrington	Warrington
Aimee's Travel	Aimee's Travel Ltd	1	Macclesfield	Leek
Mikro Coaches	Mikro Coaches Ltd	1	Crewe to Nantwich	Crewe
Direct Taxis Lymm Shopper	Warrington Borough Council & Cheshire East Council	1	Little Bollington, Agden, Broomedge	Little Bollington

¹ Average of services that provide either 15-30 mins or 60-120 mins.

The local bus network is made up of 37 combined bus services², of which 21 are fully supported (56.8%), a further eight are partially supported (21.6%), such as evening journeys and eight services (21.6%) operate on a fully commercial basis.



57% of Cheshire East bus services are fully supported and 22% are partially supported

The Council currently spends around £2.5 million, supporting bus services which are not commercially viable but are deemed important and socially necessary, this includes cross boundary expenditure and contributions (by neighbouring authorities), as well as section 106 contributions from new developments.

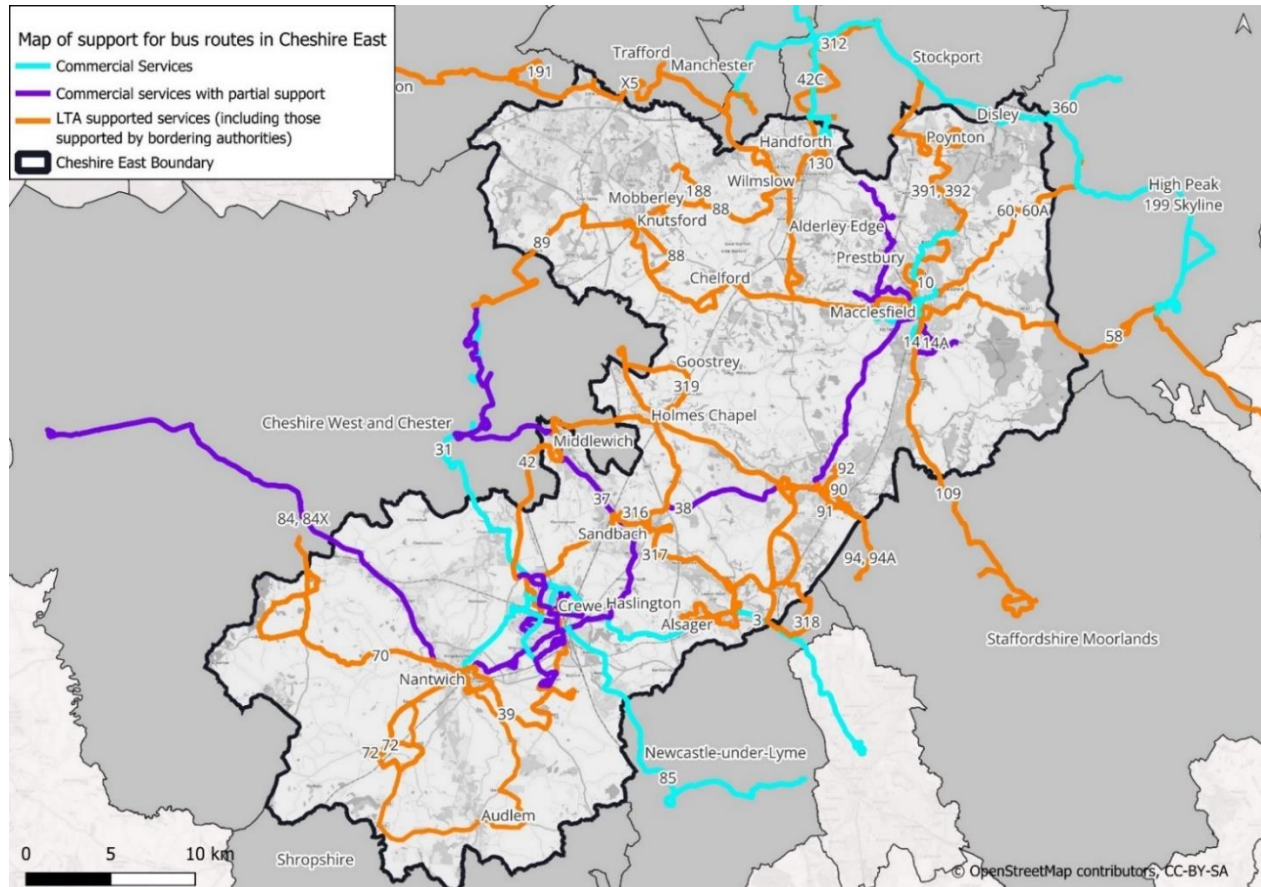


Figure 2-2: Map of supported and commercial routes within Cheshire East (April 2024)

Accessibility

Cheshire East offers a range of attractive and vibrant towns that are strategically linked not only within the borough, but to neighbouring conurbations such as Greater Manchester, Chester, Stoke-on-Trent and Warrington for education, employment and wider services.

An average of 85% of the population of Cheshire East can reach a town or key service centre by bus within 40 minutes in the AM peak period (07:30-09:30). There is better accessibility around the towns and key service centres than in rural areas, as a result of more dense populations with concentrated demand and greater levels of service provision. A typical Saturday gives a similar level of service; however, the Sunday level of service provides the lowest access with just 25% having access within 40 minutes.



An average of **85%** of the population in the AM peak period (weekday) can reach a town or key service centre within 40 minutes by bus.



An average of **25%** of the population on Sundays can reach a town or key service centre within 40 minutes by bus.

² 50 individually numbered bus services, combined into 37 bus service groups.

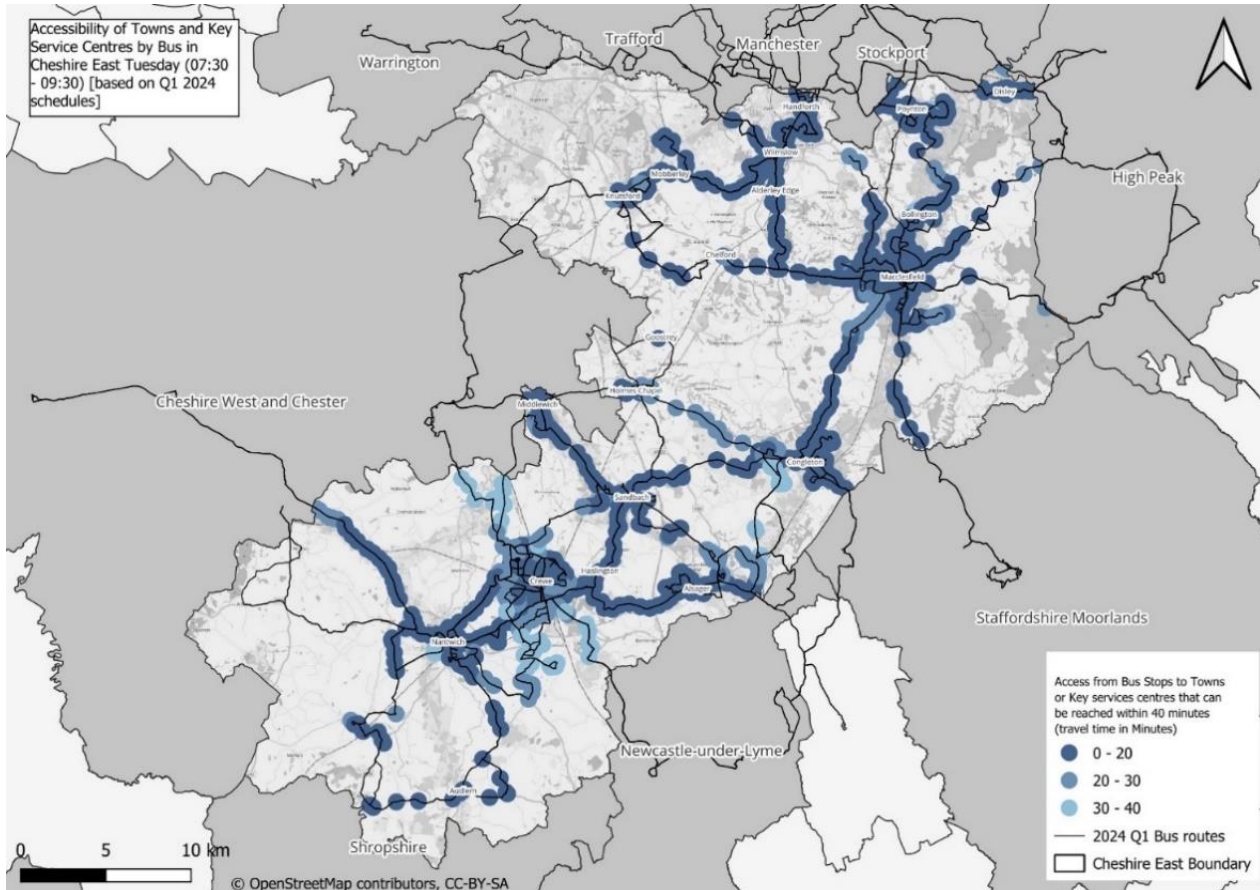



Figure 2-3: Accessibility of towns and key service centres by bus in Cheshire East (AM peak)

Bus Usage

Since 2010/11, the total number of passenger journeys on local bus services per year has decreased from 5.6m (2010/11) to 3.8m in 2019/20, a decrease of 32.1% in ten years³. This decline has been substantially greater when compared to the decline in total number of passengers journeys on local bus services in the wider North West (19.43%) and England (11.8%) in the same time period, whilst recognising that the numbers for the North West and England are skewed by the inclusion of larger metropolitan areas.

This decrease in patronage continued into 2021/22 by a further 42.1% when compared to 2019/2020 figures, to a total of 2.2m passenger journeys. This was likely more acute due to the impact of the Covid-19 pandemic on the bus industry, as a similar pattern in decline of passenger journey numbers has been identified in the wider North West (29.4%) and England (30.3%) between 2019/20 and 2021/22.

Data from 2022/23 shows that passenger journeys have begun to recover (74% of 2019/2020 figures), however not to pre-Covid levels. This reflects a positive local, regional and national change in patronage, with Cheshire East's percentage increase (27%) greater than regional (18%) and national (19%) percentage increases, albeit from a lower total number of passenger journeys. Concessionary passengers have also seen a small recovery in patronage (67% of 2019/2020 figures), but proportionately lower when compared to the recovery fare-paying passengers (80% of 2019/2020 figures).



27% increase in total passenger journeys in Cheshire East since 2021/22, only 9% are concessionary fare passengers.

³ DfT (2020) Bus statistics Table BUS0109a

Table 2-3: Total number of passenger journeys on local bus services

Passenger journeys	Cheshire East (Million)	North West (Million)	England (Million)
Total 2010/11	5.6	457.0	4618.4
Total 2019/20	3.8	368.2	4072.6
Total 2021/22	2.2	255.8	2835.3
Total 2022/23	2.8	301.7	3383.2
Change 10/11 - 19/20	-32.14%	-19.43%	-11.82%
Change 19/20 - 21/22	-42.11%	-30.53%	-30.38%
Change 21/22 - 22/23	+27.27%	+17.94	+19.32
Concessionary 2010/11	2.2	128.6	1044.0
Concessionary 2019/20	1.8	98.7	899.0
Concessionary 2021/22	1.1	63.4	554.2
Concessionary 2022/23	1.2	70.8	643.4
Change 10/11 - 19/20	-18.18%	-23.25%	-13.89%
Change 19/20 - 21/22	-38.89%	-35.76%	-38.35%
Change 21/22 - 22/23	+9.09%	+11.67	+16.09%

The number of passenger journeys per head of population in Cheshire East decreased by 44% from 2019/20 to 2021/22. By 2022/23 passenger journeys per head in Cheshire East, the North West and England have begun to recover, however not to the 2019/2020 (pre-Covid) levels. Again, this reflects a positive local, regional and national change in patronage. The passenger journeys per head in 2022/23 are at much lower levels in Cheshire East (6.9) than in the North West (40.6) and England (59.8). The latter two can be explained by the higher numbers of journeys per head in metropolitan areas, as well as in London, which disproportionately affect the national average.



Cheshire East recorded the fourth lowest number of bus journeys per head in 2019 out of all local authorities in England (outside London) and dropping to third lowest in 2023. This data reveals the scale of the challenge in growing patronage within Cheshire East, however starting from a low base means there is substantial potential for growth, which this BSIP is seeking to address.

Table 2-4: Bus passenger journeys per head by geography

Passenger journeys per head	Cheshire East	North West	England
Total 2010/11	15.2	65.1	87.7
Total 2019/20	10.0	50.2	72.4
Total 2020/21	2.7	19.3	27.9
Total 2021/22	5.6	34.5	50.2
Total 2022/23	6.9	40.6	59.8
Change 10/11 - 19/20	-34.21%	-22.89%	-17.45%
Change 19/20 - 21/22	-44.00%	-31.27%	-30.66%
Change 21/22 - 22/23	+23.21%	+17.68%	+19.12%

Patronage data received to date, provided by bus operators in Cheshire East, reflects a post-Covid recovery in passenger numbers with journeys returning to near pre-Covid levels. Concessionary fare passenger numbers have remained relatively consistent since May 2023, however, there has been a greater increase in fare paying passengers, likely following the introduction of the £2 bus fare cap.

Fares and Ticketing

Bus fares in Cheshire East are currently varied between operators and locations, with limited multi-operator ticketing options. However the current £2 fare cap has been applied to all but one of the local bus operators: D&G, Stagecoach (Merseyside, Cheshire & South Lancs), Stagecoach (Manchester), High Peak, First Potteries, Belle Vue, Warrington's Own Buses, Mikro Coaches, Aimee's Travel and Direct Taxis. With Hollinshead Coaches not participating in the £2 fare cap scheme as their maximum fare is currently less than £2.

The Council (or its operators) does not currently have a multi-operator ticketing arrangement in place. In areas in the north of the borough, close to the Greater Manchester boundary (i.e., Poynton and Wilmslow), passengers are able to access the 'System One' range of tickets for adults, but this is limited to areas close to the Greater Manchester Combined Authority area boundary.

Cheshire East Council is keen to see rapid expansion of opportunities for smart, integrated ticketing on bus services and across different modes of public transport. It was further noted by the Council in the October 2021 BSIP that 'any scheme that can be extended and implemented to serve Cheshire East and our wider sub-region would be of particular benefit to passengers in the borough'.

Bus Infrastructure and Information

Cheshire East currently has five bus stations. These bus stations are located in Crewe, Nantwich, Congleton, Macclesfield and Knutsford. A new bus station has recently opened in Crewe as part of the Royal Arcade development, which is a great new facility for passengers.



Five bus stations and over 1800 bus stops within Cheshire East.

Cheshire East has over 1,800 bus stops, including a mixture of marked (with pole or shelter) and unmarked bus stops.

Following years of under-investment, the bus stop infrastructure in the borough is very poor, which has been highlighted by user groups as a key constraint to encouraging increased bus use.

Negative feedback on the state of the infrastructure from bus operators and user groups has also been captured as part of the Enhanced Partnership engagement to date. In addition, data collected by Transport Focus (2023) reveals the level of dissatisfaction with bus stop infrastructure in Cheshire East – approximately 20% of all respondents categorised the general condition of their bus stop as very or fairly poor, with the number who were satisfied being 10% lower than the national average.



Capital investment in bus stop infrastructure is exceptionally important in Cheshire East. The Council has allocated £350,000 from the Local Transport Plan (LTP) capital programme 2024/25 and this will be supplemented with £200,000 BSIP+ funds and s106 developer contributions to deliver a step change in the quality of infrastructure. There is a large body of research confirming that passengers expect a safe and suitable place to wait for bus services and the absence of this has a disproportionate impact on discouraging bus use. The need to improve facilities for passengers is a vital part of increasing bus use in Cheshire East.

The Council is initially focusing on the most strategic bus corridor (route 38), which connects the two principal towns (Crewe and Macclesfield) and several key service centres in the borough (Congleton, Sandbach) as part of BSIP+ funding interventions and to complement the introduction of new vehicles by the bus operator.



The Council has developed bus stop infrastructure standards to support the improvement of bus stops within the borough, which have been summarised in Table 2-5.

Table 2-5: Bus Stop Infrastructure Standards

Infrastructure	Bronze	Silver	Gold
Pole	✓	✓	✓
Bus stop flag	✓	✓	✓
Equalities Act 2010 compliant boarding point	✓	✓	✓
Printed stop-specific timetable	✓	✓	✓
Safe crossing and disabled access, including drop-kerbs	✓	✓	✓
QR code link to bus real time information	✓	✓	✓
Covered waiting area e.g., bus shelter	X	✓	✓
Bus box markings	X	X	✓
Cycling parking provision (at targeted locations)	X	X	✓
Real-time information displays (at targeted locations)	X	X	✓

The Council commissioned an audit of the infrastructure on the 38 corridor which has provided data on the poor condition and low-level specification of the existing facilities (e.g. rusty, dilapidated panels, loose glass, lack of safe crossing points, lack of shelters etc) and has resulted in a prioritised improvement programme. The map below (Figure 2-4) illustrates the hub stop locations prioritised for investment through the BSIP+ funding allocation, to complement the introduction of new vehicles by the bus operator with further details on these interventions in section 3.

Additionally the Council have been engaging with key stakeholders through the Operator Working Group and EP Forum meetings on bus stop flag and paper timetable designs, to try to improve the presentation of bus information for passengers. This work is ongoing will feed into future ambitions, proposals and initiatives identified in section 4 of this BSIP.

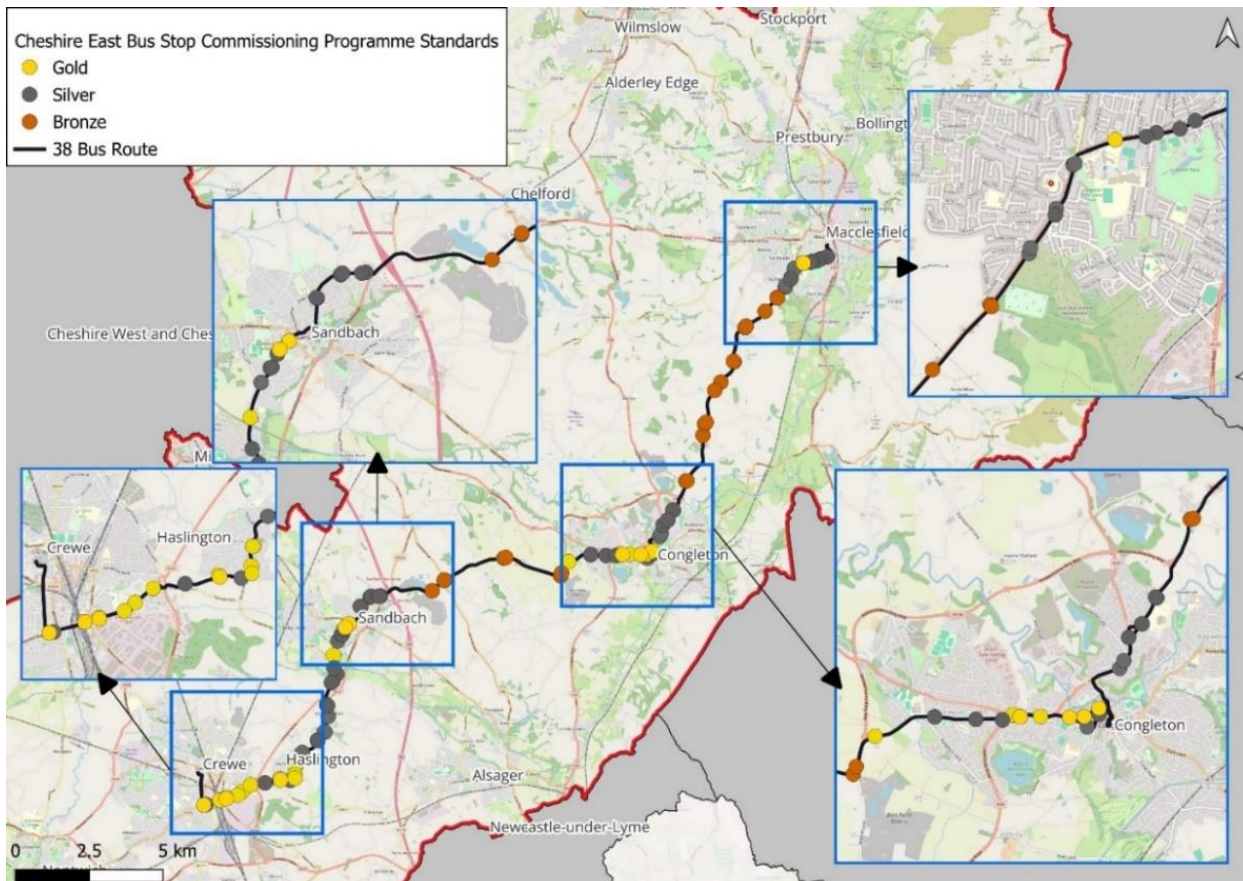


Figure 2-4: Route 38 bus stop upgrade programme (BSIP+ Phase 2 funding)

Currently, there is limited bus priority infrastructure in place within Cheshire East to support the reliability and punctuality of bus services.

A single bus lane (approx. 250m in length) is located in Crewe along the A534 Crewe Road, passing the retail park, between the Crewe Green Road junction and the junction with Nantwich Road and Weston Road.

Cheshire East is also currently trialling intelligent adaptive signals pilot in Crewe, to address operational and performance issues at the specific signal junctions. This technology (Imflow) has been installed in May 2024 at the Edleston Road, Mill Street and Gresty Road junctions with the Nantwich Road. There are opportunities to further develop these schemes to facilitate bus priority, as well as the potential to roll out to other locations within Crewe and wider Cheshire East, if this trial proves successful. We will continue to monitor the effectiveness of this technology and opportunities for expansion to include bus detection elsewhere within the borough.

Passenger Satisfaction

Transport Focus survey data (annual report – March 2024) has been analysed to understand whether previous targets around passenger satisfaction have been met. Overall, respondents were satisfied with their bus journey, with 83% of respondents feeling very satisfied (51%) or fairly satisfied (32%). 79% of respondents were satisfied with the value for money of their journey, with 52% identifying that they were very satisfied with the value for money, and 27% were fairly satisfied.



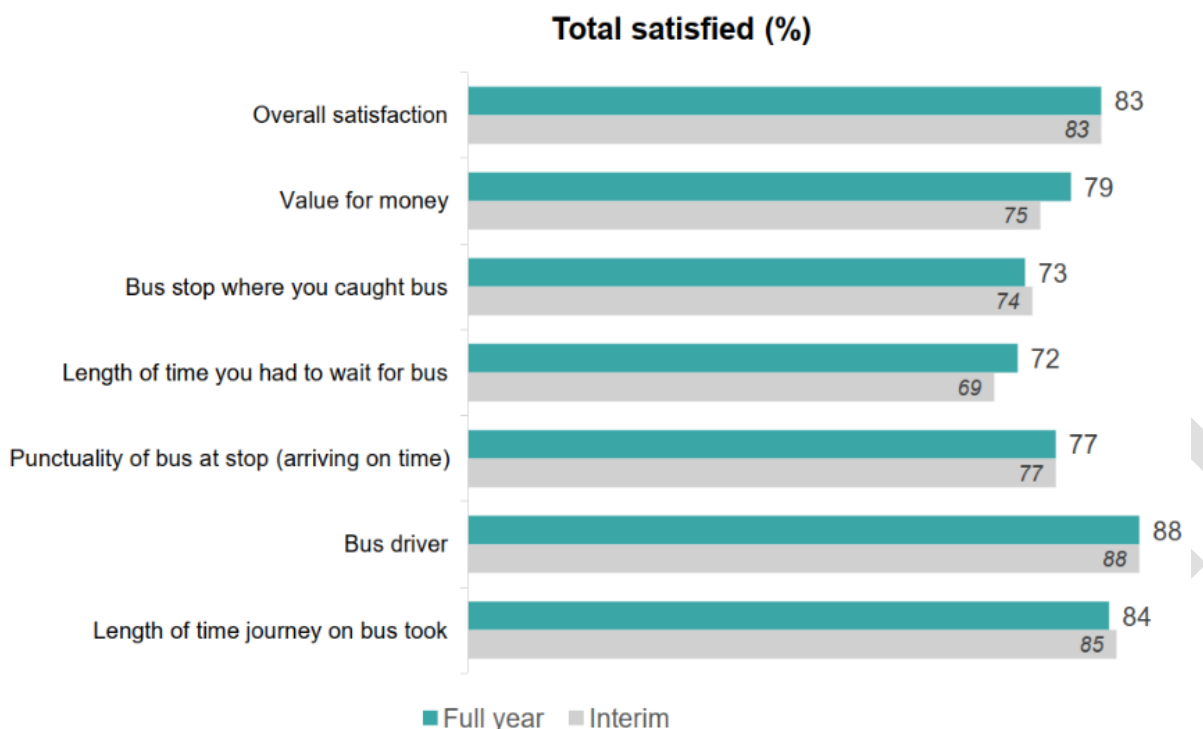


Figure 2-5: Summary of headline results for Cheshire East (Transport Focus March 2024)

Barriers to Bus Use

Punctuality and Reliability

Bus journey time reliability and punctuality within Cheshire East has and continues to be impacted by congestion and delays, particularly for town/urban bus services during peak periods.

74% of bus services provided by all operators were on-time (between -1 min and +5 min in March 2024). Of the services that were not on time, they were more likely to be late than early.



Key locations of delay have predominately been identified in the principal towns of Crewe and Macclesfield as well as, to a lesser extent, other key service centres, such as Sandbach and Congleton. Data has then been used to validate early stakeholder feedback specifically relating to network congestion locations and pinch points.

The recent Imflow adaptive signal technology trial on the Edleston Road, Gresty Road and Mill Street junctions on the Nantwich Road in Crewe seeks to improve bus priority at signal junctions, the Council will continue to monitor the implementation of this pilot programme, as well as assessing the suitability for future applications within the borough.

Population and Car Ownership

The population of Cheshire East is ageing faster than the regional and national average, although this also hides a rural-urban divide between towns and key service centres and rural parts of the borough. The average population density in Cheshire East is 392 inhabitants per km² (Census 2021). However a number of the borough's more rural areas have fewer than 100 inhabitants per km².

On average, from a socio-economic perspective, the local population of Cheshire East earns more, is more qualified and is more economically active than the regional and national averages. However there do still remain important disparities within the borough. Whilst Cheshire East is performing 'better' than regional and national averages, pockets of both health disparities and multiple deprivation exist, particularly in urban centres – notably Crewe, Sandbach, Congleton, Macclesfield, Wilmslow, and Knutsford which have neighbourhoods amongst the most deprived neighbourhoods nationally.

Cheshire East has significantly fewer households without the available use of a car or a van (15%) than the North West or England. Equally, Cheshire East has a higher proportion of households that have access to 2, 3 or more cars or vans (33%) in their household than in the North West region or England.

Therefore, it could be suggested that where these figures are combined, the lower number of households without a car and the higher share of households with multiple cars, could indicate a higher dependency on the car than in other areas within the region and across the UK. This can be partly explained by the rural nature of the borough and the higher average earnings, but also reflective of the current limitations in the delivery of the local bus network.

Competitive Parking Charges

Previously across Cheshire East, bus fares in the borough were not deemed to be competitive with car parking provision and charges within villages, key service centres and principal towns.

Until recently, the Council-operated car parks were predominantly free within the smaller settlements and villages, as well as key service centres such as Alsager, Handforth, Middlewich, Poynton and Sandbach. In 2019, the Council approved a high-level parking strategy as part of its Local Transport Plan, as part of our commitment to encourage sustainable travel within the borough. The strategy established the need to introduce a consistent approach to car parking across the borough, based on the principle of the user pays. In January 2024 proposals were put forward for Committee approval to provide fair and consistent arrangements and to respond to the increasing costs of operating and maintaining car parks, these changes are to come into effect in 2024.

The Council continues to work to deliver town-based local transport strategies that will be multi-modal, taking full account of the potential for local bus improvements in each town alongside the demand and supply of pay-and-display and free parking spaces, both on- and off-street.

The Council will continue to work with bus operators and user-groups to seek better alignment and greater competitiveness between bus fares and the charges for car parking in our town centres – where applicable – as part of a broader demand management strategy that promotes the use of bus services.



Potential Demand

Key outputs from the 2019/2020 study, which looked at the 'propensity' of people to use bus services in Cheshire East, have been refreshed with revised population data and key changes to the bus network in recent years. These outputs specifically focus on bus network coverage, how people use these services (National Travel Survey 2022), where services are predominantly used and, for those areas which presented under-use of buses (compared to the local and national average), if communities would use services which were improved beyond their existing services frequencies. This culminated in an assessment of 'potential bus demand', through locating areas where there is high potential demand (from socio-economic data) and where the bus network matches and where it doesn't match this demand.

Most urban areas in Cheshire East have a bus service operating a variety of different frequency levels, whilst a number of rural areas do not have bus provision but current potential demand in these areas is calculated to be low.

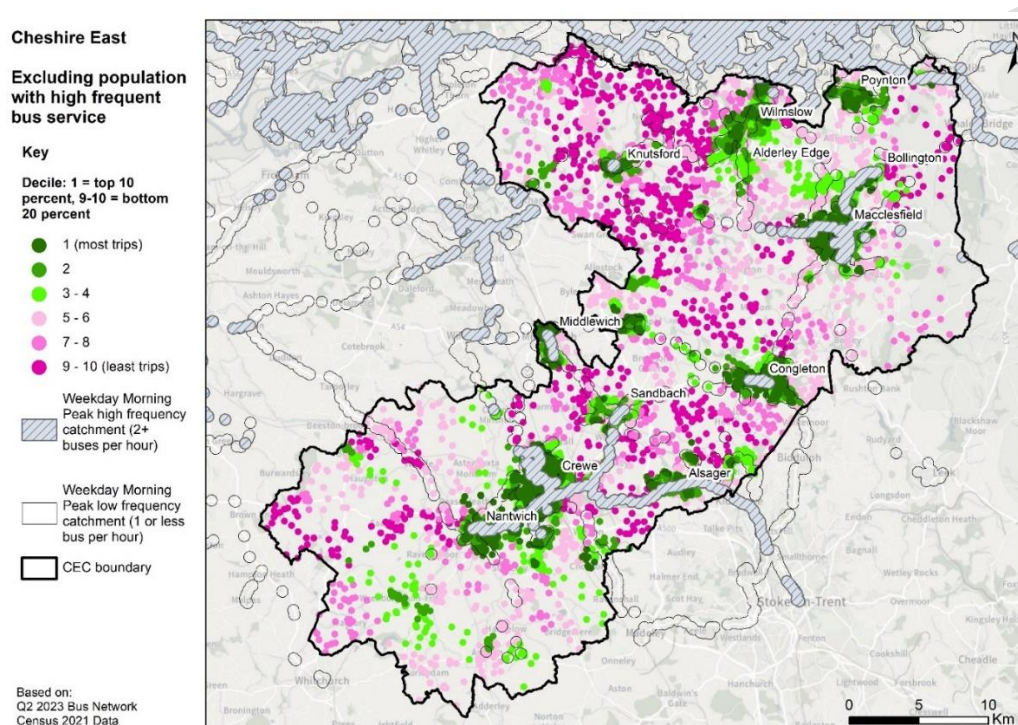


Figure 2-6: Potential Demand for Bus Use

Some areas have potentially high demand but have limited or no bus supply. Most notably the areas with the most potential for trips are mainly the core urban areas of Alsager, Congleton, Crewe, Macclesfield and Poynton, but also clusters around Middlewich, Nantwich and Wilmslow. This leads to pockets of areas where potential demand to use the bus could be high.

This analysis shows an overarching need to improve local bus links to education, future housing growth, health, and leisure facilities. This would also support wider council objectives of improved access to health and wellbeing (hospitals, doctor surgeries and health centres), reducing socio-economic inequalities with greater access to jobs, improving urban daytime and early evening economies and by supporting in the further delivery of wider LTP objectives linked to environmental objectives. These outputs, along with the accessibility analysis and engagement with key stakeholders as part of the EP Forum has informed proposals for service enhancements identified for delivery in 2024/25 and beyond.



3.Improvements Programme to 2024/25

The Council has an ambitious improvement programme for local bus services, which is initially focused on quality improvements to encourage network growth in the future.

Recognising that improvements will need to be made to the network from a relatively low base, the Council see that incremental benefits, which are linked to a pragmatic phasing of improvements, can be achieved. These opportunities are also linked to the current socio-economic factors that have been developed through the Cheshire East 'Tartan Rug'⁴, which alongside the likely impacts of improvements to bus services and wider public transport across the borough, has the potential to increase wider investment and growth within Cheshire East.

Our Enhanced Partnership was formed in 2022 and is pivotal to supporting the delivery of BSIP ambitions, improvements and schemes through collaboration with our local bus operators, key stakeholders and passenger representatives.

We recognise that improvements to bus services and increases in bus patronage are not a 'silver bullet' to reduce local inequalities. These improvements can, however, contribute to general improvements in accessibility and connectivity, which in turn will have direct and indirect benefits to passengers in supporting them in their travel patterns and getting where they want to go.

This BSIP is designed to improve the current delivery of bus services. Although we acknowledge that this process of improvement will not offer an overnight solution to what has been many years of decline in bus use and network coverage across the borough.

This section of the BSIP outlines a delivery programme for bus improvements in Cheshire East for the period up to the end of the 2024/25 financial year. This includes improvements and schemes progressed since the 2021 BSIP, which was unsuccessful in the first round of BSIP funding, but subsequently secured £4.64 million of Phase 2 and Phase 3 (Network North) funding from the Department for Transport.

2021 BSIP and EP Schemes

Table 3-1 shows the progress that has been made against the 2021 Enhanced Partnership obligations and commitments.

Table 3-1: Enhanced Partnership obligations and commitments status

Interventions	Commitments	Status
Facilities		
Boroughwide bus shelter renewal programme	10 per annum	Ongoing
Boroughwide bus stop renewal programme	5 per annum	Ongoing
Measures		
Develop a Passenger Charter for Cheshire East	Establish a Passenger Charter	Final draft

⁴ The health profile or 'Tartan Rug' shows how each ward within Cheshire East compares with all other wards in England across a range of health indicators and outcomes. The Tartan Rug provides an overview of local health need and a tool to guide discussions and local priorities.
https://www.cheshireeast.gov.uk/council_and_democracy/council_information/jsna/overviews-of-health-and-wellbeing.aspx

Interventions	Commitments	Status
Improved process for the management of roadworks in the EP Scheme area	Establish a mechanism to minimise disruption to local bus services	In progress
Evidence base study for bus priority measures in the EP Scheme area	Commission a bus priority feasibility study to support the introduction of quality corridors and priority measures.	Completed
Action Plan and delivery programme for retrofitting bus fleet to Euro VI standards	Develop an action plan.	In progress
Improved information provision	Enhance the dissemination of paper-based public transport information. Encourage operators to maintain or improve their electronic public transport provision.	In progress
Ticketing & Fares		
Multi-operator/multi-modal ticketing	Work with bus operators to develop a feasibility study on the deliverability of multi-operator ticketing.	In progress
Simplification of fares	Work with bus operators to develop a feasibility study to identify fare simplification mechanisms and a plan for transition post £2 fare cap.	In progress

Bus Passenger Charter

The final draft Passenger Charter 2024 provides bus users with their rights to certain standards of bus services and identifies obligations on operators, the Council and bus users to ensure that these standards are met. This was taken to the EP Forum in May 2024 for review and will be published following the August 2024 EP Board meeting.

Bus Prioritisation Feasibility Study

Since 2021, in line with the Enhanced Partnership and 2021 BSIP commitments, we have undertaken a focused assessment of the potential for bus priority interventions within key towns and locations across the borough. This also builds on the initial adaptive signals pilot (Imflow) in Crewe which has recently been implemented by the Council.

The feasibility report identified an initial prioritised list of interventions at key locations on the network that aim to improve bus journey time reliability and make bus travel more attractive to residents and visitors. This initial list, for further scheme development, is shown in Table 3-2.

Table 3-2: Bus prioritisation schemes

Town	Junction/ Corridor Location	Option
Crewe	A534 Nantwich Road Corridor: between A5019 Mill Street/ South Street traffic signal junction and Crewe Arms Roundabout.	Rationalising pedestrian crossings outside Crewe railway station
Crewe	A532 West Street/ Frank Webb Avenue priority T junction	Implement double yellow lines on Frank Webb Avenue
Macclesfield	A523 London Road/ Byrons Lane traffic signal junction	Bus priority detection
Middlewich	A54 Kinderton Road/ Leadsmithy Street traffic signal junction	Bus priority detection

Town	Junction/ Corridor Location	Option
Nantwich	B5341 Waterlode/ Welsh Row/ High Street traffic signal junction	Bus priority detection
Crewe	Crewe Green Roundabout (priority junction)	Partial signalisation
Crewe	A532 West Street/ Frank Webb Avenue priority T-junction	Signalise junction with bus priority detection
Macclesfield	Flowerpot Junction (traffic signals)	Refer to proposed scheme already being promoted for this traffic signal junction. Bus priority detection to be added.
Middlewich	A54 Kinderton Road/ King Street priority junction	Yellow box
Alsager	B5077 Crewe Road/ B5078 Sandbach Road traffic signal junction	Bus priority detection
Crewe	West Street between Dunwoody Way and Underwood Lane	Extend double yellow lines from outside 261 West Street to Derby Street.
Macclesfield	A523 The Silk Road/ A537 Hibel Road/ Hurdsfield Road Priority Roundabout	Extension of right turn lane on A537 Hibel Road eastbound
Sandbach	A533 Middlewich Road/ Crewe Road/ Old Mill Road priority roundabout	Signalise junction

BSIP+ Phase 2 Funding

We have been successful in securing £2.372 million across 2023/24 (£1.187m) and 2024/25 (£1.187m) from DfT as part of BSIP+ Phase 2 funding. This funding provides opportunities to begin to deliver on measures and interventions identified initially within the 2021 BSIP and which have been further developed through engagement with the Enhanced Partnership Board and Forum in the intervening years.

The delivery programme for 2023/2024 BSIP+ Phase 2 initiatives are outlined in Table 3-3. These initiatives link to the National Bus Strategy objectives and Cheshire East BSIP principles and our ambitions for the bus network.

Table 3-3: Initiatives for BSIP+ Phase 2 (2023/24) Delivery Programme

Initiative No.	Description	National Objective Alignment	Cheshire East BSIP Principles	Target launch date
P1	Multi-operator ticket Introduce a multi-operator ticket in Macclesfield and surrounding area, with the subsequent development of a similar Crewe-area product if the concept in Macclesfield proves to be successful.	Cheaper fares	Collaboration with operators, integration with ticketing, sustainability: quality improvements & network growth	Summer 2024
P2	Young Person's (16 to 19) Concessionary Pass trial Trial a young person's concessionary fare pass, providing cheaper bus fares for 16-19 year olds within Cheshire East. Also, develop a concessionary fare offers for	Cheaper fares	Collaboration with operators, integration with ticketing, sustainability: quality improvements & network growth	Summer 2024

Initiative No.	Description	National Objective Alignment	Cheshire East BSIP Principles	Target launch date
	Cheshire East Care-leavers (16-25 years) by working alongside officers in Childrens Social Care.			
P3	Buses in Cheshire East Website Develop a “Buses in Cheshire East” website, to provide a one-stop shop for bus service information.	Easier to use for passengers	Integration with other technologies, systems and ticketing	Summer 2024
P4	Promotion of System One ticketing Promote the Greater Manchester ‘System One’ ticketing options available to residents in the north of Cheshire East, enabling them the purchase access to local public transport services throughout Greater Manchester.	Cheaper fares	Collaboration with operators, integration with ticketing, sustainability: quality improvements & network growth	Spring 2024
P5	Creation of ‘Hub Stops’ along the 38-bus route Develop ‘hub stops’ along the service 38 route (Macclesfield – Crewe), to complement the introduction of new vehicles by the bus operator. This will demonstrate improved quality and a better bus passenger experience on a core inter-urban route within Cheshire East. The approach will provide a template for other key bus routes to be improved with funding in future years.	Easier to use for passengers	Accessibility (info provision & infrastructure)	Autumn 2024
P6	Local bus service enhancements Deliver minor service adjustments put forward by operators and elected representatives (Cheshire East Council and Town & Parish Councils) and prioritised in conjunction with the Enhanced Partnership Board.	More frequent, comprehensive services	Collaboration with operators, integration with ticketing, sustainability: quality improvements & network growth	Operating from June 8 th 2024

The delivery programme for the Phase 2 2024/2025 (£1.187m) consists of:

1. Continuation of BSIP+ service enhancements;
2. Continuation of BSIP+ Macclesfield multi-operator ticket;
3. Continuation of Young Person’s Pass; and
4. Further bus service enhancements.

These proposals will be shaped and refined by future Operator Working Groups, EP Forum meetings and EP Boards.

BSIP+ Phase 3 (Network North funding)

The allocated funding for Phase 3 (Network North) totals £2.268m and the proposals consist of:

1. Bus Service Enhancements -
 - Improved frequency on existing services;
 - Extensions to routes on existing services;
 - Additional evening services; and
 - Additional Sunday services.
2. Multi-operator ticket south of Borough.
3. Uplift the quality of bus stop infrastructure on key strategic routes and improved information provision.
4. Modernisation of DRT provision will be reconfigured to complement the fixed route network and ensure an appropriate blend between fixed route and flexible services. The Rural Mobility Fund (RMF) pilot project (Go-Too) will be integrated with existing provision as part of this project. Reconfiguration will open new travel options for service users.
5. Providing bus priority interventions at five key junctions/corridors:
 - A534 Nantwich Road Corridor (Crewe);
 - A532 West Street/Frank Webb Avenue (Crewe);
 - A523 London Road/Byrons Lane (Macclesfield);
 - A54 Kinderton Road/Leadsmithy Street (Middlewich); and
 - B5341 Waterlode/Welsh Row/High Street (Nantwich).

These proposals will be shaped and refined in the forthcoming Operator Working Groups, EP Forum meetings and EP Boards within 2024.

Bus Driver Recruitment and Retention

Bus driver recruitment and retention in Cheshire East is challenging, with both national and local factors impacting the ability of our local bus operators to encourage new drivers into the industry and retain existing drivers. There are general market and localised issues which are impacting recruitment and retention within Cheshire East, including:

General/National	Localised
The HGV driver shortage during the pandemic resulted in a number of people leaving the bus industry in favour of road haulage and their more competitive salaries.	Shortage within the pool of potential PSV licence-holders looking for work locally.
The length of time it is taking the DVLA to issue new drivers with a provisional Public Service Vehicle (PSV) licence and in some cases, the availability of various tests, which impacts on new applicants leaving the hiring process before completion to gain employment elsewhere.	The proximity of Cheshire East to Greater Manchester and the disproportionately higher wages caused by franchising.

Discussions with our local bus operators has identified that a funded scheme for driver recruitment and training would be welcome, especially one that focuses on getting drivers fully trained to drive a bus.

4.Ambitions and Proposals for 2025-2030

In the preceding chapters, we have identified where the gaps in the 2024 Cheshire East bus offer will be, as benchmarked against our vision for buses in Cheshire East:

*“Our vision will **transform the bus network** within Cheshire East to provide **attractive, reliable and convenient connections** that enable more residents and visitors to **choose bus, make fewer car journeys**, to contribute to our **carbon reduction challenge** and **improve the health** of our citizens”.*

By analysing these gaps we have identified specific aspirations to enhance the bus offer and to deliver on our vision:

- Improvements to bus services: service levels and network coverage.
- Improvements to fares and ticketing – simpler and more affordable fares.
- Improved bus information and network identity, including real-time information provision.
- Improved bus stops, bus stations and interchanges.
- Accessibility, inclusiveness, personal safety and security.
- Bus priority: delivering faster and more reliable services on priority routes/corridors.
- Collaboration with local bus operators to improve the quality of the bus fleet.
- Improvements to the bus passenger experience.
- Ongoing implementation of the Bus Passenger Charter.
- Longer term transformation of the network.

We have developed these ambitions into specific proposals for initiatives, to be delivered within a phased programme to progressively realise each ambition in line with realistic expectations for implementation.

Table 4-1 sets out the ambitions and initiatives needed to improve the current bus offer to deliver our vision for buses within Cheshire East. These initiatives have also been linked back to the objectives outlined in the National Bus Strategy. Each initiative has been considered in terms of short, medium and long-term ambitions, which are:

- Short term (2024-2025) – Ongoing stabilisation and enhancements to the network
- Medium term (2026-2030) – Quality improvements
- Long term (2030+) Network growth

The table also outlines the alignment of initiatives identified as part of the 2024/25 funding for BSIP+ Phases 2 and 3 delivery programme.



Table 4-1: Ambitions and initiatives

Initiative		Funding Ambition (2024-2035)	2024/2025 BSIP+ Funding Priority (BSIP+ Phases 2 & 3)
More frequent services, more comprehensive services, and better integration with other modes	Town Networks: service enhancements to provide better access to health services, employment, education, leisure/retail, transport hubs within principal towns and key service centres	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Shoulder enhancements (first/last bus) on selected key bus routes, to provide access to employment, health and education. Continued support for socially necessary town services, as part of the wider bus network. 	Weekend service enhancements for service 12: <ul style="list-style-type: none"> Hourly Saturday evening service and hourly Sunday service for service 12. Further service enhancements including additional evening/Sunday services & improved frequencies/extensions to routes are in development for Phase 3 funding, following engagement with the EP Forum and Operators.
		Medium term (2025-2030): Quality improvements <ul style="list-style-type: none"> Improved frequencies of weekday and weekend (including Sundays) town services. Continued support for socially necessary town services, as part of the wider fixed-route bus network. 	
		Long term (2030+): Network growth <ul style="list-style-type: none"> Increased routes and improved frequencies within our towns bus network to serve key service centres. Identify minimum frequency standards for town services. 	
	Inter-urban Network: service enhancements to provide better access between principal towns, transport hubs and key service centres.	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Shoulder enhancements (first/last bus) on selected key bus routes, to provide access to employment, health and education. Continued support for socially necessary inter-urban services, as part of the wider bus network. 	Weekend service enhancements for services 38 and 130, including: <ul style="list-style-type: none"> 90-minute Sunday service (Crewe, Sandbach, Congleton and Macclesfield) for service 38. 90-minute Sunday service (Macclesfield to Handforth Dean) for service 130. Further service enhancements including additional evening/Sunday services & improved frequencies to routes are in development for Phase 3 funding,
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Improved frequencies of weekday and weekend (including Sundays) inter-urban services. Continued support for socially necessary inter-urban services, providing expanded flexible services to link into the wider inter-urban network. 	
		Long term (2030+): Network growth <ul style="list-style-type: none"> Increased routes and improved frequencies on our inter-urban bus network to serve key service centres. Identify minimum frequency standards for inter-urban services. 	

Initiative		Funding Ambition (2024-2035)	2024/2025 BSIP+ Funding Priority (BSIP+ Phases 2 & 3)
			following engagement with the EP Forum and Operators.
	Rural network: service enhancements to maintain rural services and access to principal towns and key service centres.	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Continued support for socially necessary rural services, as part of the wider bus network. Identify opportunities to modernise flexible transport solutions to support rural connectivity to our towns and key service centres. 	DRT provision will be reconfigured to complement the fixed route network and ensure an appropriate blend between fixed route and flexible services. The RMF pilot project (Go-Too) will be integrated with existing provision as part of this project. Reconfiguration will open new travel options for service users.
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Expand flexible transport solutions, including demand responsive transport to link to the wider fixed-route bus network. 	
		Long-term (2030+): Network growth <ul style="list-style-type: none"> Continued support for socially necessary rural services, as part of the wider bus network Identify minimum frequency standards for rural services 	
Faster and more reliable journeys	Bus priority measures: Traffic signal priority & network pinch points	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Better enforcement of Traffic Regulation Orders on key routes Better management of roadworks and information sharing with operators as part of EP working group Develop the prioritised list of bus priority interventions into programme for delivery. Deliver top five prioritised interventions 	Providing bus priority interventions at five key junctions/corridors: A534 Nantwich Road Corridor, A532 West Street/Frank Webb Avenue, A523 London Road/Byrons Lane, A54 Kinderton Road/Leadsmyth Street, B5341 Waterlode/Welsh Row/High Street
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Continue to develop the prioritised list of further bus priority interventions Deliver top 20 prioritised interventions 	
		Long term (2030+): Network growth <ul style="list-style-type: none"> Further delivery of prioritised interventions 	

Initiative		Funding Ambition (2024-2035)	2024/2025 BSIP+ Funding Priority (BSIP+ Phases 2 & 3)
	Bus fleet: Collaboration with local bus operators to improve the quality of the bus fleet and reduce emissions	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> The development of an Action Plan with Operators to deliver improved quality of vehicles, including improving Euro standards of buses operating in the CEC area. 	Delivery of new vehicles on 38 and 391/392 – operator led. Work with operators to identify opportunities for future vehicle upgrades.
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Support for the transition to low and zero-emission bus fleet within Cheshire East. 	
		Long-term (2030+): Network growth <ul style="list-style-type: none"> Develop minimum vehicle requirements for quality and emission standards Further support for the transition to low and zero-emission bus fleet within Cheshire East. 	
Cheaper Fares	Lower fares for key groups	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Trial of the 16-19 young person's pass. Expansion of young persons' pass to care leavers (16-25). 	Borough wide discounted Travel Pass trial for 16-19 year olds and care leavers.
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Continuation of 16-19 young person's and care leavers pass Consideration of other concessionary fares products 	
		Long-term (2030+): Network growth <ul style="list-style-type: none"> Continuation of 16-19 young person's and care leavers pass Consideration of other concessionary fares products 	
	Promotional fares	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Work with bus operators to develop a feasibility study to identify fare simplification mechanisms following the end of the £2 fare cap. Promote cross-boundary multi-modal tickets, which are available for use within areas of Cheshire East (i.e. System One). 	System One ticket promotion on Cheshire East's online bus platform

Initiative		Funding Ambition (2024-2035)	2024/2025 BSIP+ Funding Priority (BSIP+ Phases 2 & 3)
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Fare caps for short journeys within towns (includes technology for tap-on/tap-off). 	
		Long-term (2030+): Network growth <ul style="list-style-type: none"> Continuation of fare caps and consideration of zonal fares 	
	Multi-operator and multi-modal ticketing	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Work with bus operators to develop a feasibility study on the deliverability of multi-operator ticketing (using paper-based or smart-card ticketing solutions). Multi-operator ticket trial in Macclesfield. 	Multi-operator ticket trial for services within the greater Macclesfield area. Multi-operator ticket trial for services within the Crewe area and surrounding towns and key service centres.
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Consider further multi-operator ticket opportunities, including potential roll-out in Crewe. 	
		Long-term (2030+): Network growth <ul style="list-style-type: none"> Consider borough wide multi-operator and multi-modal ticket opportunities, linking with Project Coral. 	
Easier to use for passengers	Bus Passenger Charter	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Publish a Bus Passenger Charter (to be adopted by EP Board in August 2024) to give bus users the right to a specified standard of service, covering punctuality, vehicle cleanliness, proportion of services operated, information and a system for redress. 	Delivery of Passenger Charter 2024
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Deliver on Bus Passenger Charter commitments Appoint a bus community champion 	
		Long term (2030+): Network growth <ul style="list-style-type: none"> Deliver on Bus Passenger Charter commitments 	

Initiative		Funding Ambition (2024-2035)	2024/2025 BSIP+ Funding Priority (BSIP+ Phases 2 & 3)
Easier to understand services	Bus Stop and Bus Shelter Provision	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Deliver a phased programme for bus stop upgrades in line with bus stop standards (gold, silver & bronze). Improve the physical access to bus services for users through improved bus stop infrastructure for stops on 38 route. 	Improvements to 11 hub stops on service 38 inter-urban route, to complement the introduction of new vehicles by the bus operator. Improvement of bus waiting facilities and information provision on key strategic corridors within Cheshire East.
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Upgrade bus stops on key inter-urban routes. 	
		Long term (2030+): Growth of the network <ul style="list-style-type: none"> Upgrade bus stops along all key strategic corridors within Cheshire East. 	
	Public Transport Information	Short term (2024-2025): Ongoing stabilisation and enhancements to the network <ul style="list-style-type: none"> Develop the Cheshire East website to include journey planning capabilities Timetable changes to take place on four dates per year. Propose four times or amended timetable change dates as per previous BSIP and Enhanced Partnership Scheme. Deliver a programme of improved bus stop flags and timetable information across the borough as part of upgrade and refreshed information provision. 	Cheshire East Website – improved web-based information provision
		Medium term (2026-2030): Quality improvements <ul style="list-style-type: none"> Continue to encourage operators to maintain or improve their electronic public transport provision. Implementation of real-time information screens at key, strategic locations on the bus network – bus stations, railway stations, hospitals and town centres. Improve marketing and branding of services and ticketing, as part of public transport information offer. 	
		Long term (2030+): Network growth <ul style="list-style-type: none"> Consider the development of a Cheshire East app to provide real-time public transport information 	

A high-level, costed summary table for the ambitions and interventions is set out in Table 4.2, it sets out the funding allocations for BSIP+ Phase 2 and Phase 3 up to 2025 and estimated costs for interventions post 2025, per annum, which are currently unfunded.

Table 4-2: Ambitions and interventions – summary

Ambition/Intervention	Programme up to 2025 BSIP+ Funding (Phases 2 & 3)	Proposals Post 2025 (estimated £ per annum) CURRENTLY UNFUNDED
Towns network – service enhancements	£928,300	£3,200,000
Inter-urban network – service enhancements	£935,800	£2,100,000
Rural network – DRT & service enhancements	£800,000	£800,000
Bus priority measures (20 key locations)	£200,000	£700,000
Bus fleet (roll out of low & zero-emission vehicles)	-	£2,385,000
Lower fares for key groups	£1,044,000	£522,000
Promotional fares (i.e. System One & future roll out)	£25,000	£206,650
Multi-operator and multi-modal ticketing	£185,000	£100,000
Bus Passenger Charter	-	-
Bus Stop and Bus Shelter Provision	£500,000 ⁵	£500,000
Public Transport Information (includes RTI)	£25,000	£350,000
Total	£4.643 million	£10.864 million

⁵ Plus £350k of LTP funding.

5. Targets, performance monitoring and reporting

This section sets out the arrangements for publishing and monitoring the performance against BSIP targets.

Summary of progress against 2021 BSIP targets

It is important to recognise that the pandemic and the subsequent cost of living crisis has changed how people choose to travel, their travel behaviours and patterns. These changes have a direct bearing on the position of the bus network and how it needs to evolve for future viability and sustainability. A summary of progress against 2021 BSIP targets is outlined in Table 5-1. Without the appropriate funding to meet our objectives, it was not possible to meet our local ambitions outlined in the 2021 BSIP.

Table 5-1: Summary of progress against 2021 BSIP targets

Targets		2018/19	2019/20	Target for 2024/25	Achieved/Not Achieved (2024)
Journey Time		No data	No data	Direct Routes - no more than 50% greater than the equivalent car journey time (minutes) and, Routes requiring one interchange, to be no more than double the equivalent car journey time (in minutes) and to minimise time penalties for interchanging between services.	Given the 2021 BSIP was unsuccessful in Phase 1 BSIP funding, this was an unrealistic target.
Reliability ⁶	DfT statistics on punctuality	85%	85%	95%	74%
	Reports to Traffic Commissioner	0	0	0	0
Passenger Numbers and Growth		Reverse the decline in bus patronage across the borough	Reverse the decline in bus patronage across the borough	Borough-wide - 10% increase on pre-pandemic levels, and by 20% by 2030. Areas with high propensity for bus use – double patronage from 2018/2019 baseline.	DfT data from 2022/23, shows that passenger journeys have begun to recover (+27% since 2021/22), however not to pre-Covid levels

⁶ DfT Statistics – BUS0902 Non-frequent bus services running on time, by Local Authority

Targets		2018/19	2019/20	Target for 2024/25	Achieved/Not Achieved (2024)
Passenger satisfaction ⁷	Punctuality	74%	-	74%	77%
	Value for Money (VfM)	60%	-	64%	79%

Initial progress has been made against some targets, working towards a local bus network that not only meets the needs of users and manages the expectations of service delivery with our local bus operating partners, but is comparable to those areas of the country which are seen as 'best practice'. These areas have well connected and accessible local bus services and are able to deliver fast, frequent services to meet the needs of users at a fare level, which is affordable and comparable to the cost of using their cars for short journeys and parking.

2024 BSIP Targets

We have tried to adopt a pragmatic, yet ambitious approach which will see the bus network – in its widest sense – start to evolve within the current BSIP+ funding window and our vision for buses, including future aspirations to enable schemes to be brought forward as and when further funding is made available.

As such, we have outlined interim targets for up to 2029 and targets for 2030-2035, which are summarised in Table 5-2.

Table 5-2: 2024 BSIP targets

Targets		Baseline (2023/2024)	Interim target for 2029	Target for 2035
Journey time & accessibility	Weekdays and Saturdays	85%	Average of 87% of the population within Cheshire East can reach a town or key service centre within 40 minutes.	Average of 90% of the population within Cheshire East can reach a town or key service centre within 40 minutes.
	Sundays	25%	Average of 40% of the population within Cheshire East can reach a town or key service centre within 40 minutes.	Average of 60% of the population within Cheshire East can reach a town or key service centre within 40 minutes.
Reliability	DfT statistics on punctuality	74%	80%	85%
	Reports to Traffic Commissioner	0	Maintain 'zero' reliability reports to the North Western Traffic Commissioner	Maintain 'zero' reliability reports to the North Western Traffic Commissioner

⁷ Values for 2018/2019 derived from 2016 Transport Focus survey. 2019/2020 – no local data available.

Targets		Baseline (2023/ 2024)	Interim target for 2029	Target for 2035
Passenger Numbers and Growth ⁸		2.8 million (2022/ 2023)	Borough-wide - 40% growth on 2022/2023 total passenger journeys, to exceed 2019/20 levels (returning to over 3.8 million per annum).	Borough-wide - 10% increase on 2019/2020 levels by 2035 (over 100,000 extra bus journeys per annum).
Passenger satisfaction	Punctuality	77%	80%	85%
	Value for Money (VfM)	79%	80%	85%

Monitoring

Aligned with statutory requirements and processes for monitoring the Cheshire East Local Transport Plan, in coordination with emerging BSIP guidance, this document will be supported with arrangements for the regular monitoring of the tendered local bus services to ensure best value, following the current Bus Service Review and alignment with the Enhanced Partnership governance and monitoring requirements.

This BSIP covers a period up to 2035 and will be reviewed on an annual basis in line with existing arrangements (i.e. officer reporting, committee processes, etc.) and the Local Transport Plan (LTP) Delivery Plan monitoring process. The monitoring of this BSIP will focus on metrics related to each of the schemes and targets and will be collated into an annual monitoring report, along with DfT bus connectivity assessment requirements.

⁸ Total number of passenger journeys on local bus services (DfT Bus Statistics data)

Appendix 2 – 2024/25 BSIP Indicative Delivery Programme

Phase 2

Initiative	Potential Scheme Cost
Continuation of BSIP+ 2023/24 Service Enhancements: <ul style="list-style-type: none"> Continue new Sunday service on the 38 (90-minute frequency) Continue new Sunday service on the 130 (90-minute frequency) Continue new Sunday service on the 12 (hourly frequency) Continue new Saturday evening service on the 12 (hourly frequency) 	£320,000
Continuation of BSIP+ 2023/24 Macclesfield Multi-Operator Ticket <ul style="list-style-type: none"> Greater Macclesfield multi-operator ticket, available for services 3, 10, 14, 14A, 19, 19A, 38, 58, 60, 60A, 88, 109, 130, 391, 392, 393. 	£20,000
Continuation of BSIP+ 2023/24 Young Person Pass <ul style="list-style-type: none"> A discounted travel pass for 16–19-year-olds across the borough. 	£522,596
BSIP 2024/25 Bus Service Enhancements (Phase 2) <ul style="list-style-type: none"> Additional evening services Additional Sunday services Improved frequency on existing services Extensions to route on existing services. 	£325,000
Total:	£1,187,596

Phase 3

Initiative	Potential Scheme Cost
BSIP 2024/25 Bus Service Enhancements (Phase 3) <ul style="list-style-type: none"> Additional evening services Additional Sunday services Improved frequency on existing services Extensions to route on existing services. 	£868,000
BSIP 2024/25 Multi-Operator Ticket (south of the borough) <ul style="list-style-type: none"> Multi-operator ticket across Crewe and the surrounding area 	£100,000
Bus Stop Infrastructure on Strategic Bus Routes <ul style="list-style-type: none"> Deliver improvements to the bus stop infrastructure on strategic bus corridors across the borough connecting key towns and destinations. Subject to a Project Adjustment Request Form to be submitted and approved by DfT to transfer revenue to capital. 	£300,000
Reconfiguration of Demand Responsive Transport (DRT) <ul style="list-style-type: none"> DRT provision will be reconfigured to complement the fixed route network and ensure an appropriate blend between fixed route and flexible services. 	£800,000
Bus Priority Infrastructure <ul style="list-style-type: none"> A534 Nantwich Road Corridor A532 West Street/Frank Webb Avenue A523 London Road/Byrons Lane A54 Kinderton Road/Leadsmithy Street B5341 Waterlode/Welsh Row/High Street Subject to a Project Adjustment Request Form to be submitted and approved by DfT to transfer revenue to capital. 	£200,000
Total	£2,268,000

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Appendix 3 - 2023/24 BSIP Progress Update

Initiatives	Description	Status	Value	Launch Date
Initiative 1	Introduce a multi-operator ticket in Macclesfield and surrounding area.	Options for multi-operator ticket have been explored and working with operators to deliver the most appropriate scheme.	£65,000	August 2024
Initiative 2	Trial a young person's concessionary fare pass, providing cheaper bus fares for 16-19 year olds within Cheshire East. Also, develop a concessionary fare offers for Cheshire East Care-leavers (16-25 years) by working alongside officers in Children's Social Care.	Options for the Young Person pass have been explored and detailed conversations have taken place with EUCLID who will provide smart card technology. The aim is to launch at the start of the new academic year.	£522,596	September 2024
Initiative 3	Upgrade the Cheshire East website to provide a one-stop shop for bus service information.	Discussions held with software developers to integrate journey planning, timetable information and live updates where available.	£25,000	July 2024
Initiative 4	Promote the Greater Manchester 'System One' ticketing options available to residents in the north of Cheshire East, enabling them the purchase access to local public transport services throughout Greater Manchester.	Information regarding who can use the System One products and where/how they can be purchased are published on the CEC webpage to promote the availability of these products.	£25,000	May 2024
Initiative 5	Develop 'hub stops' along the service 38 route (Macclesfield – Crewe), to complement the introduction of new vehicles by the bus operator. This will demonstrate improved quality and a better bus passenger experience on a core inter-urban route within Cheshire East.	Following a detailed audit of the 38 bus route, bus stops have been identified where upgrades are required. Based on criteria, bus stops have been categorised as either Gold, Silver or Bronze. A programme of bus stop upgrades has been developed for delivery in 2024/25.	£200,000	Autumn 2024
Initiative 6	Local bus service enhancements – deliver minor service adjustments for services 12, 38 and 130.	The Saturday evening service on the 12 launched on 8 th June 2024 and the Sunday services on the 38, 130 and 12 launched on 9 th June 2024.	£350,000	June 2024
Total			£1,187,596	

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Appendix 4 – Bus Service Improvement Plan 2024

Equality Impact Assessment (EIA) Engagement and our equality duty

Whilst [the Gunning Principles](#) set out the rules for consulting ‘everyone’, additional requirements are in place to avoid discrimination and inequality.

Cheshire East Council is required to comply with the Equality Act 2010 and the Public Sector Equality Duty. The Equality Act 2010 simplified previous anti-discrimination laws with a single piece of legislation. Within the Act, the Public Sector Equality Duty (Section 149) has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, by consciously thinking about equality when making decisions (such as in developing policy, delivering services and commissioning from others)
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, by removing disadvantages, meeting their specific needs, and encouraging their participation in public life
- foster good relations between people who share a protected characteristic and people who do not

The Equality Duty helps public bodies to deliver their overall objectives for public services, and as such should be approached as a positive opportunity to support good decision-making.

It encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people’s needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people’s opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve providing a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to all people to help them access information and services.

The Equality Act identifies nine 'protected characteristics' and makes it a legal requirement to make sure that people with these characteristics are protected from discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Applying the equality duty to engagement

If you are developing a new policy, strategy or programme you may need to carry out an Equality Impact Assessment. You may be able to ascertain the impact of your proposal on different characteristics through desk-based research and learning from similar programmes, but you also need to carry out some primary research and engagement. People with protected characteristics are often described as 'hard to reach' but you will find everyone can be reached – you just need to tailor your approach, so it is accessible for them.

Contacting the [Equality and Diversity mailbox](#) will help you to understand how you can gain insight as to the impacts of your proposals and will ensure that you help the Council to comply with the Equality Act 2010 and the Public Sector Equality Duty.

Section 1 – Details of the service, service change, decommissioning of the service, strategy, function or procedure

Proposal Title	Bus Service Improvement Plan 2024
Date of Assessment	24/05/2024
Assessment Lead Officer Name	Chris Taylor
Directorate/Service	Highways and Transport
Details of the service, service change, decommissioning of the service, strategy, function or procedure.	<p>The bus network in Cheshire East plays a key role in providing access to jobs and services and connecting people and places. Buses are an essential component of an integrated transport network. They have a vital role in delivering key Council policy priorities for the economy, social cohesion, public health and environmental sustainability, including decarbonisation.</p> <p>The 2024 BSIP for Cheshire East includes:</p> <ul style="list-style-type: none"> a) the bus vision – the shared vision for the borough, linked corporate strategic priorities and the Local Transport Plan (LTP). b) summary of the current offer to bus passengers – key facts and insights about current bus services and updated metrics for measuring progress against targets. c) outline of the improvements programme to 2024/25 – delivery programme for bus improvements within known funding envelope available from BSIP grants and all other budget sources. d) ambitions and proposals for 2025-2035 – the bus vision translated into specific ambitions and proposals for post-2025. e) targets, performance monitoring and reporting – summary of performance against 2021 BSIP targets. <p>Engagement to inform the 2024 BSIP has been carried out as part of the Enhanced Partnership (EP), including the operator working group (25 April), EP Forum (8 May) and EP Board (16 May) to seek the views of bus operators, service users, local businesses and town and parish councils. The plan also builds on themes identified as part of previous engagement with residents on the 2021 BSIP.</p>

	<p>The 2024 BSIP sets out a realistic and attractive plan which explains clearly what was delivered in 2023/24, what is programmed for delivery by the end of 2024/25, as well as setting out ambitions and proposals for the future up to 2030 (subject to funding).</p> <p>The following themes are reflected in the 2024 BSIP:</p> <ul style="list-style-type: none"> • Bus network planning and improvements to bus services: service levels and network coverage. • Bus priority: delivering faster and more reliable services on priority routes/corridors. • Improvements to fares and ticketing – simpler and more affordable fares. • Improvements to the bus passenger experience: • Improved bus stops, bus stations and interchanges • Improved bus information and network identity • Accessibility, inclusiveness, personal safety and security • Implementing the Bus Passenger Charter • Improvements to the bus fleet. • Longer term transformation of the network. <p>Every local transport authority needs to produce a 2024 BSIP to secure the release of DfT funding for 2024/25. BSIPs should be comprehensive and authoritative, whilst also being concise and accessible to the public. It is a requirement that the BSIP is made publicly available and published on the Council's website. A draft version of the BSIP refresh 2024 is attached as Appendix 1 to the 20 June 2024 committee report.</p> <p>To support the delivery of BSIP proposals, DfT have allocated funding to local transport authorities. Cheshire East has been awarded a further round of BSIP+ funding (value £1,187,596) for 2024/25. In addition, in April 2024 BSIP phase 3 funding was confirmed (value £2,268,000).</p> <p>Cheshire East Council therefore has a total BSIP allocation of £3,455,596 for the 2024/25 financial year.</p>
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Who is Affected?	<p>All residents of Cheshire East may be impacted by the BSIP and Enhanced Partnership as any optimisation of the existing bus network would involve the review of routes and the efficiency of existing services. These would include:</p> <ul style="list-style-type: none"> • The general public (including residents and visitors to the Borough); • Cheshire East Council stakeholders; • Public transport operators and staff; • Local businesses/organisations; • Schools and education establishments; • Neighbouring local authorities; • Governmental bodies (e.g. Local Enterprise Partnership); • Statutory transport bodies (e.g. Department for Transport and Transport for the North). • Partner organisations • Town and Parish Councils; • Umbrella organisations for people with specialist transport needs; such as: <ul style="list-style-type: none"> ○ AgeUK ○ Space4Autism ○ Disability Information Bureau (DIB) ○ Cheshire Centre for Independent living ○ Deafness Support Network ○ ADCA Medical Transport Service ○ Congleton Disabled Club ○ Care4CE ○ Leonard Cheshire Disability ○ The Stroke Association • Transport interest groups; Such as: <ul style="list-style-type: none"> ○ Crewe & District Bus Users Group ○ Transition Wilmslow ○ Active Travel Congleton ○ Travel Cheshire • Environmental groups
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	<ul style="list-style-type: none"> • MPs <p>This list has been devised considering the current users of bus services across the borough who would be affected positively or negatively by service adjustments.</p>
Links and impact on other services, strategies, functions or procedures.	<p>Cheshire East's corporate plan recognises the importance of the bus network in supporting key strategic objectives such as reducing air pollution, reducing carbon emissions, enabling housing and employment growth, improving quality of place and protecting the environment.</p> <p>The Local Transport Plan (2019-2024) outlines the role transport will play in supporting the long-term goals to improve the economy, protect the environment, improve health and wellbeing and the quality of place. The BSIP must reflect this framework, considering social, economic and environmental impacts of bus services across the borough.</p> <p>Depending on the service and network changes that are proposed through the BSIP, there may also be an impact upon home to school travel across the borough. Engagement is proposed with all groups to explore potential impacts prior to formal any scheme development and consultation commencing. This will ensure that any issues can be identified and mitigated prior to a formal consultation stage. When schemes are developed a second iteration of this EqlA will be developed outlining more specifically the impact of any service/network changes.</p>

<p>How does the service, service change, strategy, function or procedure help the Council meet the requirements of the Public Sector Equality Duty?</p>	<p>The Public Sector Equality Duty is a legal requirement contained within the Equality Act 2010 which requires public authorities and others carrying out public functions to have due regard to the need to:-</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation • Advance equality of opportunity between people who share a protected characteristic and those who do not • Foster good relations between people who share a protected characteristic and those who do not <p>The above aims may be more relevant to some proposals than others, and they may be more relevant to some protected characteristics than others. However, it is advisable that the proposal be assessed against each of the above aims.</p> <p>Before any schemes are developed and implemented as a result of the BSIP, it is important that pre-consultation engagement takes place prior to any formal consultation. This provides better evidence as to how the council is fostering good relations and advancing equality of opportunity.</p> <p>Conducting public consultation exercise regarding any future proposals will ensure that any changes to the bus network will, where possible, not impact users who are considered to have protected characteristics.</p>
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Section 2- Information – What do you know?

What do you know?	What information (qualitative and quantitative) and/or research have you used to commission/change/decommission the service, strategy, function, or procedure?
Information you used	Patronage data for the Council's supported bus network reveals that a significant number of passengers use concessionary passes. As of February 2024, this equates to over 24,000 passengers which is 36% of total travellers on supported bus services. This data is informed by regular passenger number updates that are received from bus operators of these services. These

	<p>concessionary pass holders are likely to have one or multiple protected characteristics, including disabilities and being of young or old age.</p> <p>Bus services across Cheshire East are available to all people and therefore any service changes as a result of the BSIP have the potential to impact others with protected characteristics including gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religious or faith groups, sex and sexual orientation.</p> <p>Schemes generated as a result of the BSIP will be developed in collaboration with groups that represent those who share one or more protected characteristic. This will be undertaken to support any future consultation activity and ensure proposals are robust.</p> <p>Once proposals have been developed, the direct impact of any service alterations upon protected groups will be explored in greater detail and presented in future iterations of this EqIA.</p>
Gaps in your Information	<p>There is a higher incidence of bus use amongst young people, older people, people with disabilities and women. We therefore anticipate that any alterations to services will disproportionately impact on these population groups. Currently data regarding certain protected groups and bus utilisation is sparse. Future public consultation provides an opportunity to have greater engagement with these groups to ensure any proposals consider the potential impact and potential mitigation measures. This will be undertaken once schemes are developed as a result of the BSIP.</p>

3. What did people tell you?

What did people tell you	What consultation and engagement activities have you already undertaken and what did people tell you? Is there any feedback from other local and/or external regional/national consultations that could be included in your assessment?
Details and dates of the	Following scheme development as a result of the BSIP, and identification of service/network changes, pre-consultation engagement will be used to understand what the impacts of change could be for users (in particular those with protected characteristics) and to

consultation/s and/or engagement activities	<p>help build improved relationships with the Council. This engagement will also allow for the impact of Enhanced Partnership Schemes (EP Schemes) to be understood early and mitigation to be built into any future proposals.</p> <p>Consultation and engagement are yet to be undertaken. Future iterations of the EqIA will be developed following the development of EP Schemes as a result of the BSIP.</p>
Gaps in consultation and engagement feedback	<p>At this stage a list of key stakeholders has been drawn up and engagement will be ongoing throughout the process of BSIP development and future scheme implementation. This engagement will be undertaken through email and telephone correspondence as well as focus group sessions with interested stakeholders.</p>

4. Review of information, consultation feedback and equality analysis

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of information used to inform the proposal	What did people tell you? Summary of customer and/or staff feedback	What does this mean? Impacts identified from the information and feedback (actual and potential). These can be either positive, negative or have no impact.
Age	<p><i>Young People – can be vulnerable to social exclusion through reliance on public transport, walking & cycling. Personal security and the cost of public transport can be a barrier. Also, the desire to access public transport during evenings / weekends where availability is less.</i></p> <p><i>Elderly – reliant on public transport and can face particular challenges relating to physical access to public transport. Also fear of crime can be a barrier</i></p> <p><i>A key market for bus services across Cheshire East are both residents of old and young age. Within Cheshire East there are over 40,000 young people and 80,000 people of retirement age (Census, 2021).</i></p> <p><i>Alterations may result in services operating in a different way, which</i></p>	<p><i>Engagement with groups representing old and young travellers will be undertaken, as well as contact with more general bus user groups.</i></p> <p><i>Formal engagement and consultation yet to be undertaken.</i></p>	<p><i>Potential Negative (but depending on future network change)</i></p>

	<p><i>may have a disproportionate impact on older people and young people.</i></p> <p><i>UK Statistics (Age UK) show that those aged 70-84 are the most likely to use the bus at least weekly (61.2% do so), followed by those aged 85+ (57.1%, whilst people aged 60-69 are least likely to use the bus weekly (39.3%).</i></p> <p><i>Alternatively, UK statistics (National Travel Survey 2022) show that those aged 17 to 20 made up the highest proportion of their trips using public transport modes (22%).</i></p>		
Disability	<p><i>Disabled people can face particular challenges relating to physical access to public transport. Access to transport information is a potential barrier restricting, for instance, deaf and visually impaired people. Access to disabled parking can also be a challenge.</i></p> <p><i>Any alterations to services as a result of the BSIP may adversely impact on disabled transport users. Disability and accessibility statistics for England demonstrate that disabled adults appear to rely more on the bus than non-disabled</i></p>	<p><i>Engagement with groups representing disabled travellers will be undertaken, as well as contact with more general bus user groups.</i></p> <p><i>Formal engagement and consultation yet to be undertaken.</i></p>	<i>Potential Negative (but depending on future network change)</i>

	<i>adults. Adults with disabilities made a greater proportion of their travel by bus 7% compared with 5% for adults without disabilities.</i>		
Gender reassignment	No information reviewed at present	<i>Engagement and consultation yet to be undertaken.</i>	
Pregnancy and maternity	No information reviewed at present	<i>Engagement and consultation yet to be undertaken.</i>	
Race/ethnicity	No information reviewed at present	<i>Engagement and consultation yet to be undertaken.</i>	
Religion or belief	No information reviewed at present	<i>Engagement and consultation yet to be undertaken.</i>	
Sex	<i>Nationally public bus services are generally used more by women than by men – consequently any alteration to bus service provision may have a greater effect on women. A study by TfL revealed that within the UK women are more likely to use the bus at least once a week (64%) than men (57%).</i>	<i>Engagement with groups representing female travellers will be undertaken, as well as contact with more general bus user groups. Formal engagement and consultation yet to be undertaken.</i>	<i>Potential Negative (but depending on future network change)</i>
Sexual orientation	No information reviewed at present	<i>Engagement and consultation yet to be undertaken.</i>	

Marriage and civil partnership	No information reviewed at present	<i>Engagement and consultation yet to be undertaken.</i>	
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5. Justification, Mitigation and Actions

Mitigation	What can you do? Actions to mitigate any negative impacts or further enhance positive impacts
<p>Please provide justification for the proposal if negative impacts have been identified?</p> <p>Are there any actions that could be undertaken to mitigate, reduce or remove negative impacts?</p> <p>Have all available options been explored? Please include details of alternative options and why they couldn't be considered?</p> <p>Please include details of how positive impacts could be further enhanced, if possible?</p>	<p>Engagement with old, young and disabled groups will be undertaken at the prior to network adjustments and future consultation events to understand the likely impact of bus service changes and dependence on bus services at present. This will enable mitigations to be built into any proposals prior to consultation.</p> <p>Within the BSIP and EP documents there is ambition to make bus services more appealing and available for residents within Cheshire East. There is a desire for fares to be cheaper, services to be more frequent and comfortable. These measures will be put in place to increase patronage and as a result existing bus users (including the young and old who make up a significant proportion of current bus users) will benefit from these service enhancements.</p> <p>The BSIP and EP Scheme document propose to enhance vehicle and bus stop accessibility (which is critical to anyone with a physical impairment) in a bid to draw more passengers to local services. Similarly more accessible information is proposed in an easy to read/understand format which will benefit passengers with visual, hearing and physical disabilities as well as all other customer groups.</p>

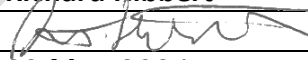
6. Monitoring and Review -

Monitoring and review	How will the impact of the service, service change, decommissioning of the service, strategy, function or procedure be monitored? How will actions to mitigate negative impacts be monitored? Date for review of the EIA
Details of monitoring activities	Any service and network changes as a result of the BSIP will be subject to performance monitoring (in terms of patronage by time of day and day of week), analysis of complaints post scheme implementation, and equality monitoring data through passenger surveys and transport focus' Your Passenger Journey Survey. This monitoring will also evaluate information on whether actions to mitigate negative impacts have achieved their desired outcome.
Date and responsible officer for the review of the EIA	

7. Sign Off

When you have completed your EIA, it should be sent to the [Equality, Diversity and Inclusion Mailbox](#) for review. If your EIA is approved, it must then be signed off by a senior manager within your Department (Head of Service or above).

Once the EIA has been signed off, please forward a copy to the Equality, Diversity and Inclusion Officer to be published on the website. For Transparency, we are committed to publishing all Equality Impact Assessments relating to public engagement.

Name	Richard Hibbert
Signature	
Date	28 May 2024

8. Help and Support

For support and advice please contact EqualityandInclusion@cheshireeast.gov.uk

OPEN

Highways and Transport Committee

20 June 2024

Final Outturn 2023/24

Report of: Adele Taylor, Interim Director of Finance and Customer Services (s151 Officer)

Report Reference No: HTC/18/24-25

Ward(s) Affected: All Wards

Purpose of Report

- 1 This report provides Members with the final outturn, for Highways and Transport Committee services, for the financial year 2023/24. Members are being asked to consider the serious financial challenges being experienced by the Council (and other councils) and to recognise the important activities aimed at minimising the impact on services.
- 2 Members of the Committee are being asked to consider the financial performance of the services relevant to their terms of reference.

Executive Summary

- 3 The Council operates a financial cycle of planning, monitoring and reporting. This review is part of the monitoring cycle and provides the final outturn position for the 2023/24 financial year. This report supports the Council priority of being an open and enabling organisation, ensuring that there is transparency in all aspects of Council decision making.
- 4 The full report will be received by Finance Sub Committee on 25 June 2024. Service Committees will receive the sections relevant to their committee (see Appendices).
- 5 The Outturn is reported as part of the Statutory Accounts and is therefore subject to audit. The audited Accounts will be presented to the Audit and Governance Committee on 30 September 2024.

RECOMMENDATIONS

The Highways and Transport Committee:

1. Consider the factors leading to a positive Net Revenue financial outturn of £1.5m against a revised budget of £21.1m (7.1%), for Highways and Transport Committee services.
2. Scrutinise the contents of Annex 1 and note that any financial mitigation decisions requiring approval will be made in line with relevant delegations.
3. Approve the Supplementary Capital Estimate above £500,000 up to and including £1,000,000, as detailed in **Annex 1, Section 3 Capital Strategy, Table 3.**
4. Note that Finance Sub Committee will be asked to approve the Supplementary Capital Estimate (SCE) over £1,000,000 in accordance with Financial Procedure Rules as detailed in **Annex 1, Section 3 Capital Strategy, Table 4.**

Reasons for Recommendations

- 6 Committees are responsible for discharging the Council's functions within the Budget and Policy Framework provided by Council. The Budget will be aligned with Committee and Head of Service responsibilities as far as possible.
- 7 Budget holders are expected to manage within the budgets provided by full Council. Committee and Sub-Committees are responsible for monitoring financial control and making decisions as required by these rules.

Access to Information

Contact Officer:	Adele Taylor, Interim Director of Finance and Customer Services (s151 Officer) adele.taylor@cheshireeast.gov.uk Paul Goodwin, Head of Finance & Deputy Chief Finance Officer paul.goodwin@cheshireeast.gov.uk
Appendices:	Annex 1 – Final Outturn 2023/24 – Highways and Transport Committee

Background Papers:	Medium Term Financial Strategy 2023-27 First Financial Review 2023/24 Second Financial Review 2023/24 Third Financial Review 2023/24
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Final Outturn 2023/24

Highways and Transport Committee

June 2024

This report receives scrutiny and approval from Members of Cheshire East Council. As a public report, the Council welcomes feedback to the information contained here.

Anyone wanting to comment is invited to contact the Council at:

RandC@cheshireeast.gov.uk

Highways and Transport Committee

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Highways and Transport Committee

1. 2023/24 Final Outturn and Commentary

2023/24	Revised Budget (NET)	Outturn	Variance	Forecast Variance FR3	Movement from FR3 to Outturn
	£000	£000	£000	£000	£000
Highways & Infrastructure	21,100	19,620	(1,480)	(186)	(1,294)

Outturn Commentary:

Place Outturn 2023/24

Overall the Place Directorate is reporting an underspend of £3.6m at outturn against a £94.1m budget. Pressures from planning income, waste, car park income and energy have been managed through vacancy management and reducing expenditure. This is an improvement of £3.7m since the third financial review mainly as a result of use of reserves and additional income.

Highways & Transport Committee

Highways & Infrastructure are reporting an underspend of £1.5m against a net budget of £21.1m. This is a £1.3m improvement over the forecast reported at the third finance review.

The key reasons for the underspend are:

Car Parking: £0.4m overspend

- Mainly temporary issues relating to: delayed MTFs savings +£1.6m; additional income from existing parking charges exceeding budgets -£653k; vacancy management -£448k (whilst there is a saving due to vacancies being not filled these role are net revenue generating over time); lower fines income +£130k; stopping expenditure -£126k; and other income increases -£46k.

This is an improvement of £0.4m from the third finance review with key differences relating to:

- Car parking income -£247k improvement
- Vacancy management -£29k

- Enforcement income -£41k
- Stopping expenditure -£127k

Strategic Transport: -£0.3m underspend.

- Mainly temporary issues relating to: vacancy management -£294k.

This is an improvement of £0.3m from the third finance review.

Highways: £0.6m underspend

- Mainly temporary issues relating to: operational pressures relating to Street Lighting +£451k and Adverse Weather +£115k; vacancy management -£125k; and increased income -£1,056k.

This is an improvement of £0.2m from the third finance review with key differences relating to vacancy management and over-achievement of income.

HS2: £0.6m underspend

- Mainly temporary issues relating to: release of the HS2 earmarked reserve -£400k; vacancy management -£122k; reduced consultancy spend -£73k; additional income -£21k (contributions and recharges to capital).

This is an improvement of £33k from the third finance review.

Note: There will be a review focussing on the specific areas where there were major variances to see whether they are a one-off variance, or if there is an underlying budget variance that needs to be addressed in 2024/25. Findings will be reported at the next Highways and Transport Committee meeting.

Highways and Transport Committee

2. Corporate Grants Register

- 2.1

Cheshire East Council receives two main types of Government grants; specific purpose grants and general use grants. Specific purpose grants are held within the relevant service with a corresponding expenditure budget. Whereas general use grants are held in central budgets with a corresponding expenditure budget within the allocated service area.
- 2.2

Spending in relation to specific purpose grants must be in line with the purpose for which it is provided.
- 2.3

Table 1 provides a detailed listing of all Highways and Transport Committee related grants, their movements between the reporting period and the treatment of the grant.
- 2.4

Table 2 shows additional specific purpose grant allocations that have been received which are £500,000 or less and are for noting only.

Table 1 – CORPORATE GRANTS REGISTER

Grants 2023/24	Original Budget	Revised Forecast FR3	Final Outturn	Change from Revised Forecast FR3	Treatment of Grant
	2023/24 £000	2023/24 £000	2023/24 £000	2023/24 £000	Notes 2 - 5
HIGHWAYS & TRANSPORT					
Specific Purpose (Held within Services)					
Bus Service Operators Grant	0	348	0	-348	
Bus Capacity Grant - brought-forward	0	179	179	0	
Bus Capacity Grant - carried-forward	0	0	-159	-159	
Bus Recovery - brought-forward	0	219	0	-219	
Bus Recovery - carried-forward	0	0	-150	-150	
Local Transport Fund - brought-forward	0	0	410	410	
Local Transport Fund	0	390	546	157 SRE	
Local Transport Fund - carried-forward	0	0	-219	-219	
Better Deal for Buses - Supported Bus Services - brought-forward	0	320	320	0	
Better Deal for Buses - Rural Mobility Grant - brought-forward	0	5	5	0	
Bus Support Grant - brought-forward	0	147	147	0	
Bus Support Grant - carried-forward	0	0	-147	-147	
Local Authority Capability Fund - brought-forward	0	154	154	0	
Local Authority Capability Fund	0	0	215	215 SRE	
Local Authority Capability Fund - carried-forward	0	0	-125	-125	
LTA Enhanced Partnership Grant - brought-forward	0	171	171	0	
LTA Enhanced Partnership Grant - carried-forward	0	0	-171	-171	
Local Electric Vehicle Infrastructure (LEVI) - brought-forward	0	0	70	70	
Local Electric Vehicle Infrastructure (LEVI)	0	230	159	-70	
Local Electric Vehicle Infrastructure (LEVI) - carried-forward	0	0	-230	-230	
Bus Service Improvement Plan+ (BSIP+)	0	1,188	1,188	0	
Bus Service Improvement Plan+ (BSIP+) - carried-forward	0	0	-1,007	-1,007	
Bus Fare Cap Grant	0	1	2	1 SRE	
Active Travel Capability Fund	0	72	72	0	
Active Travel Capability Fund - carried-forward	0	0	-72	-72	
PLACE DIRECTORATE - Duty to Consult before felling street trees	0	0	3	3 SRE	
PLACE DIRECTORATE - Duty to Consult before felling street trees	0	0	-3	-3	
Total Highways & Transport - Specific Purpose	0	3,422	1,358	-2,063	

Grants 2023/24	Original Budget	Revised Forecast FR3	Final Outturn	Change from Revised Forecast FR3	Treatment of Grant
	2023/24 £000	2023/24 £000	2023/24 £000	2023/24 £000	Notes 2 - 5
HIGHWAYS & TRANSPORT					
Specific Purpose (Held within Services)					
General Use (Held Corporately)					
Pavement Licensing - New Burdens	0	13	13	0	
Total Highways & Transport - General Use	0	13	13	0	
TOTAL HIGHWAYS & TRANSPORT	0	3,434	1,371	-2,063	

Notes

- 1 The Dedicated Schools Grant, Pupil Premium Grant, Sixth Form Grant and Other School Specific Grant from the Education Funding Agency (EFA) figures are based on actual anticipated allocations. Changes are for in-year increases/decreases to allocations by the DfE and conversions to academy status.
- 2 SRE - Supplementary Revenue Estimate requested by relevant service.
- 3 ODR - Officer Decision Record to approve immediate budget change to relevant service.
- 4 Reserves - transfer to reserves at year end.
- 5 Balances - amount will be included as a variance to budget.

Table 2 – DECISION DELEGATED TO OFFICERS

Supplementary Revenue Estimate Requests for Allocation of Additional Grant Funding (Specific Purpose) £500,000 or less

Committee	Year	Type of Grant	£000	Details
Highways and Transport	2023/24	Local Transport Fund (Specific Purpose)	157	Increase on Financial Review 3 forecast. This is a grant from the Department for Transport (DfT). The Local Transport Fund (LTF) has been extended from 1 April 2023 to 30 June 2023. The LTF is a successor grant scheme to the Bus Recovery Grant paid to local authorities (hereafter LTA BRG). This funding is provided to Local Transport Authorities (LTAs) for the provision of bus services which require local authority support, including tendered bus services.
Highways and Transport	2023/24	Local Authority Capability Fund (Specific Purpose)	215	This is a new grant from the Department for Transport (DfT). To develop walking, cycling and wheeling schemes with a clear focus on building capability and technical skills within the Council, including good quality local community engagement.
Highways and Transport	2023/24	Bus Fare Cap Grant (Specific Purpose)	1	Increase on Financial Review 3 forecast. This is a grant from the Department for Transport DfT). This specifically provides financial support, in the same way as the Bus Service Operators Grant (BSOG), to one local bus operator which is not BSOG registered.

Committee	Year	Type of Grant	£000	Details
Highways and Transport	2023/24	Duty to Consult before felling street trees (Specific Purpose)	3	This is a new grant from the Department for Environment, Food and Rural Affairs (DEFRA). For production of data on or an estimate of the number of street trees in Cheshire East Council.
Total Specific Purpose Allocations less than £500,000			376	

Highways and Transport Committee

3. Debt Management

	Outstanding Debt £000	Over 6 months old £000
Highways and Transport Committee Highways and Infrastructure	1,598	678

As at 31st March 2024, Total Outstanding Debt was £1,598k. This is an increase of £522k from Third Financial Review. This increase is largely due to a small number of invoices in February 2024 to other Local Authorities, some of which have since been paid. Debt over 6 months old has increased from £642k to £678k.

Highways and Transport Committee

4. Capital Strategy

Table 1 Capital Programme

Highways & Transport								CAPITAL						
CAPITAL PROGRAMME 2023/24 - 2026/27														
Scheme Description	Forecast Expenditure							Forecast Funding					Total Funding £000	
	Total Approved Budget £000	Prior Years £000	Outturn 2023/24 £000	Forecast Budget 2024/25 £000	Forecast Budget 2025/26 £000	Forecast Budget 2026/27 £000	Total Forecast Budget 2023-27 £000	Grants £000	External Contributions £000	Revenue Contributions £000	Capital Receipts £000	Prudential Borrowing £000		
Committed Schemes in progress														
Highways														
A532 Safer Road Fund Scheme	1,223	346	331	546	0	0	876	777	0	0	0	99	876	
A536 Safer Road Fund Scheme	2,404	1,817	108	479	0	0	587	493	0	0	0	94	587	
A537 Safer Road Fund Scheme	2,733	2,001	154	578	0	0	732	489	0	0	0	243	732	
Air Quality Action Plan	473	339	81	52	0	0	134	108	10	0	0	15	134	
Alderley Edge Bypass Scheme Implementation	60,611	60,358	2	252	0	0	253	0	0	0	0	253	253	
Bridge Maintenance Minor Wks	10,037	7,641	2,395	0	0	0	2,395	1,637	0	0	0	758	2,395	
Client Contract and Asset Mgmt	729	393	93	244	0	0	336	176	0	0	0	160	336	
Highway Maintenance Minor Works	53,864	36,919	16,697	248	0	0	16,945	12,764	0	0	0	4,181	16,945	
Highway Pothole/Challenge Fund	8,353	8,074	24	255	0	0	279	0	0	0	0	279	279	
Jack Mills Way Part 1 Claims	300	285	14	1	0	0	15	0	15	0	0	0	15	
Local Highway Measures	7,468	6,531	342	594	0	0	937	561	0	0	0	376	937	
Programme Management	1,229	967	262	0	0	0	262	262	0	0	0	0	262	
Road Safety Schemes Minor Wks	6,073	5,528	416	128	0	0	544	374	0	0	0	170	544	
Traffic Signal Maintenance	518	518	-1	1	0	0	0	0	0	0	0	0	0	
Traffic Signs and Bollards - LED Replacement	1,250	913	98	239	0	0	337	0	0	0	0	337	337	
Winter Service Facility	957	577	97	153	130	0	381	-42	0	0	0	423	381	
Infrastructure														
A500 Dualling scheme	89,456	10,415	616	1,000	1,000	76,425	79,041	74,125	4,300	0	0	616	79,041	
A50 / A54 Holmes Chapel	603	92	8	503	0	0	511	0	511	0	0	0	511	
A54 / A533 Leadsmyth Street, Middlewich	563	152	24	387	0	0	411	0	411	0	0	0	411	
A6 MARR CMM Handforth	1,266	505	527	70	164	0	761	214	59	0	0	488	761	
A6 MARR Technical Design	473	277	3	194	0	0	196	70	127	0	0	0	196	
A556 Knutsford to Bowdon	504	361	6	137	0	0	143	0	143	0	0	0	143	
Peacock Roundabout Junction	750	0	2	748	0	0	750	0	750	0	0	0	750	
Congleton Link Road	88,443	71,453	810	3,387	4,229	8,565	16,990	316	14,130	0	0	2,545	16,990	
Crewe Green Link Road	26,636	26,607	29	0	0	0	29	0	29	0	0	0	29	
Crewe Green Roundabout	7,500	7,056	1	245	197	0	444	0	444	0	0	0	444	
Flowerpot Phs 1 & Pinchpoint	10,037	1,437	73	6,263	2,265	0	8,601	2,139	726	0	0	5,736	8,601	

Highways & Transport

CAPITAL

CAPITAL PROGRAMME 2023/24 - 2026/27

Scheme Description	Forecast Expenditure							Forecast Funding					Total Funding £000
	Total Approved Budget £000	Prior Years £000	Outturn 2023/24 £000	Forecast Budget 2024/25 £000	Forecast Budget 2025/26 £000	Forecast Budget 2026/27 £000	Total Forecast Budget 2023-27 £000	Grants £000	External Contributions £000	Revenue Contributions £000	Capital Receipts £000	Prudential Borrowing £000	
Committed Schemes in progress													
Future High Street Funding - Adaptive Signals	509	276	179	54	0	0	233	29	203	0	0	0	233
Future High Street Funding - Earle Street Link	37	36	1	0	0	0	1	0	1	0	0	0	1
Future High Street Funding - Flag Lane Link	1,558	358	891	13	296	0	1,200	1,200	0	0	0	0	1,200
Future High Street Funding - Southern Gateway	5,118	443	875	3,800	0	0	4,674	4,674	0	0	0	0	4,674
Highways & Infrastructure S106 Funded Schemes	2,838	1,236	255	1,257	89	0	1,601	286	1,315	0	0	0	1,601
Infrastructure Scheme Development	325	0	10	215	100	0	325	325	0	0	0	0	325
Middlewich Eastern Bypass	94,357	20,247	5,990	500	18,785	48,834	74,110	46,779	12,816	0	0	14,515	74,110
Mill Street Corridor - Station Link Project	1,534	0	92	1,442	0	0	1,534	950	284	0	0	300	1,534
North-West Crewe Package	51,366	22,374	20,734	5,721	435	2,102	28,992	0	23,345	0	0	5,647	28,992
Old Mill Road / The Hill Junction	1,325	173	15	1,137	0	0	1,152	0	1,152	0	0	0	1,152
Poynton Relief Road	52,617	43,682	2,602	2,351	396	3,587	8,935	2,236	4,647	0	1,000	1,052	8,935
Sydney Road Bridge	10,501	10,105	7	133	198	59	396	0	396	0	0	0	396
Strategic Transport and Parking													
Active Travel Fund	2,187	575	153	1,458	0	0	1,612	1,612	0	0	0	0	1,612
Active Travel (Cycling / Walking Route) Investment	2,985	2,570	195	220	0	0	415	350	0	0	0	65	415
Available Walking Routes	1	0	0	1	0	0	1	1	0	0	0	0	1
On-street Residential Charging	451	41	217	193	0	0	410	310	0	0	0	100	410
Route 55 Middlewood Way on Black Lane	700	116	578	6	0	0	584	584	0	0	0	0	584
Sustainable Travel Access Prog	2,949	1,626	412	911	0	0	1,324	1,324	0	0	0	0	1,324
Sustainable Modes of Travel to Schools Strategy (SMOTSS)	756	625	131	0	0	0	131	131	0	0	0	0	131
Public Transport Infrastructure	1,265	1,006	128	131	0	0	259	259	0	0	0	0	259
Local Access - Crewe Transport Access Studies	400	88	-0	312	0	0	312	312	0	0	0	0	312
Local Access - Macclesfield Transport Access Studies	300	61	-0	239	0	0	239	239	0	0	0	0	239
Middlewich Rail Study	20	0	0	20	0	0	20	20	0	0	0	0	20
Local LTP Strategy Studies	750	430	-0	321	0	0	320	320	0	0	0	0	320
Digital Car Parking Solutions	140	93	1	19	27	0	47	0	0	0	0	47	47
Pay and Display Parking Meters	620	607	0	13	0	0	13	0	0	0	0	13	13
Car Parking Improvements (including residents parking)	322	266	0	13	43	0	56	0	0	10	0	46	56
Total Committed Schemes	620,382	358,595	56,676	37,184	28,355	139,571	261,787	156,403	65,815	10	1,000	38,559	261,787

CAPITAL PROGRAMME 2023/24 - 2026/27

Scheme Description	Forecast Expenditure							Forecast Funding					
	Total Approved Budget £000	Prior Years £000	Outturn 2023/24 £000	Forecast Budget 2024/25 £000	Forecast Budget 2025/26 £000	Forecast Budget 2026/27 £000	Total Forecast Budget 2023-27 £000	Grants £000	External Contributions £000	Revenue Contributions £000	Capital Receipts £000	Prudential Borrowing £000	Total Funding £000
New Schemes													
Highways													
Footpath Maintenance - Slurry Sealing & Reconstruction Works	619	0	514	105	0	0	619	619	0	0	0	0	619
Managing and Maintaining Highways	9,331	0	0	4,619	4,712	0	9,331	0	0	0	0	9,331	9,331
Network North	3,316	0	0	3,316	0	0	3,316	3,316	0	0	0	0	3,316
Pothole Funding	17,397	0	0	5,799	5,799	5,799	17,397	17,397	0	0	0	0	17,397
Integrated Block - LTP	6,009	0	0	2,003	2,003	2,003	6,009	6,009	0	0	0	0	6,009
Maintenance Block - LTP, plus CE funding for inflationary rise	21,287	0	0	7,609	7,878	5,799	21,287	17,397	0	0	0	3,890	21,287
Incentive Fund - LTP	4,350	0	0	1,450	1,450	1,450	4,350	4,350	0	0	0	0	4,350
		0	0	0	0	0	0	0	0	0	0	0	0
Strategic Transport and Parking		0	0	0	0	0	0	0	0	0	0	0	0
A538 Waters Roundabout Pedestrian and Cyclist Crossing	140	0	87	53	0	0	140	140	0	0	0	0	140
Active Travel Fund Tranche 4E	674	0	0	674	0	0	674	674	0	0	0	0	674
Bollin Valley / Greater Bollin Trail	100	0	89	11	0	0	100	100	0	0	0	0	100
Park Lane – Ayreshire Way, Congleton Walking and Cycling	250	0	14	236	0	0	250	250	0	0	0	0	250
LEVI Capital Fund 23/24	2,172	0	0	2,172	0	0	2,172	2,172	0	0	0	0	2,172
		0	0	0	0	0	0	0	0	0	0	0	0
Infrastructure		0	0	0	0	0	0	0	0	0	0	0	0
A500 Corridor OBC Update	2,435	0	0	1,217	1,218	0	2,435	2,435	0	0	0	0	2,435
Total New Schemes	68,079	0	704	29,264	23,060	15,051	68,079	54,859	0	0	0	13,221	68,079
Total Highways & Transport	688,462	358,595	57,380	66,448	51,415	154,622	329,866	211,262	65,815	10	1,000	51,780	329,866

Table 2 Delegated Decision - Supplementary Capital Estimates (SCEs)

Committee / Capital Scheme	Amount Requested	Reason and Funding Source
	£	
Supplementary Capital Estimates that have been made up to £500,000		
Infrastructure		
Future High Street Funding - Earle Street Link	2,715	The Future High Street Funding element on this project has been exhausted, budget increase to incorporate S106 funds available to fund the additional expenditure to date.
Highways		
West Street, Crewe	501	Project funded by Developer Deposit, additional budget relates to the interest earned and applied to the deposit
Tytherington Lane, Macclesfield S106 - Traffic Calming Measures	5,844	To add additional S106 funding to cover the costs to the project.
Bollin Valley / Greater Bollin Trail	100,000	Schemes with allocations from the UK Shared Prosperity Fund.
A538 Waters Roundabout Pedestrian and Cyclist Crossing	140,000	
Park Lane – Ayrshire Way, Congleton Walking and Cycling	250,000	
Total Supplementary Capital Estimates Requested	499,060	

Service / Capital Scheme	Amount Requested £	Reason and Funding Source
Capital Budget Virements that have been made up to £500,000		
Highways		
West Street, Crewe	4,077	Project funding shortfall to be funded by Department for Transport grant originally allocated to Public Transport Infrastructure.
Sustainable Modes of Travel to Schools Strategy (SMOTSS)	10,751	Project funding shortfall to be funded by Department for Transport grant originally allocated to Active Travel (Cycling / Walking Route) Investment.
Programme Management	17,986	Virements at Outturn to cover overspends.
Bridge Maintenance Minor Wks	167,617	
Crewe Green Link Road	10,323	Virement from "Client Contract and Asset Management" project to cover overspend.
Total Capital Budget Virements Approved	210,754	
Total Supplementary Capital Estimates and Virements	709,814	

Table 3 Requests for Supplementary Capital Estimates (SCEs) and Virements for Committee Approval

Committee / Capital Scheme	Amount Requested £	Reason and Funding Source
Supplementary Capital Estimates above £500,000 up to and including £1,000,000		
Highways & Transport		
Transport		
Active Travel Fund Tranche 4E	673,786	Active Travel Fund payment for the middle section of the Manchester Road scheme between Wilmslow and Handforth.
Total Supplementary Capital Estimates Requested	673,786	
Total Supplementary Capital Estimates and Virements	673,786	

Table 4 Requests for Supplementary Capital Estimates (SCEs) and Virements for Finance Sub Committee Approval

Committee	Amount Requested £	Reason and Funding Source
Finance Sub Committee are to approve the Capital Virements and SCEs Supplementary Capital SCEs over £1,000,000 Highways & Transport Highways		
Network North	3,316,000	Additional allocation of funding via the Network North initiative.
Transport		
LEVI Capital Fund 23/24	2,172,000	Grant funding received in respect of the Local Electric Vehicle Infrastructure (LEVI) fund.
Total Supplementary Capital Estimates Requested	5,488,000	
Total Supplementary Virements Estimates	5,488,000	

Table 5 Capital Budget Reductions

Committee / Capital Scheme	Approved Budget £	Revised Approval £	Reduction £	Reason and Funding Source
Finance Sub Committee are asked to note the reductions in Approved Budgets				
Highways & Transport				
Transport				
Sustainable Travel Access Programme	3,495,944	2,948,811	(547,133)	Due to the reduced scope of this project, the Cheshire East and S106 funding is no longer required, the remaining forecast cost of the scheme will be covered by grant.
	3,495,944	2,948,811	(547,133)	

Highways and Transport Committee

5. Reserves Strategy

Highways and Transport Committee

Name of Reserve	Opening Balance 1 April 2023 £000	Forecast Movement in Reserves 2023/24 £000	Forecast Closing Balance 31 March 2024 £000	Notes
<u>Highways and Infrastructure</u>				
HS2	785	(400)	385	To support the Council's ongoing programme in relation to Government's HS2 investment across the borough and Transport for the North's Northern Powerhouse Rail Business Case.
Flood Recovery Works	400	0	400	To be utilised for repairs due to any adverse weather events.
Parking Pay and Display Machines / Parking Studies	178	(178)	0	Reserve to be used to implement the parking savings agreed in the February 2023 MTFS.
Highways Procurement Proj	104	0	104	To finance the development of the next Highway Service Contract. Depot mobilisation costs, split over 7 years from start of contract in 2018.
LEP-Local Transport Body	19	0	19	To fund the business case work for re-opening the Middlewich rail line. The remaining reserve will be fully required in 2023/24.
HIGHWAYS AND TRANSPORT TOTAL	1,486	(578)	908	

OPEN

Highways and Transport Committee

Thursday, 20 June 2024

Service Budgets 2024/25 (Highways & Transport Committee)

Report of: Adele Taylor, interim Director of Finance and Customer Services (s151 Officer)

Report Reference No: HTC/25/24-25

Ward(s) Affected: All Wards

Purpose of Report

- 1 This report sets out the allocation of the approved budgets for 2024/25 to the Highways & Transport Committee.
- 2 The report contributes to the Council's objective of being an open and enabling organisation.

Executive Summary

- 3 The Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2024/25 to 2027/28 was approved by full Council on 27 February 2024.
- 4 Due to the unprecedented financial circumstances that the council finds itself in it was not possible to present a fully balanced budget for the medium term this time. The focus has been wholly on 2024/25 to ensure that effective scrutiny could be achieved in every area to work towards presenting a balanced position in February.
- 5 Service committees are being allocated budgets for 2024/25 in line with the approved MTFS. The financial reporting cycle will provide regular updates on progress on delivery of the budget change items, the forecast outturn position, progress on capital schemes, movement on reserves and details of any supplementary estimates and virements.

The financial reporting timetable for 2024/25 was approved by Finance Sub-Committee on 22 March 2024 and is included at Appendix B.

- 6 In addition to the usual comprehensive reporting at First, Second and Third Financial Reviews (September, November and January cycles), in recognition of the Council's challenging financial position and the importance of achieving a balanced outturn, it has been agreed by the Finance Sub Committee that all service committee meetings during 2024/25 will receive an update report on the delivery of the approved MTFS budget policy change items. This will be based on the tables of budget policy items shown in Appendix A, for each respective committee, and will include RAG-rating and accompanying commentary as reviewed and approved by Corporate Leadership Team in respect of each item.
- 7 Appendix A contains the first update on progress against each revenue budget change item for 2024/25.

RECOMMENDATIONS

The Highways & Transport Committee is recommended:

1. To note the decision of the Finance Sub-Committee to allocate the approved revenue and capital budgets, related budget policy changes and earmarked reserves to the Highways & Transport Committee, as set out in Appendix A.
2. To note the financial reporting timetable for 2024/25 set out in Appendix B as approved at Finance Sub-Committee on 22 March 2024.
3. To review progress on the delivery of the MTFS budget policy change items, the RAG ratings and latest forecasts, and to understand the actions to be taken to address any adverse variances from the approved budget.

Background

- 8 All councils are legally required to set a balanced budget each year. The MTFS was approved by full Council on 27 February 2024.
- 9 The MTFS includes a Report from the Chief Finance Officer in line with the Section 25(1) of the Local Government Finance Act 2003. This report confirms that the MTFS is balanced for 2024/25. The report also highlights the factors taken into account in arriving at this judgement

including relevant financial issues and risks facing the Council during the medium term.

- 10 Finance Procedure Rules set limits and responsibilities for movement of funds, treating reserves as part of this overall balanced position. Any movement within this balanced position is treated as a virement. To increase the overall size of the MTFS requires a supplementary estimate, which must be backed with appropriate new funding and approved in line with the Procedure Rules.
- 11 To support accountability and financial control under the committee system the 2024/25 budget is being reported across the service committees based on their associated functions. This report sets out the allocation of the revenue and capital budgets and earmarked reserves to the relevant service committee in accordance with their functions.
- 12 Each committee function has been associated with a Director budget. Budget holders are responsible for budget management.
- 13 The financial alignment of budgets to each Committee is set out in Table 1 with further details in Appendix A.

Table 1: Revenue and capital budgets allocated to service committees as per the approved MTFS:

ALL COMMITTEES - Summary					
Service Area	Revenue Budget			Capital Budget	Total Revenue and Capital Budget
	2024/25			2024/25	2024/25
	Expenditure £000	Income £000	Net £000	£000	Net £000
Adults and Health	223,849	-86,407	137,442	799	138,241
Children and Families	99,583	-10,620	88,963	38,908	127,871
Corporate Policy	111,416	-69,760	41,656	10,379	52,035
Economy and Growth	36,169	-8,227	27,942	80,263	108,205
Environment and Communities	65,291	-16,642	48,649	18,978	67,627
Highways and Transport	28,669	-12,839	15,830	66,452	82,282
Finance Sub-Committee	18,727	-3,500	15,227	0	15,227
Total Cost of Service	583,704	-207,995	375,709	215,779	591,488

- 14 The 2024-28 MTFS includes a net revenue budget of £375.7m and an approved capital programme of £215.8m for the financial year 2024/25. Further details on the schemes within the capital programme are provided in Appendix A.
- 15 Appendix A sets out the list of budget change items that were approved as part of the MTFS. All budget changes must be successfully delivered during 2024/25 to avoid a further overspend in the coming financial

year. Detailed monitoring of these items will continue at every reporting opportunity and the Council's reporting 'masterplan' and committee work programmes will reflect reporting on the monitoring and delivery of all MTFS change items, including matters requiring consultation and/ or decisions. This will ensure regular reporting to Corporate Leadership Team and all service committees on implementation of the MTFS and achievement of savings, throughout the coming year. In addition to reporting at the formal 'financial review' points in the year, other progress reports will be scheduled for reporting to particular service committees, on their items as appropriate.

- 16 Appendix A sets out the capital programme tables by committee. The four-year capital programme includes investment plans of around £0.6bn. It is proposed that it will be funded through a mixture of Government grants, contributions from other external partners and Council resources. At present this programme is not affordable, with interest rates for borrowing at an average for the Council of 5.6% and a continuing need to borrow, the capital programme needs to be reduced significantly in order for the Council to be able to fund the schemes solely or partly funded by Council resources. The capital programme is currently being reviewed.
- 17 The 2024/25 budget was approved at full Council in February 2024 including the use of a further £11.7m of earmarked reserves in 2024/25 to balance the overall budget, as expenditure outweighed the income forecast. The low level of reserves and forecast further use of reserves to support the 2024/25 budget must be addressed as soon as possible. The headline reserves table, as included in the MTFS, is shown below:

	Opening Balance 2023/24 £m	Forecast Closing Balance 2023/24 as at MTFS Feb 2024 £m	Forecast Closing Balance 2024/25 as at MTFS Feb 2024 £m
General Reserves	14.1	1.1*	2.1*
Earmarked Reserves**	61.6	24.3	1.7
Total Revenue Reserves	75.7	25.4	3.8

* Closing balances are dependent on outturn at 31 March 2024 (see *Outturn Report 2023/24* for further updated final position for 2023/24).

** As at the MTFS, all remaining Earmarked reserves excluding those held for ring-fenced purposes are being transferred into the General Fund reserve during 2024/25 to support the forecast deficit position (*this will be reviewed during 2024/25 following Outturn for 2023/24*).

The detail behind the earmarked reserve balances included in the table above, for the Highways & Transport Committee, is set out in Appendix A and is shown in the table below:

Name of Reserve	Opening Balance 2023/24 £000	Forecast Closing Balance 2023/24 as at MTFS Feb 24 £000	Forecast Closing Balance 2024/25 as at MTFS Feb 24 £000
Highways and Infrastructure			
HS2	785	385	0
Flood Recovery Works	400	200	0
Parking Pay and Display Machines / parking Studies	178	0	0
Highways Procurement Project	104	35	0
LEP - Local Transport Body	19	0	0
HIGHWAYS & TRANSPORT TOTAL	1,486	620	0

- 18 The Council must transform to create sustainable services and support infrastructure projects that reflect 'whole life' costs. This must cover the medium to long term and be backed by reserves that can manage any emerging risks. This is crucial if the Council is to maintain the value that local decision making can bring to local services.
- 19 The Chief Executive has taken the initiative to engage senior officers in a self-assessment of the Council against the Local Government Association (LGA) – Transformation Capability Framework. As requested by Members, the Council has also commissioned an LGA Corporate Peer Review which took place during March 2024. The outcome of these reviews will inform a programme of transformation activity across the Council during the 2024/25 year.
- 20 The transformation programme, needed to help address the financial deficit, as set out in the MTFS report, will focus on:
 - (a) Reprioritisation, to create an opportunity to invest in critical areas but also disinvest from areas.
 - (b) Customer engagement and experience, through using technology to streamline service delivery enabling self-service available 24/7, whilst ensuring specialised support and guidance is given to those that need it.
 - (c) Achieving value for money in and across all services, by reducing manual, repetitive tasks through automation of systems and processes.

- (d) Reviewing organisational structures and operating models to maximise performance and outcomes.
 - (e) Developing the right skills and behaviours across the entire workforce to achieve high productivity levels.
 - (f) Achieving financial targets through the effective implementation of well informed and clear decisions informed by data and insight.
 - (g) Developing the Asset Management Plan to align it to service requirements and dispose of surplus assets.
- 21 Further background information on the reserves balances is available in the Reserves Strategy and the S.25 statement which was approved as part of the MTFS for 2024/25 at the Council meeting on 27 February (Appendix C: MTFS – Annex 13 (Reserves Strategy) and Page 16 (S.25 statement)).
- 22 The council has been in discussion with government for a number of months about particular specific financial issues, including increased demand and unfunded costs for special educational needs, and the continued financial uncertainty following the government's announcement, in October 2023, of the cancellation of HS2 north of Birmingham and spending already incurred by the council in preparation for HS2 phase 2.
- 23 On 29 February 2024, the government announced some Exceptional Financial Support for Cheshire East Council. The support will be in the form of a capitalisation direction. It provides the council with the facility to spread the cost of any additional emerging pressures, up to £17.6m, to future years, effectively providing an alternative to use of reserves should the need arise. This reduces the risk of a Section 114 notice. The support is not in the form of cash. The council would need to pay back expenditure capitalised under this arrangement, in the longer term.
- 24 Reducing these financial risks will enable investment in providing the required organisational capacity and resources in 2024/25 for a council-wide transformational change programme, to create sustainability in the medium-term.
- 25 The table below summarises the estimated four-year position, as included in the MTFS. Early work on business planning for 2025/26 and future years is underway, as part of the Transformation Programme.

	Estimated Net Budget 2024/25 £m	Estimated Net Budget 2025/26 £m	Estimated Net Budget 2026/27 £m	Estimated Net Budget 2027/28 £m
Total Service Expenditure	360.5	380.2	399.1	417.1
Central Budgets:				
Capital Financing	28.5	43.0	57.1	69.8
Income from Capital Receipts	-1.0	-1.0	-1.0	-1.0
Use of Reserves	-12.2	-	-	-
Total Central Budgets	15.2	42.0	56.0	68.7
TOTAL: SERVICE + CENTRAL BUDGETS	375.7	422.2	455.2	485.9
Funded by:				
Council Tax	-287.1	-298.8	-310.6	-322.9
Business Rates Retention	-56.6	-56.6	-56.6	-56.6
Revenue Support Grant	-0.4	-0.4	-0.4	-0.4
Specific Unringfenced Grants	-31.6	-24.5	-24.5	-24.5
TOTAL: FUNDED BY	375.7	380.3	392.2	404.4
FUNDING POSITION	0.0	41.9	63.0	81.5

Consultation and Engagement

- 26 The annual business planning process involves engagement with local people and organisations. Local authorities have a statutory duty to consult on their budget with certain stakeholder groups including the Schools Forum and businesses. In addition, the Council chooses to consult with other stakeholder groups. The Council continues to carry out stakeholder analysis to identify the different groups involved in the budget setting process, what information they need from us, the information we currently provide these groups with, and where we can improve our engagement process.
- 27 Cheshire East Council conducted an engagement process on its Medium-Term Financial Plans through a number of stages running from January 2024 to Council in February 2024.
- 28 The budget consultation launched on-line on 9 January 2024, included details of the proposals against each Corporate Plan aim. This consultation was made available to various stakeholder groups and through a number of forums.

Reasons for Recommendations

- 29 In accordance with the Corporate Plan and the Policy Framework the Finance Sub-Committee has the responsibility to co-ordinate the management and oversight of the Council's finances, performance and risk management arrangements.
- 30 The Sub-Committee is responsible for allocating budgets across the service committees. This responsibility includes the allocation of revenue and capital budgets as well as relevant earmarked reserves.
- 31 The Sub-Committee has responsibilities within the Constitution to approve, or recommend for approval, virement and supplementary estimates that will amend the MTFS. Such requests are brought to the Committee as they arise.

Other Options Considered

- 32 Not applicable.

Implications and Comments

Monitoring Officer/Legal

- 33 The legal implications surrounding the process of setting the 2024 to 2028 Medium-Term Financial Strategy were dealt with in the reports relating to that process.

Section 151 Officer/Finance

- 34 Contained within the main body of the report.

Policy

- 35 The Corporate Plan sets the policy context for the MTFS and the two documents are aligned. Any policy implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

An open and enabling organisation
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Equality, Diversity and Inclusion

- 36 Under the Equality Act 2010, decision makers must show 'due regard' to the need to:
- 37 - Eliminate unlawful discrimination, harassment and victimisation;

- 38 - Advance equality of opportunity between those who share a protected characteristic and those who do not share it; and
- 39 - Foster good relations between those groups.
- 40 The protected characteristics are age, disability, sex, race, religion and belief, sexual orientation, gender re-assignment, pregnancy and maternity, and marriage and civil partnership.
- 41 Having “due regard” is a legal term which requires the Council to consider what is proportionate and relevant in terms of the decisions they take.
- 42 The Council needs to ensure that in taking decisions on the Medium-Term Financial Strategy and the Budget that the impacts on those with protected characteristics are considered. The Council undertakes equality impact assessments where necessary and continues to do so as proposals and projects develop across the lifetime of the Corporate Plan. The process assists us to consider what actions could mitigate any adverse impacts identified. Completed equality impact assessments form part of any detailed Business Cases.
- 43 Positive impacts include significant investment in services for children and adults (protected characteristics primarily age and disability).
- 44 The Corporate Plan’s vision reinforces the Council’s commitment to meeting its equalities duties, promoting fairness and working openly for everyone. Cheshire East is a diverse place and we want to make sure that people are able to live, work and enjoy Cheshire East regardless of their background, needs or characteristics.
- 45 The proposals within the MTFS approved in February 2024 include positive and negative impacts. A separate Equality Impact Assessment has been produced and is included in the MTFS 2024-28 Appendix C, Annex 3. Any service changes will be subject to a specific EqIA process as part of their development.

Human Resources

- 46 Any HR implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

Risk Management

- 47 Financial risks are assessed and reported on a regular basis, and remedial action taken if and when required. Risks associated with the achievement of the 2024/25 budget and the level of general reserves

were factored into the 2024/25 financial scenario, budget and reserves strategy.

Rural Communities

48 The report provides details of service provision across the borough.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

49 The report provides details of service provision across the borough.

Public Health

50 Public Health implications of any service budget or policy changes which may be brought forward under the remit of this committee will be considered on a case by case basis.

Climate Change

51 Any climate change implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

Access to Information	
Contact Officer:	Adele Taylor Interim Director of Finance and Customer Services (Section 151 Officer) adele.taylor@cheshireeast.gov.uk
Appendices:	A - Allocation of revenue and capital budgets, budget change items and earmarked reserves for the Highways & Transport Committee B – Financial Reporting Timetable 2024/25
Background Papers:	The following are links to key background documents: Medium-Term Financial Strategy 2024-2028

Service Budgets Appendix A

Highways and Transport Committee

Contents

Highways and Transport Committee Extracts

1. Allocation of Revenue and Capital Budgets
2. Approved Budget Policy Change items
3. Capital Programme
4. Earmarked Reserves

Highways and Transport Committee

1. Allocation of Revenue and Capital Budgets

HIGHWAYS and TRANSPORT COMMITTEE - Summary					
	Revenue Budget			Capital Budget	Total Revenue and Capital Budget
	2024/25			2024/25	2024/25
	Expenditure	Income	Net		Net
Service Area	£000	£000	£000	£000	£000
Car Parking	2,145	-6,009	-3,864	941	-2,923
Strategic Transport	6,800	-503	6,297	2,063	8,360
ANSA Transport Commission	1,152		1,152	0	1,152
Highways	16,687	-5,110	11,577	23,276	34,853
HS2	535	-86	449	0	449
Highways & Infrastructure Directorate	144		144	0	144
Infrastructure	919	-1,131	-212	40,171	39,959
Pay Inflation	287		287	0	287
Total Cost of Service	28,669	-12,839	15,830	66,452	82,282

2. Approved Budget Policy Change items

MTFS Section 1 Ref No	Detailed List of Approved Budget Changes – Service Budgets	Budget Consultation Reference	2024/25 MTFS £m	2024/25 Forecast Outturn £m	Progress 2024/25 (RAG rating and commentary)	2025/26 £m	2026/27 £m	2027/28 £m
	Highways and Transport Committee		+4.869	+4.869		+1.457	+1.976	+2.404
97	Highway maintenance savings	HT1	-0.750	-0.750	Green - Reductions to deliver savings have been identified and are being delivered in year.	-	-	-
98	Introduce annual increases to car parking charges	HT2	-0.150	-0.150	Green - Annual inflation adjustment to existing P&D tariffs can be implemented by 1st July 2024, in advance of bringing charges into effect in the "free towns". This is 3 months earlier than planned.	-0.450	-	-
99	Pension Costs Adjustment		-0.052	-0.052	Completed	-0.055	-	-
100	Highways		-0.031	-0.031	Completed - This saving was delivered by changes to response times to defects in 2023/24.	-	-	-
101	Safe Haven outside schools (Parking)		-0.023	-0.023	Amber - WARN procedure has been used for sole-source procurement of type-approved equipment from the supplier authority.	+0.010	-	-
102	Transport and Infrastructure Strategy Team - Restructure		+0.120	+0.120	Green - Vacancies in existing structure provide some flexibilities of resourcing and recruitment planning.	-	-	-

MTFS Section 1 Ref No	Detailed List of Approved Budget Changes – Service Budgets	Budget Consultation Reference	2024/25 MTFS £m	2024/25 Forecast Outturn £m	Progress 2024/25 (RAG rating and commentary)	2025/26 £m	2026/27 £m	2027/28 £m
103	Pay Inflation	Revised post consultatio n	+0.339	+0.339	Amber - NJC Pay Claim process has started (claim is £3,000 or 10% vs MTFS 3%).	+0.152	+0.156	+0.156
104	Parking - PDA / Back Office System contract		+0.100	+0.100	Amber	-0.030	-	-
105	Flood and Water Management Act 2010 SuDS & SABs Schedule 3 Implementation		+0.100	+0.100	Green - Training plan for existing staff identified. Recruitment to be progressed.	-0.050	+0.050	+0.050
106	Energy saving measures from streetlights		+0.242	+0.242	Completed - This entry was in the MTFS to cancel an unachievable saving from 2022- 3. There is no further action.	-	-	-
107	Parking		+0.245	+0.245	Amber - Cross directorate working group is meeting weekly to manage progress across all inputs. Key risks are a) reliance on electricity DNO companies for connections to new sites and b) consultation with town and parish councils on asset transfer options.	-0.970	-	-
108	Highways Revenue Services		+2.479	+2.479	Completed - This is a growth item. The growth has been factored into 2024/25 service levels and business plans. No further action.	+2.654	+2.118	+2.329
109	Local Bus		+2.250	+2.250	Green	-	-	-
110	FlexiLink Service Improvement Plan		-	-	Green	+0.296	-0.298	-0.131

MTFS Section 1 Ref No	Detailed List of Approved Budget Changes – Service Budgets	Budget Consultation Reference	2024/25 MTFS £m	2024/25 Forecast Outturn £m	Progress 2024/25 (RAG rating and commentary)	2025/26 £m	2026/27 £m	2027/28 £m
111	Highways Depot Improvements		-	-	Red - The savings in 2025/25 and 2026/27 will be reviewed. If the necessary capital investment is not available due to affordability issues these savings cannot be made.	-0.050	-0.050	-
112	Bus Stop Advertising Revenue Generation		-	-	Amber - Opportunity to shadow CWAC's extension of the existing contract in the interim period.	-0.050	-	-

3. Capital Programme

Highways and Transport														CAPITAL
CAPITAL PROGRAMME 2024/25- 2027/28														
Scheme Description	Total Approved Budget £000	Forecast Expenditure					Total Forecast Budget 2024-28 £000	Forecast Funding					Total Funding £000	
		Prior Years £000	Forecast Budget 2024/25 £000	Forecast Budget 2025/26 £000	Forecast Budget 2026/27 £000	Forecast Budget 2027/28 £000		Grants £000	External Contributions £000	Revenue Contributions £000	Capital Receipts £000	Prudential Borrowing £000		
Committed Schemes														
Strategic Infrastructure														
**A500 Dualling scheme	89,456	11,302	1,000	1,000	1,833	74,321	78,154	53,284	4,300	0	0	20,569	78,154	
A50 / A54 Holmes Chapel	603	102	501	0	0	0	501	0	501	0	0	0	501	
A54 / A533 Leadsmithy Street, Middlewich	563	202	361	0	0	0	361	0	361	0	0	0	361	
**A6 MARR CMM Handforth	1,265	1,055	0	210	0	0	210	0	0	0	0	210	210	
A6 MARR Technical Design	473	279	194	0	0	0	194	70	125	0	0	0	194	
A556 Knutsford to Bowdon	504	406	98	0	0	0	98	0	98	0	0	0	98	
Peacock Roundabout Junction	750	0	750	0	0	0	750	0	750	0	0	0	750	
Congleton Link Road	88,443	72,125	3,525	4,229	1,950	6,614	16,318	316	13,457	0	0	2,545	16,318	
Crewe Green Roundabout	7,500	7,113	190	197	0	0	387	0	387	0	0	0	387	
**Flowerpot Phs 1 & Pinchpoint	10,037	1,518	415	7,413	691	0	8,519	2,051	1,950	0	0	4,518	8,519	
Future High Street Funding - Adaptive Signals	509	509	0	0	0	0	0	0	0	0	0	0	0	
Future High Street Funding - Flag Lane Link	1,558	1,183	25	350	0	0	375	375	0	0	0	0	375	
Future High Street Funding - Southern Gateway	5,118	2,007	3,110	0	0	0	3,110	3,110	0	0	0	0	3,110	
Highways & Infrastructure S106 Funded Schemes	2,072	860	1,122	89	0	0	1,212	283	928	0	0	0	1,212	
Infrastructure Scheme Development	325	63	163	100	0	0	263	263	0	0	0	0	263	
Middlewich Eastern Bypass	94,357	29,711	18,785	22,487	19,460	3,914	64,646	37,315	12,816	0	0	14,515	64,646	
Mill Street Corridor - Station Link Project	1,534	100	1,434	0	0	0	1,434	850	284	0	0	300	1,434	
North-West Crewe Package	51,366	43,192	5,638	435	435	1,667	8,175	0	8,175	0	0	0	8,175	
Old Mill Road / The Hill Junction	1,325	313	1,012	0	0	0	1,012	0	1,012	0	0	0	1,012	
Poynton Relief Road	52,657	46,966	1,708	396	2,202	1,385	5,691	0	4,691	0	1,000	0	5,691	
Sydney Road Bridge	10,501	10,105	140	198	59	0	396	0	396	0	0	0	396	
Total Strategic Infrastructure Schemes	420,917	229,111	40,171	37,103	26,630	87,901	191,805	97,917	50,232	0	1,000	42,657	191,805	
Highways														
**A532 Safer Road Fund Scheme	1,223	923	300	0	0	0	300	201	0	0	0	99	300	
A536 Safer Road Fund Scheme	2,404	2,334	70	0	0	0	70	70	0	0	0	0	70	
**A537 Safer Road Fund Scheme	2,733	2,633	100	0	0	0	100	0	0	0	0	100	100	
Air Quality Action Plan	473	438	35	0	0	0	35	20	0	0	0	15	35	
Alderley Edge Bypass Scheme Implementation	60,611	60,383	228	0	0	0	228	0	0	0	0	228	228	
Client Contract and Asset Mgmt	1,243	1,184	58	0	0	0	58	0	0	0	0	58	58	
Footpath Maintenance - Slurry Sealing & Reconstruction Works	1,319	650	669	0	0	0	669	669	0	0	0	0	669	
Local Highway Measures	7,602	7,402	200	0	0	0	200	0	0	0	0	200	200	
Road Network & Linked Key Inf	83	78	5	0	0	0	5	5	0	0	0	0	5	
**Winter Service Facility	999	739	130	130	0	0	260	0	0	0	0	260	260	
Total Highways Schemes	78,690	76,764	1,796	130	0	0	1,926	965	0	0	0	961	1,926	

Highways and Transport

CAPITAL

CAPITAL PROGRAMME 2024/25- 2027/28													
Scheme Description		Forecast Expenditure						Forecast Funding					
	Total Approved Budget £000	Prior Years £000	Forecast Budget 2024/25 £000	Forecast Budget 2025/26 £000	Forecast Budget 2026/27 £000	Forecast Budget 2027/28 £000	Total Forecast Budget 2024-28 £000	Grants £000	External Contributions £000	Revenue Contributions £000	Capital Receipts £000	Prudential Borrowing £000	Total Funding £000
Committed Schemes													
Strategic Transport & Parking Services													
Active Travel Fund	2,187	1,538	649	0	0	0	649	649	0	0	0	0	649
**Sustainable Travel Access Prog	3,574	2,411	1,163	0	0	0	1,163	616	309	0	0	238	1,163
Public Transport Infrastructure	1,269	1,213	56	0	0	0	56	56	0	0	0	0	56
Local LTP Strategy Studies	750	555	195	0	0	0	195	195	0	0	0	0	195
Digital Car Parking Solutions	140	93	20	27	0	0	47	0	0	0	0	47	47
Pay and Display Parking Meters	620	607	13	0	0	0	13	0	0	0	0	13	13
Car Parking Improvements (including residents parking)	322	266	13	43	0	0	56	0	0	10	0	46	56
Total Strategic Transport & Parking Services Schemes	8,862	6,683	2,109	70	0	0	2,180	1,516	309	10	0	345	2,180
Total Committed Schemes	508,468	312,557	44,076	37,304	26,630	87,901	195,911	100,397	50,540	10	1,000	43,963	195,911
New Schemes													
Highways													
**Managing and Maintaining Highways	9,331	0	4,619	4,712	0	0	9,331	1,658	0	0	0	7,673	9,331
Pothole Funding	23,196	0	5,799	5,799	5,799	5,799	23,196	23,196	0	0	0	0	23,196
Integrated Block - LTP	8,012	0	2,003	2,003	2,003	2,003	8,012	8,012	0	0	0	0	8,012
**Maintenance Block - LTP	27,086	0	7,609	7,878	5,799	5,799	27,086	23,196	0	0	0	3,890	27,086
Incentive Fund - LTP	5,800	0	1,450	1,450	1,450	1,450	5,800	5,800	0	0	0	0	5,800
Total Highways	73,425	0	21,480	21,842	15,051	15,051	73,425	61,862	0	0	0	11,563	73,425
Strategic Transport & Parking Services													
Car Parking Review	895	0	895	0	0	0	895	0	0	895	0	0	895
Total Strategic Transport & Parking Services	895	0	895	0	0	0	895	0	0	895	0	0	895
Total New Schemes	74,320	0	22,375	21,842	15,051	15,051	74,320	61,862	0	895	0	11,563	74,320
Total Highways & Transport Schemes	582,788	312,557	66,452	59,146	41,681	102,952	270,231	162,259	50,540	905	1,000	55,526	270,231

Note: the schemes marked ** can not proceed until the Capital Programme Review has been completed. Any urgent requests to continue prior to the reviews completion will require approval from the Chair of the Finance Sub Committee and the S.151 Officer.

4. Earmarked Reserves

Highways and Transport Committee

Name of Reserve	Opening Balance 1 April 2023 £000	Forecast Movement in Reserves 2023/24 £000	Opening Balance 1 April 2024 £000	Forecast Movement in Reserves 2024/25 £000	Transfer to General Fund Reserve £000	Final Balance 31 March 2025 £000	Notes
Highways and Infrastructure							
HS2	785	(400)	385	(200)	(185)	0	To support the Council's ongoing programme in relation to Government's HS2 investment across the borough and Transport for the North's Northern Powerhouse Rail Business Case.
Flood Recovery Works	400	(200)	200	(200)	0	0	To be utilised for repairs due to any adverse weather events.
Parking Pay and Display Machines / Parking Studies	178	(178)	0	0	0	0	Reserve to be used to implement the parking savings agreed in the February 2023 MTFS; to cover contract inflation for P&D machines and for new regulation from DfT on role of parking in decarbonising transport.
Highways Procurement Proj	104	(69)	35	(15)	(20)	0	To finance the development of the next Highway Service Contract. Depot mobilisation costs, split over 7 years from start of contract in 2018.
LEP-Local Transport Body	19	(19)	0	0	0	0	To fund the business case work for re-opening the Middlewich rail line. The remaining reserve will be fully required in 2023/24.
HIGHWAYS AND TRANSPORT TOTAL	1,486	(866)	620	(415)	(205)	0	

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Appendix B - Financial Reporting Timetable

Report	Financial Cycle	Committee	When
Companies Financial Statements 2022/23	Reporting	Audit and Governance (completed)	May 2024
Service Budgets 2024/25	Planning	All Service Committees	June 2024
Local Government Pension Scheme and Cheshire Pension Fund update June 2024	Reporting	Finance Sub Committee / Pension Committee	June 2024 / TBC
Medium Term Financial Strategy Assumptions and Reporting Cycle for 2025-29	Planning	Finance Sub Committee	June 2024
Financial Management Code - compliance with the Code	Reporting	Finance Sub Committee	June 2024
Financial Outturn 2023/24	Reporting	All Committees / Council	June 2024 July 2024 (Council)
Draft Statement of Accounts 2023/24	Reporting	Audit and Governance	July 2024
Companies Draft Statements of Accounts 2023/24	Reporting	Audit and Governance	July 2024
First Financial Review 2024/25	Monitoring	All Committees / Council	September / October 2024 October 2024 (Council)
Companies First Financial Review 2024/25	Monitoring	Finance Sub Shareholder Working Group	TBC
Medium Term Financial Planning Assumptions	Planning	Finance Sub Committee	September 2024

Appendix B - Financial Reporting Timetable

Report	Financial Cycle	Committee	When
Final Statement of Accounts 2023/24	Reporting	Audit and Governance / Council	September 2024 October 2024 (Council)
Audit of Accounts 2023/24 - report from A&G Committee to Council on main items from the external auditors report	Reporting	Audit and Governance / Council	September 2024 October 2024 (Council)
Companies Audited Financial Statements 2023/24	Reporting	Audit and Governance / Council	September 2024 October 2024 (Council)
Local Government Pension Scheme and Cheshire Pension Fund update September 2024	Monitoring	Finance Sub Committee / Pension Committee	September 2024 / TBC
Medium Term Financial Strategy Consultation for 2025/26-2028/29 - launch	Planning	Corporate Policy Committee	October 2024
Financial Management Code - interim update	Monitoring	Finance Sub Committee	November 2024
Second Financial Review 2024/25	Monitoring	All Committees / Council	November 2024 December 2024 (Council)
Companies Second Financial Review 2024/25	Monitoring	Finance Sub Shareholder Working Group	TBC
Medium Term Financial Strategy Consultation 2025/26-2028/29 - committees to review their respective Service proposals	Planning	All Committees	November 2024

Appendix B - Financial Reporting Timetable

Report	Financial Cycle	Committee	When
Council Tax Base 2025/26	Reporting	Corporate Policy Committee / Council	November 2024 December 2024 (Council)
Third Financial Review 2023/24	Monitoring	All Committees / Council	January / February 2025 February 2025 (Council)
Medium Term Financial Strategy Consultation 2024/25 to 2027/28 plus Provisional Settlement	Planning	All Committees	January / February 2025
MTFS Strategies - Treasury Mgt, Investment, Capital and Reserves	Planning	Finance Sub Committee / Council	January 2025 February 2025 (Council)
Local Government Pension Scheme and Cheshire Pension Fund update December 2024	Monitoring	Finance Sub Committee / Pension Committee	January 2025 / TBC
Companies Third Financial Review 2024/25	Monitoring	Finance Sub Shareholder Working Group	TBC
Medium Term Financial Strategy 2024/25-2027/28 - including any supplementary updates	Reporting	Corporate Policy Committee / Council	February 2025
Local Government Pension Scheme and Cheshire Pension Fund update March 2025	Monitoring	Finance Sub Committee / Pension Committee	March 2025 / TBC
Service Budgets 2025/26	Planning	Finance Sub Committee	March 2025

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Highways and Transport Committee**20th June 2024****Highways Act 1980 Section 119****Proposed Diversion of Public Footpath
No. 3 (part) in the Parish of Smallwood**

**Report of: Peter Skates, Acting Executive Director – Place and
Director of Growth & Enterprise****Report Reference No: HTC/26/24-25****Ward(s) Affected: Smallwood****Purpose of Report**

- 1 The report outlines the investigation to divert part of Public Footpath No. 3 in the Parish of Smallwood following receipt of an application from the landowner.
- 2 The report makes a recommendation based on that information, for a quasi-judicial decision by Members as to whether or not a diversion Order should be made for that section of public footpath.
- 3 The work of the Public Rights of Way team contributes to the Corporate Plan priority “A thriving and sustainable place”, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

Executive Summary

4. This report outlines the investigation to divert part of Public Footpath No. 3 in the Parish of Smallwood. This includes a discussion of the consultations carried out in respect of the proposal and the legal tests to be considered for a diversion Order to be made under the Highways Act 1980.
5. The recommendation will be that a Public Path Diversion Order be made under Section 119 of the Highways Act 1980, as amended by the Wildlife

and Countryside Act 1981, to divert part of Public Footpath No.3 in the Parish of Smallwood by creating a new section of public footpath and extinguishing the current path as illustrated on Plan No. HA/153D on the grounds that it is expedient in the interests of the landowner.

RECOMMENDATIONS

The Highways and Transport Committee is recommended to:

1. Decide that a Public Path Diversion Order be made under Section 119 of the Highways Act 1980, *as amended by the Wildlife and Countryside Act 1981*, to divert part of Public Footpath No.3 in the Parish of Smallwood as illustrated on plan number HA/153D on the grounds that it is expedient in the interests of the landowner
2. Decide that public notice of the making of the Order be given and in the event of there being no objections within the period specified, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
3. Note that in the event of objections being received, Cheshire East Borough Council be responsible for the conduct of any hearing or Public Inquiry.

Background

6. An application has been received from Stephanie Hurstfield, Overton Green Farm, School Lane, Smallwood, CW11 2UP requesting that the Council make an order under the Highways Act 1980, section 119, to divert part of Public Footpath no. 3 in the Parish of Smallwood as it is deemed necessary to improve security and privacy for the applicant and enable improved field management.
7. Public Footpath No.3 in the Parish of Smallwood, commences at its junction with School Lane (UY1131/A) and continues in a generally south south-easterly direction for approximately 834 metres to Church Lane (C609/F/03). The section of path to be diverted is shown by a solid black line on Plan No. HA/153D between points A-G.
8. The land which both the length of Public Footpath No. 3 Smallwood to be diverted and the proposed diversion route is owned by the applicant of the proposed diversion and the adjacent landowner.
9. Public Footpath No. 3 in the Parish of Smallwood commences from the junction with School Lane (UY1131/A) steeply ascending five steps from the road surface to the first stile before crossing Overton Green House garden and approaching drive. The definitive line proceeds in a generally

south south-westerly direction for approximately 40 metres to a wooden stile that allows access into a horse paddock before continuing in a generally south south-westerly direction for approximately 40 metres and passing through a farm gate across a farming access track and second farm gate. The definitive line then continues in a generally south south-westerly direction for approximately 27 metres to an electric fence, then approximately 80 metres to a further electric fence point before reaching another electric fence and then approximately 73 metres to a wooden stile. The definitive line then leaves the applicants land and follows a generally south south-westerly direction through the field for approximately 280 metres before reaching a further stile and proceeds in a generally south south-easterly direction for approximately 291 metres before terminating at Church Lane (C609/F/03)

10. The length of Public Footpath No. 3 Smallwood to be diverted runs in a generally south south-westerly direction between points A-G for approximately 543 metres. It commences at point A and runs across Overton Green House garden and approaching drive before entering the grassed horse field. The path then continues across the field to a hedged field boundary and into the adjacent field until meeting point G.
11. The proposed diversion would follow the route H-G on Plan No. HA/153D. The proposed Diversion would commence at point H along the tarmacked slopping driveway and lawn to a kissing gate located at point I. The proposed diversion would then follow a generally south south-westerly direction following the field boundary hedge to point L where the field boundary hedge and proposed diversion route turns generally south easterly then generally south south-westerly to point M. At Point M a further kissing gate is proposed to be installed allowing access into the neighbouring grassed field. From Point M the proposed diversion travels in a generally south south-westerly direction to point G before rejoining the definitive line of Footpath No 3 in the Parish of Smallwood.
12. The owner of Overton Green Farm has observed members of the public straying from the definitive line when walking between points A- F and walking up to the yard and house. The proposed diversion will take users further from the property to a new line that follows the hedge line making it easier for users to follow and aims to increase privacy and security for the landowner.
13. The proposed new line will allow users to walk the field edge rather than a route that crosses midfield. The fields at Overton Green Farm hold horses during the year. Walking across a field that holds livestock in which animals can potentially surround you, can be intimidating for users. The owner of Overton Green believes the proposed new line that follows the hedge would be safer for both users and livestock.

14. The Proposed new route and installation of two kissing gates would remove the need to traverse the acute steps from the road at point A and the three stiles located at Point A, B and F. The kissing gates, paid for by the owner of Overton Green Farm, will contribute towards less restrictive access to Smallwood Footpath No.3.

Consultation and Engagement

15. The Ward Member, Smallwood Parish Council, the user groups, statutory undertakers, and the Council's Nature Conservation Officer have been consulted and have raised no objections.
16. The area Inspector for the Peak and Northern Footpath Society replied:

'My view is that the diversion is a positive improvement on the existing route and once the work is complete will enhance the walking experience.'

Reasons for Recommendations

17. In accordance with Section 119(1) of the Highways Act 1980 it is within the Council's discretion to make the Order if it appears to the Council to be expedient to do so in the interests of the public or of the owner, lessee or occupier of the land crossed by the path. It is considered that the proposed diversion is in the interests of the landowner.
18. Section 119 of the Act also stipulates that a public path diversion order shall not alter the point of termination of the path if that point is not on a highway, or, where it is on a highway, otherwise than to another point which is on the same highway, or a highway connected with it, and which is substantially as convenient to the public.
19. Where there are no outstanding objections, it is for the Council to determine whether to confirm the Order in accordance with the matters referred to in this section of the report.
20. Where objections to the making of an Order are made and not withdrawn, the Order will fall to be confirmed by the Secretary of State.
21. In considering whether or not to confirm the Order, in addition to the matters discussed at paragraphs 6 to 12 above, the Secretary of State where the Order is opposed, or the Council where the Order is unopposed, must be satisfied that the path or way is not substantially less convenient as a consequence of the diversion having regard to the effect:
 - The diversion would have on the public enjoyment of the path as a whole.
 - The effect that the coming into operation of the Order would have as respects other land served by the existing public right of way.

- The effect that any new public right of way created by the Order would have as respects the land over which the rights are so created and any land held with it.
- 22 In confirming an Order, the Secretary of State where the Order is opposed, or the Council where the Order is unopposed, will also have regard to any material provision of the Rights of Way Improvement Plan prepared by the local highway authority and the effect of the path or way on the needs of agriculture, forestry and biodiversity.
- 23 The work of the Public Rights of Way team contributes to the Corporate Plan priority “A thriving and sustainable place”, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.
- 24 The work of the Public Rights of Way team contributes to the Green aim of the Corporate Plan, the “thriving and sustainable place” priority, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

Other Options Considered

- 25 If the authority was to do nothing the privacy, security and land management of the landowner would not be improved.

Implications and Comments

Monitoring Officer/Legal

- 26 Once an Order is made it may be the subject of objections. If objections are not withdrawn, this removes the power of the Local Authority to confirm the Order itself, and may lead to a hearing or Public Inquiry. It follows that the Committee decision may be confirmed or not confirmed. This process may involve additional legal support and resources.

Section 151 Officer/Finance

- 27 If objections to an Order lead to a subsequent hearing/inquiry, the Council would be responsible for any costs involved in the preparation and conducting of such. The maintenance of the Public Right of Way would continue to be the responsibility of the landowner and Council in line with legislation. The associated costs would be borne within existing Public Rights of Way revenue and capital budgets.

Policy

- 28 The work of the Public Rights of Way team contributes to the Green aim of the Corporate Plan, the “thriving and sustainable place” priority, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

A thriving and sustainable place

- A great place for people to live, work and visit
- Welcoming, safe and clean neighbourhoods
- Reduce impact on the environment
- A transport network that is safe and promotes active travel
- Thriving urban and rural economies with opportunities for all
- Be a carbon neutral council by 2025

Equality, Diversity and Inclusion

29. An assessment in relation to the Equality Act 2010 has been carried out by the Public Rights of Way Network Management and Enforcement Officer for the area and it is considered that the proposed diversion would be no less convenient to use than the current one.

Human Resources

30. There are no direct implications for Human Resources.

Risk Management

31. There are no direct implications for risk management.

Rural Communities

32. There are no direct implications for Rural Communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

33. There are no direct implications for Children and Young People

Public Health

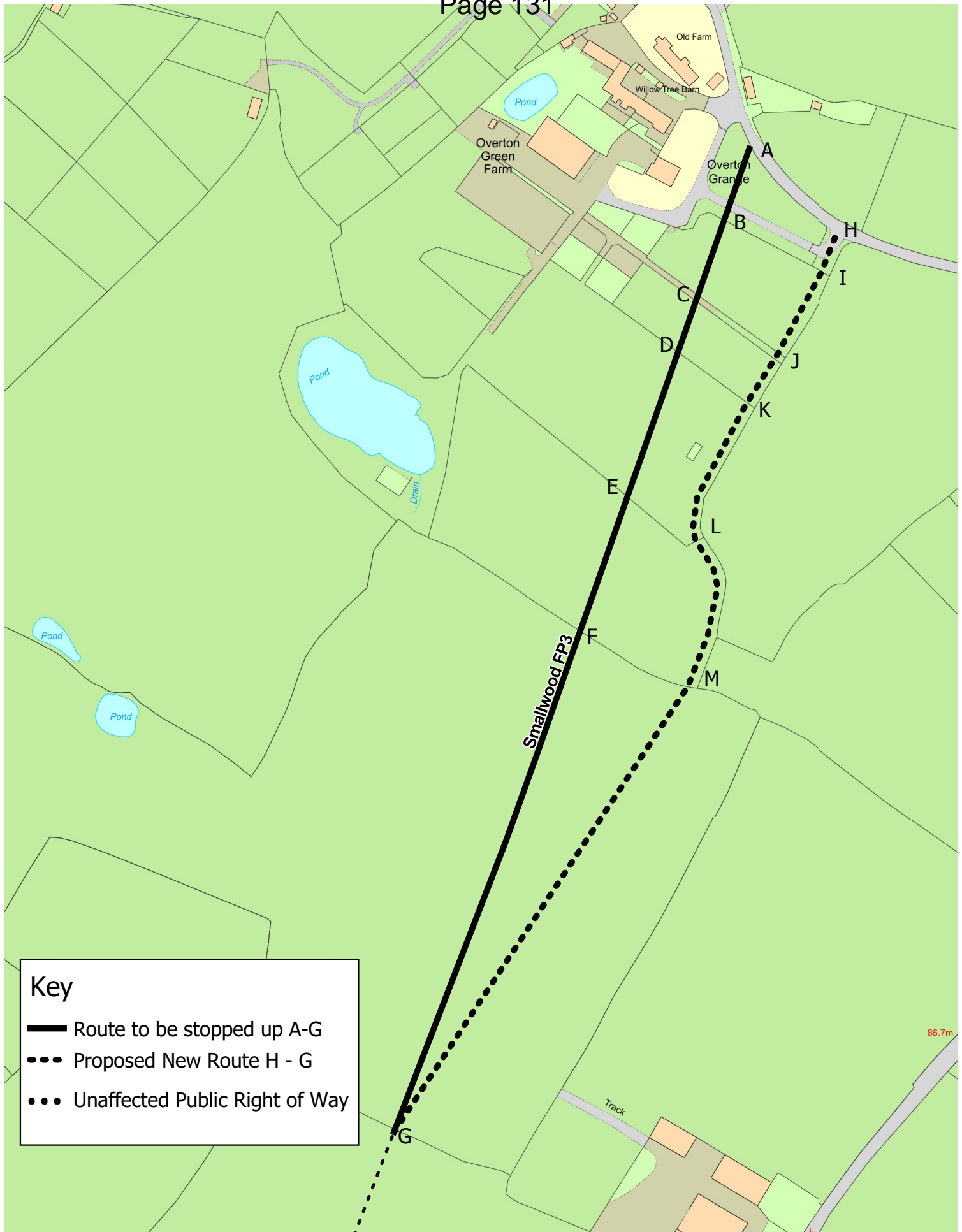
34. The recommendations are anticipated to offer a positive overall impact on the health and wellbeing of Cheshire East residents.

Climate Change

35. The recommendations will help the Council to reduce its carbon footprint and achieve environmental sustainability by reducing energy consumption and promoting healthy lifestyles.

Access to Information	
Contact Officer:	Richard Chamberlain– Public Path Orders Officer Richard.chamberlain2@cheshireeast.gov.uk
Appendices:	Plan No. HA/153D
Background Papers:	The background papers and file relating to the report can be inspected by contacting the report writer.

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Highways Act 1980 s119 Proposed Diversion of
Smallwood Footpath 3 (part)

This is a working copy of the definitive
map and should not be used for legal
purposes



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OPEN

Highways and Transport Committee

20 June 2024

**Report Title: Wildlife & Countryside
Act 1981 – Part III, Section 53.**

**Application No. No. CN-7-28:
Application for the addition of a Public
Footpath in Audlem Parish**

**Report of: Peter Skates, Peter Skates, Acting Executive Director –
Place and Director of Growth & Enterprise**

Report Reference No: HTC/27/24-25

Ward(s) Affected: Audlem

Purpose of Report

- 1 The work of the Public Rights of Way team contributes to the Corporate Plan priority “A thriving and sustainable place”, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

Executive Summary

- 2 The report considers the evidence submitted and researched in the application to amend the Definitive Map and Statement in adding Public Footpaths in Audlem Parish. This includes a discussion of the consultations carried out in respect of the claim, the historical evidence, witness evidence and the legal tests for a Definitive Map Modification Order to be made. The report makes a recommendation based on that information, for quasi-judicial decision by Members as to whether an Order should be made to register a Public Footpath
- 3 The evidence consists of 13 user evidence forms submitted by witnesses who claimed to have walked the paths. The report determines whether on the balance of probabilities public footpaths have been reasonably shown to subsist. Various historical documents have been viewed

including various maps such as County Maps and Ordnance Survey maps, Tithe Map and Finance Act plans and valuation book.

- 4 Whilst there was a reasonable number of user evidence forms submitted with the application, further investigation showed that there was little consistency with regards to the route or routes being used and public footpaths could not be reasonably alleged to subsist on a balance of probabilities.

RECOMMENDATIONS

The Highways and Transport Committee is recommended to decide:

1. That the application for the addition of footpaths is to be refused on the grounds that it cannot be demonstrated that the rights subsist or can be alleged to subsist.

Background

- 5 The application was submitted by the Audlem West Footpath Group on the 16th November 2012. A follow up map was submitted on the 29th November 2012 following a request from Cheshire East Council's Right of Way team. The application consisted of user evidence from thirteen individuals claiming use on foot. The application form is signed but no name is printed and whilst an address is provided it does not match with any of the user evidence forms submitted; as such there is no named applicant.

Description of the application route

- 6 Travelling north to south and using the plan WCA-032 in appendix 1 as a reference, the application shows a route starting from Tollgate Drive from OS grid reference SJ6568:4361 for a distance of 230 metres to Moorsfield Avenue at OS grid reference SJ6551:4348, continuing for a further 230 metres to Whitchurch Road at OS grid reference SJ6559:4336
- 7 Commencing at point A at the end of Tollgate Drive the route heads through double gates (currently padlocked) and leads across the corner of the field to a gap in the hedge at point B (this field is currently not navigable due to the location of an electric fence running around most of its perimeter). The route continues along a trod line clearly visible in the grass in a southerly direction to a pair of double gates at point C (currently locked) where it is possible to access onto Moorsfield Avenue. The route

continues south to point D where it turns through 90 degrees as it joins the remnants of an old lane. The route now leads in an easterly direction along the lane to a gate and livestock feeder at point E (it is not possible to open the gate and it is not hung). The route continues along the lane of a width of approximately 4.5m, which is overgrown but still passable. There is a barbed wire fence placed directly behind a locked gate at point F, which restricts any further access. The route continues onto what looks like shared tarmac access to the side of no38 Whitchurch Road and out to Whitchurch Road itself at point G.

- 8 Between point B and point D there is a trod alignment through the fields. It is also possible to make out a walked route along the old lane from point D to point F, albeit it would now be difficult to navigate due to the existence of a barbed wire fence at point F.

Photographs

- 9 Photographs of the claimed route can be seen at Appendix 2 and includes photographs of the existing signs up at the ends of the claimed route.

Main Issues

- 10 Section 53(2)(b) of the Wildlife and Countryside Act 1981 requires that the Council shall keep the Definitive Map and Statement under continuous review and make such modifications to the Map and Statement as appear requisite in consequence of the occurrence of certain events:-

One such event, section 53(3)(c)(i)) is where:

“(c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:-

(i) that a right of way which is not shown on the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subsection to section 54A, a byway open to all traffic.”

- 11 The evidence can consist of documentary/historical evidence or user evidence or a mixture of both. All the evidence must be evaluated and weighed, and a conclusion reached whether, on the ‘balance of probabilities’ the rights are reasonably alleged to exist. Any other issues, such as safety, security, suitability, desirability or the effects on property or the environment, are not relevant to the decision.
- 12 Where the evidence in support of the application is user evidence, section 31(1) of the Highways Act 1980 applies. This states; -

“Where a way.....has been actually enjoyed by the public as of right and without interruption for a full period of twenty years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.

- 13 This requires that the public must have used the way without interruption and as of right; that is without force, secrecy or permission. Section 31(2) states that “the 20 years is to be calculated retrospectively from the date when the right of the public to use the way is brought into question”.
- 14 For public rights to have come into being through long use, as stated above, a twenty year period must be identified during which time, use can be established. Where no challenge to the use has occurred, this period can be taken as the twenty years immediately prior to the date of the application.
- 15 In this case the rights of the public to use the paths was challenged in 2012 when gates at Whitchurch Road, Moorsfield Avenue and Tollgate Drive were locked and signs erected; it hasn’t been possible to decipher the exact month the challenge took place given the time that has elapsed. There were thirteen individuals who provided evidence of use on foot, with eight indicating that they had used the paths for a period of twenty years. In total the use spans 43 years, between 1979 and 2012.

Public rights can also be established under common law based on evidence of public use and there is no requirement for a period of twenty years. Establishing rights under common law relies on there being an owner with capacity to dedicate. In the absence of knowing who the owner was, satisfactory evidence of user by the public would establish rights in the face of an objector proving that there was no one who could have dedicated.

The Investigation

- 16 An investigation of the available evidence has been undertaken. The documentary evidence that has been examined is referred to below and a list of all the evidence taken into consideration can be found in Appendix 3.

County Maps 18th/19th Century

- 17 These are small scale maps made by commercial map-makers, some of which are known to have been produced from original surveys and others are believed to be copies of earlier maps. All were essentially topographic maps portraying what the surveyors saw on the ground. They included features of interest, including roads and tracks. It is doubtful whether mapmakers checked the status of routes or had the same sense of status of routes that exist today. There are known errors

on many map-makers' work and private estate roads and cul-de-sac paths are sometimes depicted as 'cross-roads'. The maps do not provide conclusive evidence of public status, although they may provide supporting evidence of the existence of a route.

- 18 None of the paths forming part of the application are shown on the P.P. Burdett 1777 map nor the Swire and Hutching's map of 1829. There is shown a short bounded lane at the location of the path claimed from Whitchurch Road on A Bryant's Map of 1831.

Tithe Map

- 19 Tithe Awards were prepared under the Tithe Commutation Act 1836, which commuted the payment of a tax (tithe) in kind, to a monetary payment. The purpose of the Award was to record productive land on which a tax could be levied. The Tithe Map and Award were independently produced by parishes and the quality of the maps is variable. The 1836 Act relieved the Tithe Commissioners of the need to certify all maps.
- 20 It was not the purpose of the Awards to record public highways. Although depiction of both private occupation and public roads may provide good supporting evidence of the existence of a route, especially since they were implemented as part of a statutory process. Colouring of a track may or may not be significant in determining status. In the absence of a key, explanation or other corroborative evidence the colouring cannot be deemed to be conclusive of anything.
- 21 There is a short, bounded lane shown at the location of the path claimed from Whitchurch Road terminating at enclosure 592; this is located between point D & G on plan reference WCA-032 in appendix 1. Enclosure 592 is described as meadow and in the ownership of G Haughton. The ownership around this short track is comprised of different names.
- 22 No other path or route coinciding with the application is shown.

Ordnance Survey Records (OS)

- 23 OS mapping was originally for military purposes to record all roads and tracks that could be used in times of war; this included both public and private routes. These maps are good evidence of the physical existence of routes, but not necessarily of status. Since 1889 the Ordnance Survey has included a disclaimer on all of its maps to the effect that the depiction of a road is not evidence of the existence of a right of way. It is argued that this disclaimer was solely to avoid potential litigation. Recent

research into the instructions given to the field surveyors and the development of the OS shows they appear to have tried to depict all routes, paths and ways that were physical features and if observed to be used by the public. However, there is no documentation to show the OS went through a statutory process of checking with the local authorities to establish the status of a way or path. Research by Yolande Hodson indicates there was tension in the modern era within the OS to agree what would be shown on the maps, who were their audience and how to depict the condition and status and at the published scales, what should be omitted. The maps are good evidence of the existence of a way or path and can support any other evidence claiming public rights of way.

24 O.S. 1st Edition County Series 6" to 1 mile

Short bounded track shown at the location of the path claimed from Whitchurch Road. Continues as a double pecked line to the now disused railway line where it appears to terminate. No other path or route coinciding with the application is shown.

25 O.S. 1st Edition County Series 1" to 1 mile 1887

A short bounded lane shown at the location of the path claimed from Whitchurch Road. Continues as a bounded lane until it turns into a double pecked path just before it reaches the now disused railway line where it appears to terminate. No other path or route coinciding with the application is shown.

26 O.S. 2nd Edition 6" to 1 mile 1889

Short bounded lane shown at the location of the path claimed from Whitchurch Road; it does not continue to the now disused railway line. No other path or route coinciding with the application is shown.

27 OS 2nd Edition County Series 6" to 1 mile 1903

Short bounded lane shown at the location of the path claimed from Whitchurch Road. It does not continue to the now disused railway line. No other path or route coinciding with the application is shown.

28 OS 1912 Edition County Series 6" to 1 mile 1912

Short bounded lane shown at the location of the path claimed from Whitchurch Road. It does not continue to the now disused railway line. No other path or route coinciding with the application is shown.

Bartholomew's Half Inch to a Mile

- 29 Bartholomew was a Scottish company with a good reputation of publishing maps from the late 19th century. Between c1911 and 1928 there was an arrangement with the Cyclists Touring Club for their members to send in revisions and their logo was shown on the maps where this arrangement was in place. The maps were based on OS base maps. The maps set out a classification of use, although there is a caveat that the depiction of any route was not evidence of a public right of way and background to the maps indicates that they relied on user reviews to make any corrections. Comparison of map publication dates may show any consistent depiction of a particular route.
- 30 Bartholomew's half inch 1902 new series, revised half inch 1923 new series and revised half inch 1940-47 were available for the location which is under investigation. The 1902 maps shows a short orange line near the path from Whitchurch Road but in a different location to the claimed path and is believed to be an indication of gradient.

Finance Act 1910

- 31 The Finance Act of 1910 involved a national survey of land by the Inland Revenue so that an incremental value duty could be levied when ownership was transferred. Land was valued for each owner/occupier and this land was given a hereditament number. It is thought that exclusion of highways on the maps came under S35(1) of the Act not to charge on land or an interest in land held by a rating authority. Landowners could claim tax relief where a highway crossed their land. Although the existence of a public right of way may be admitted it is not usually described or a route shown on the plan. This Act was repealed in 1920.
- 32 Two sets of plans were produced: the working plans for the original valuation and the record plans once the valuation was complete. Two sets of books were produced to accompany the maps; the field books, which record what the surveyor found at each property and the so-called 'Domesday Book', which was the complete register of properties and valuations.
- 33 No path or route coinciding with the application is shown on the Finance Act Map and the hereditament in which the paths run (numbered 175/2) have no deductions for public right of way.

Pre DM Records

- 34 The Public Rights of Way team hold records that pre-existed the DM process. The paths are not shown on any of these maps.

DM Process – National Parks and Access to the Countryside Act 1949

- 35 The Definitive Map and Statement is based on surveys and plans produced in the early 1950s by each Parish in Cheshire, of all the ways they considered to be public at that time. The surveys were used as the basis for the Draft Definitive Map.
- 36 Draft Definitive Map extract (1950's); - No path or route coinciding with the application is shown.
- 37 Provisional Definitive Map extract (1950's); - No path or route coinciding with the application is shown.
- 38 Definitive Map extract (1950's) ;- No path or route coinciding with the application is shown

Land Registry information

- 39 In the main the land is included in the land register and contact was made with owner and their agent; however a short section where the paths leaves Whitchurch Road is unregistered. A notice of the 2012 application was placed on the land from January to February 2024. No new owner came forward to claim ownership.

Aerial Images

- 40 A number of aerial images were available for the location spanning the period from 1979 through to 2015

- 41 Black and white image 1979.

Short bounded lane shown at the location of the path claimed from Whitchurch Road. Tollgate Drive is the first area to be developed and appears to be complete by this time. No other houses have been built on the land at this time and the field layouts remain as shown on the OS maps.

- 42 Aerial image (colour) 1985

The 1985 image (colour) shows that the majority of the development of the estates has now been completed, including Moorsfield Avenue, Oak tree Gate and Hayfields Grove

There are houses abutting the route from Whitchurch road, from where it immediately leaves Whitchurch Road and travels west. There appears to be a double sided hedge at this location indicating access into the field further on. There are no discernible trod routes that coincide with any of the claimed routes. There are signs of trod routes down toward the disused railway line but these look likely to be agricultural in nature. It is clear from discussion with the witnesses and the landowner that livestock were kept in the fields at certain times of the year. There are vehicle access marks visible at the point the route leaves Moorsfield Avenue through the gateway.

43 Aerial image (colour) 1992-1995

The 1992/95 image (colour) shows a few more trod routes down towards the railway line with a number of them approaching diagonally. There appears to be some demarcation of a route in the field immediately adjacent to Moorsfield Avenue running north to a gate in top north eastern corner of the field. This trod alignment aligns with the claimed route running from Moorsfield Avenue towards Tollgate Drive; this could be indicative of public and/or private use. Once through gate there is no discernible route in the field beyond towards Tollgate Drive, which probably supports this being private and emanating from agricultural/private use. The double sided hedge along a short section where the claimed route from Whitchurch Road leaves the road heading west remains.

44 Aerial image (colour) 1999/2000

The 1999/2000 image shows a similar picture to the 1992/95 image. The demarcation running adjacent to Moorsfield Avenue is more clearly shown as vehicle tracks with a parallel line shown more clearly in this image. Again, there is no discernible route in the field beyond towards Tollgate Drive. The double sided hedge along a short section where the claimed route from Whitchurch Road leaves the road heading west remains.

45 Aerial image (colour) 2005

The 2005/06 image shows more trod routes throughout the fields directly west of Moorsfield Avenue. There again appears to be little if anything that indicates trod lines along the claimed routes. There is trod activity down towards the disused railway line, which appears to be concentrated in an east-west direction from the gate on Moorsfield Avenue. There appears to be trod routes around the perimeter of the fields between Moorsfield Avenue and the disused railway line. There does not appear to be any trod routes heading towards the canal nor following the alignment of the claimed route to Tollgate Drive.

46 Aerial image (colour) 2010

The 2010 image is the first that shows consistent trod route along the claimed routes. There is now a fairly clear trod route between Tollgate Drive where it enters the field and travels west and south towards Moorsfield Avenue. There is a trod route adjacent to Moorsfield Avenue, which continues towards Whitchurch Road in a southerly direction.

47 Aerial image (colour) 2015

This image is taken 3 years after the use was challenged and the gates were locked. The 2015 image continues to show a trod route in the field towards Tollgate Drive. There now appears to be a well trodden route from the gateway in the most north easterly corner of the field adjacent to Moorsfield Avenue heading diagonally in a south westerly direction down towards the railway line. Starting from the same gateway there now appears to be a well trodden route heading north, in the field off Tollgate Drive, heading down towards the canal. The trodden route that was shown leading along the claimed route towards Whitchurch Road in the 2010 image is less visible and quite faint. There are a number of mature trees now that tend to obscure the view of the access from Moorsfield Avenue. The grass in all field appears to have been recently mown, which probably helps in identifying the trod routes.

Witness evidence

48 There were thirteen user evidence forms (UEF) submitted with the application, all of which stated they had used the route on foot only. Most of those who submitted an UEF lived within the adjoining estates or near to them. A chart illustrating the users who supported the original application can be found at Appendix 4

49 The date when the first challenge to public use was made is clear. Several users refer to the locking of gates and the erection of signs in 2012, albeit it is not clear what months this occurred. Therefore, the relevant 20 year period in which statutory dedication may be calculated is 1992-2012.

50 Seven of those who submitted evidence forms were interviewed as part of the investigation (UEF 2 ,6, 7, 8, 10, 12 & 13). UEF's 2 and 8 were submitted by couples and are signed by both parties. The individual submitting evidence in UEF 13 subsequently changed their mind following the interview explaining they were no longer willing to provide evidence in support of the application. The remaining users (UEF1, 3, 4, 9, & 11) were unavailable for interview.

Witnesses interviewed

- 51 Apart from one user, all others indicated that they used the paths on foot and that they were there to exercise their dogs. There was a high frequency of use with two indicating weekly use, two indicating daily use and the other two indicating twice daily usage. Four had used the paths in excess of twenty years with the other two indicating three and six years respectively.
- 52 In terms of route alignment, the application route between point B and point C indicates that the route is slightly further west, however the only logical alignment is somewhat closer to Moorsfield Avenue. This is endorsed by the interviews which indicates that those walking in the fields were passing through the gap at point B; see plan reference WCA-038 in Appendix 1.
- 53 There is some inconsistency around the presence of an unusable gate at the entrance from Tollgate Drive. One user (UEF2) indicated that the gate was only installed in the late 1990's and that they recall this well, as prior to this they would have had to walk all the way around from Whitchurch Road up Moorsfield Avenue to access the fields. Others who were interviewed did not recall this to be the case and always remember a gate being in place. One witness appears to suggest that the gate was locked and people had to climb over, although they couldn't be certain as they would not use the route themselves.
- 54 One user (UEF2) indicated that they had sought permission on their user evidence form but in the interview indicated that they had not explicitly asked anyone for permission, rather they felt it was implied as they often saw the tenant who would never stop them from using the land. Otherwise, all indicated that they had used the land freely and openly and were never challenged until the gates were locked and signs erected in 2012.
- 55 None of those interviewed indicated that they had forcibly entered the land, stating that the gates were either open or in some cases as at Moorsfield Avenue, were in such a state of disrepair that they were left lying on the ground. Prior to 2012 nobody recalls the existence of any signs stating that the land was not be used. Up until 2012 none of the users recall ever being challenged nor told paths were not public with many indicating that they would see the tenant on a regular basis and there was never any animosity, nor were they told not to enter the land.
- 56 What arises from the interviews is that very few individuals actually walked the paths as indicated on the application map. Out of the six who were interviewed only one appeared to have used the paths to any extent as indicated on the application map (UEF 7) and that would relate to the

path from Tollgate Drive to Moorsfield Avenue. They would use this as a shorter loop when short on time. All six indicated that they had used the gates to access the land via Moorsfield Avenue. One indicated that they had accessed the paths from Whitchurch Road (via a gate) and five had entered from Tollgate Drive, albeit some on an infrequent basis.

- 57 What is also evident is that all six used the various access points as a means of accessing the land and would then follow a variety of different routes, mostly circular in nature albeit three indicated that they also used the fields to gain access to the canal where they would then cross the lock gates and return via the towpath. One user mentions that they exited onto Whitchurch Road having walked past the water treatment works near Browns Bank.
- 58 There appears to be a variety of circular options used, usually circumnavigating the perimeter of the various fields or walking along the disused railway track and then returning to the same entry point. There appears to be some commonality in the paths being used but in general there doesn't appear to be one common path or paths used by all.
- 59 All indicate that the paths are of an open aspect with no physical boundaries. Two individuals indicate that there may have been some interruption of use when livestock were kept in the fields, when people would stay away from those fields or the owner/tenant would erect electric fencing

Witnesses not interviewed

- 60 It can be difficult to evaluate evidence when individuals are not available for interview. This is particularly true in cases such as this, where there is more than one path being used, all of which are of an open aspect and not defined by boundaries or other distinguishing features. The interviewing of the available witnesses has identified that there were a number of paths used, from different start and end points. What can be deduced from the maps included with UEF's of those not interviewed is that the use seems consistent with that of the individuals that were interviewed.
- 61 Four out of the six UEF's indicate that they have used the paths in a variety of circular loops, with some indicating a number of circulars and others indicating just the one circular used. The one person who was available on the phone confirmed that their use was largely from Tollgate Drive, walking a number of circulars loops around the perimeter and through the fields.
- 62 Two out of the seven indicate on their plans that they may have used something similar to the paths included in the application map i.e. from

Tollgate Drive to Moorsfield Avenue and onto Whitchurch Road. Both of these indicating use on a weekly basis ranging from 1981 to 2012 and 1998 and 2012 respectively. The maps provided however are of such a low quality it is difficult to provide certainty as to the routes being used.

Conclusion on the evidence

- 63 In conclusion there is evidence of regular use of the land by a small number of individuals and that this has been seemingly with the acquiescence of the owner(s) and seemingly without challenge from the tenant(s) or those with management of the land over a period of 20 years and more.
- 64 The use being made of the paths as identified in the application is however very limited, with only three UEF's identifying that they used the paths as indicated, with only one of these available for interview and able to corroborate the use.

This level of use is not considered to be sufficient to show that public rights have become established under S.31(1) of the Highways Act 1980.

Other routes

- 65 The application and map indicates the location of the paths being walked as leading in a linear manner to and from Tollgate Drive, Moorsfield Avenue and Whitchurch Road, however the evidence borne out of the maps in the UEF's and subsequent interviews depicts a different picture.
- 66 As mentioned above, only three UEF's indicate that they used the paths in this nature, with just the one being available for interview. The investigation of the application should also consider the evidence submitted as a whole and not be limited to what is included in the application and application map.
- 67 Eight of the UEF's indicate that they have used a variety of circular loops within the fields, usually walking around the perimeter of the various fields.
- 68 All six of the witnesses who were interviewed confirmed that there were a variety of circular loops used and there were a number of variations depending on where someone would access the land and where they might exit. In essence there didn't seem to be a common route or routes in use.
- 69 With regards to the UEF's submitted by witnesses who weren't available for interview it is impossible to tell exactly where they have walked. The lack of clarity on the maps makes it impossible to decipher if users have

used the same paths or a slightly different variants and whether they entered and exited at the same points.

- 70 Given the number of circular loops available and the number of different entry/exist points into the fields, it has not been possible to identify a common path or paths that have been used.
- 71 In conclusion it is not possible to make a case currently to show that public rights have been reasonably alleged to subsist on any of the “other” paths that were used.

Consultation and engagement

- 72 Consultation documentation was sent to owners and occupiers on the 9th January 2024 and acknowledgement of the consultation was received from the landowner and the agent instructed to deal with the matter. Further details about the application and evidence submitted in support was shared with the agent on request. A site visit was arranged with the owner and agent of the registered land and a landowner/occupier questionnaire was sent for completion. The owner and their agent indicated that they would be maintaining the objection made when they received notification of the original application in 2012.
- 73 In addition to the owners and occupiers, a consultation was sent on 9th January 2024 to the Audlem Ward Member, the Audlem Parish Council and local user groups. No response was received from Audlem Parish Council.
- 74 The Peak & Northern Footpath Society confirmed that they support the application and that their local representative had been to the site and that the paths looked well used by walkers. They offered no further evidence.

Landowners

- 75 The current owners submitted an objection to the application when it was first submitted in 2012; this was submitted by their solicitor. They have owned the land since 2002. Previous owners and/or tenants are all believed to be deceased. A site visit to survey the routes was undertaken on the 15th February 2024, with the owner and their agent in attendance. They identified new measures that had been introduced, such as new hanging posts for padlocked gates, new signs and new fencing. There was electric fencing in place in the field immediately west of Tollgate Drive with both the owner and the agent indicating that this has always been fairly standard practice as a means of controlling livestock.
- 76 The agent working on behalf of the owners submitted a landowner statement along with 4 accompanying appendices with supporting

evidence of their rebuttal of public rights. They indicate that there has never been any intention to dedicate any public rights of way on the land citing that leading up to 2013 (and beyond) the land has been securely fenced and that anyone entering the land would have been doing so forcibly, with the owner having to repair vandalised gates and signs on numerous occasions. No evidence has been provided as to the repair of gates and signs.

- 77 There is reference to the inconsistent use identified in support of the claim and that there is no one clear route that can be shown to have been used. In addition, they identify that only seven of the users indicate they used the routes in excess of twenty years.
- 78 They make reference to the fact that permission has been sought by some of the users, which would then lead to the use being “by right” rather than “as of right” and that due to agricultural practices such as cropping and grazing by means of electric fencing etc, that there would have been considerable interruption of use during the claim period.

Reasons for Recommendations

- 79 Under Section 53 of the 1981 Act, the Council has a duty as the Surveying Authority to keep the DM under continuous review. Section 53(3) (c) allows for an authority to act on the “discovery of evidence” that suggests that the DM needs to be amended. The authority must investigate and determine that evidence and decide on the outcome whether to make a DMMO or not.
- 80 The Council investigated the evidence and it is concluded that the evidence was insufficient to demonstrate the expiration of a period such that the enjoyment by the public of the ways during that period raised a presumption that the ways have been dedicated as public paths.
- 81 It is therefore recommended that the application is refused and the Council declines to make an Order to add footpaths to the Definitive Map in the parish of Audlem.

Implications and Comments

Monitoring Officer/Legal

- 82 The Council is complying with its legal duties as stated in paragraphs 10-16.
- 83 The Human Rights Act is also of relevance. Whilst article 1 to the first protocol (peaceful enjoyment of property) and article 8 (right to respect for family, private life and home) are engaged, it is important to note that these rights are qualified, not absolute, which means that they can be

interfered with in so far as such interference is in accordance with domestic law and is necessary in a democratic society for the protection of the rights and freedoms of others. It is considered that any interference occasioned by the making of a Modification Order is both in accordance with domestic law (the Wildlife and Countryside Act 1981) and is in the public interest as it is necessary in a democratic society for the protection of the rights and freedoms of others, namely the public who wish to use the way

- 84 Should Members resolve that a Modification Order be made in accordance with highways legislation, this is merely the start of the legal process. Once a Modification Order is made, it must be publicised, and any person will have an opportunity to formally object to it. Should objections be received, the Modification Order would have to be referred to the Secretary of State who would usually hold a Public Inquiry before deciding upon whether or not to confirm the Modification Order.
- 85 Please note that the Council will not disclose the user evidence forms that form part of the background documentation at this stage in the process. The Council considers that the information provided within the user evidence documentation is exempt information under s1&2 Schedule 12A Local Government Act 1972, as amended
- 86 Under the Wildlife and Countryside Act 1981, there is no such statutory right prior to an Order having been made - persons affected are entitled to the information in the event that an Order is made following the Committee decision

Section 151 Officer/Finance

- 87 If objections to an Order lead to a subsequent hearing/inquiry, the Council would be responsible for any costs involved in the preparation and conducting of such.

Policy

- 88 The work of the Public Rights of Way Team contributes to the Green aim of the Corporate Plan, the “thriving and sustainable place” priority, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

A thriving and sustainable place

- A great place for people to live, work and visit
- Welcoming, safe and clean neighbourhoods
- Reduce impact on the environment
- A transport network that is safe and promotes active travel

- Thriving urban and rural economies with opportunities for all
- Be a carbon neutral council by 2027

Equality, Diversity and Inclusion

- 89 The legal tests under section 53 of the Wildlife and Countryside Act 1981 do not include an assessment of the effects under the Equality Act 2010.

Human Resources

- 90 There are no direct implications for Human Resources

Risk Management

- 91 There are no direct implications for risk management

Rural Communities

- 92 There are no direct implications for Rural Communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 93 There are no direct implications for Children and Young People

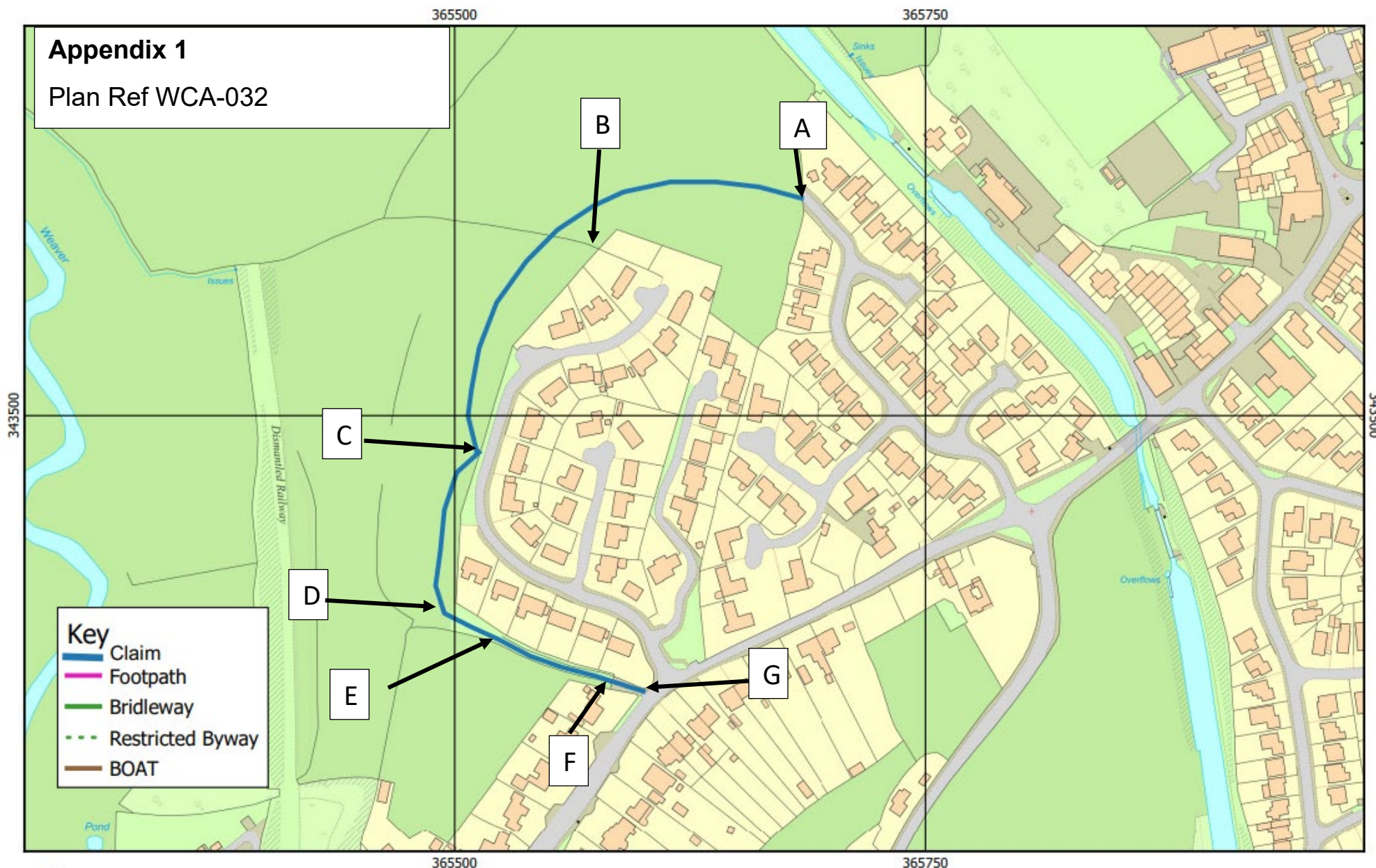
Public Health

- 94 There are no direct implications for Public Health

Climate Change

- 95 The Council has committed to becoming carbon neutral by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint.
- 96 The addition of public footpaths to the Definitive Map represents the formal recognition of pedestrian rights, creating more opportunities for leisure and the potential for the improvement/promotion of healthy lifestyles as part of a recognised recreational route.

Access to Information	
Contact Officer:	Adele Mayer, Definitive Map Officer adele.mayer@cheshireeast.gov.uk
Appendices:	Appendix 1 – map of claimed route Appendix 2 – Site photos Appendix 3 – archive documents Appendix 4 - user evidence chart
Background Papers:	Case File CN-7- Application to add a public footpath in the parish of Audlem. The background information may be requested by contacting the report author.



1:2500

Application CN-7-28 for the addition of a Public Footpath from Tollgate Drive to Whitchurch Road via Moorside Avenue, Audlem

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This is a working copy of the definitive map and should not be used for legal purposes



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Appendix 2

Point A gates off Tollgate Drive – (15th February 2024)



Point B - (15th February 2024)



Just south of Point B looking north (15th February 2024)



Approximately half way between Point B and Point C looking north (15th February 2024)



Point C gates from Moorsfield Avenue - (15th February 2024)



Point D looking north (15th February 2024)



Point E looking east (15th February 2024)



Approximately half way between Point E and Point F looking east (15th February 2024)



Point F looking west (15th February 2024)



Point F looking east (15th February 2024)



APPENDIX 3

List of Archive Documents –

Application No. CN-7-28

To add public footpaths from Whitchurch Road to Moorsfield Avenue and from Moorsfield Avenue through to Tollgate Drive in the Parish of Audlem

PROW = Public Rights of Way Unit

CRO = Cheshire Record Office

TNA = The National Archives, Kew

Primary Sources	Date	Site Shown/Mentioned	Reference Number/Source
County Maps			
Burdett PP	1777	Route not shown	https://maps.nls.uk/view/220113193
Swire & Hutchings	1829	Route not shown	https://maps.nls.uk/view/220113196
Bryant A	1831	Short bounded lane shown at the location of the path claimed from Whitchurch Road	https://maps.nls.uk/joins/10417.html
Tithe Records			
Tithe Map	1842	Short bounded lane shown at the location of the path claimed from Whitchurch Road. No hereditament number, terminating at enclosure 592.	https://maps.cheshireeast.gov.uk/tithemaps/
Ordnance Survey Maps			
O.S. 6" to 1 mile 1 st Edition	1882	Short bounded lane shown at the location of the path claimed from Whitchurch Road. Continues as a double pecked line to the now disused railway line where it appears to terminate	https://maps.nls.uk/view/102341146
O.S. 6" to 1 mile 2 nd Edition	1899	Short bounded lane shown at the location of the path claimed from Whitchurch Road	https://maps.nls.uk/view/101599579
O.S. 6" to 1 mile 2 nd Edition	1903	Short bounded lane shown at the location of the path claimed from Whitchurch Road	https://maps.nls.uk/view/101593408
O.S. 6" to 1 mile 1912 Edition	1912	Short bounded lane shown at the location of the path claimed from Whitchurch Road	https://maps.nls.uk/view/101599576
O.S. 1" to 1 mile 1 st edition	1887	Short bounded lane shown at the location of the path claimed from Whitchurch Road. Continues as a bounded lane until it turns into a double pecked just before it reaches the now disused railway line where it appears to terminate.	https://maps.nls.uk/view/239763775
Bartholomew's half inch 1902 new series	1902	No routes shown – orange alignment near Whitchurch Road end but in a different location to claimed route;	https://maps.nls.uk/view/97131047

		believed to be an indication of road gradient	
Bartholomew's revised half inch 1923 new series	1923	No routes shown	https://maps.nls.uk/view/75202839
Bartholomew's revised half inch 1940-47	1941	No routes shown	https://maps.nls.uk/view/128076561
Finance Act			
Working Sheet	1910	No routes shown as excluded on the map.	CRO NVB LXVI.1
Valuation Book		No deductions for public rights of way	CRO NVA2.10
Other Plans			
Birmingham and Liverpool Junction canal from Tettenhall Staffs to Nantwich	1825	Difficult to identify exact location of route due to quality of map; some hashed lines in the vicinity but not at the location of the claimed routes.	CRO (Ref QDP 64)
Birmingham and Liverpool Junction canal (now Shropshire Union Canal).	1826	Nothing shown at the location the claimed routes	CRO (REF QDP 75).
Railway Plans			
Shropshire Union Railway and Canal- Calveley - Wolverhampton	1845	Nothing shown.	CRO (REF QDP 222)
Nantwich and Market Drayton Railway	1860	Area in question is not included on the map	CRO (Ref: QDP 382)
Cambrian and Grand Junction Railway	1845	Area in question is not included on the map	CRO (Ref: QDP 261)
Local Authority Records			
Audlem Parish Survey extract	1950's	No routes shown	PROW Unit
Definitive Map Extract	1950's	No routes shown	PROW Unit
Draft definitive map extract	1950's	No routes shown	PROW Unit
Provisional definitive map extract	1950's	No routes shown	PROW Unit
Aerial Images			
Aerial image Black and white	1979	Short bounded lane shown at the location of the path claimed from Whitchurch Road.	PROW Unit

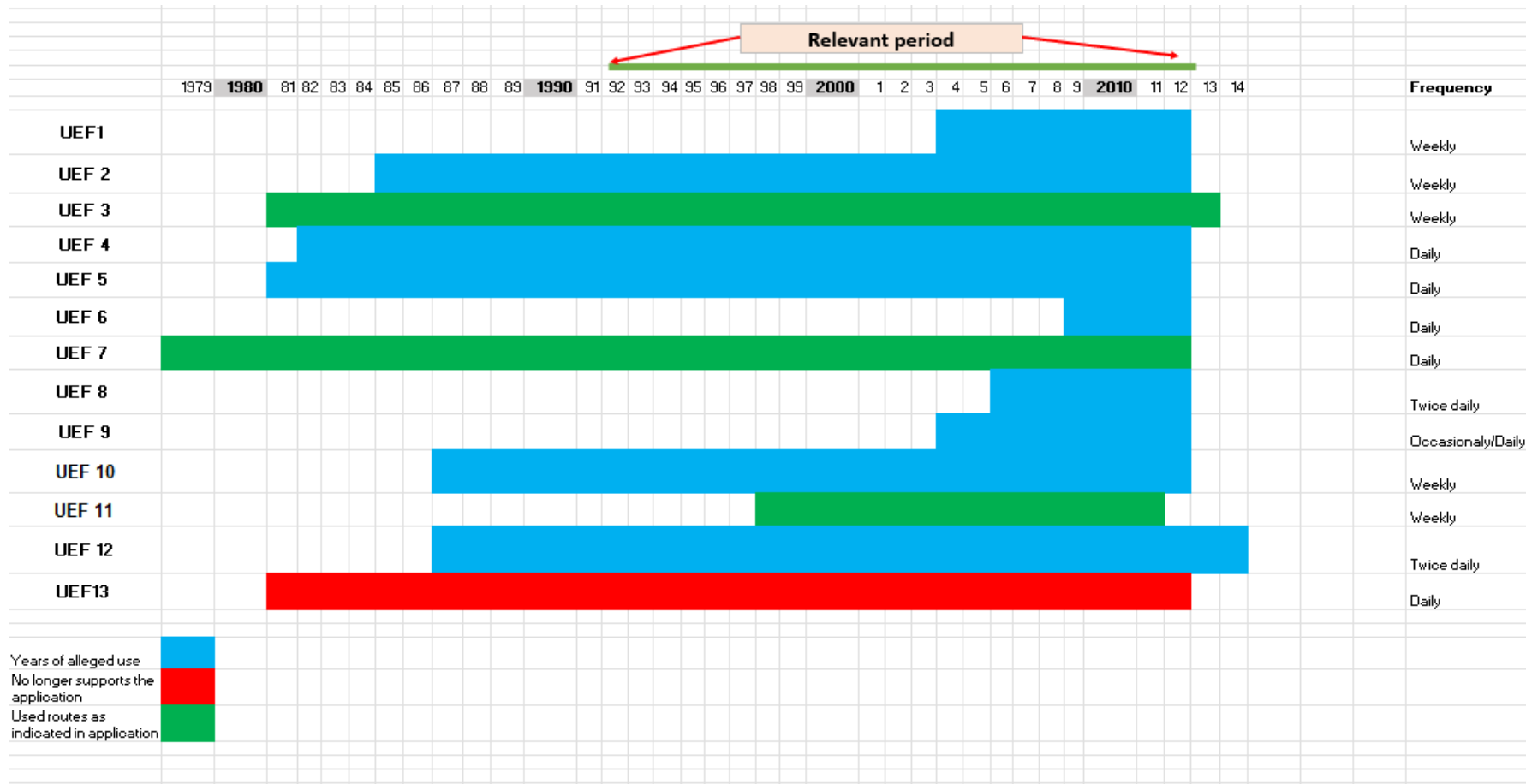
Aerial image (colour)	1985	Short bounded lane shown at the location of the path claimed from Whitchurch Road. No discernible trodden routes that coincide with any of the claimed routes	PROW Unit
Aerial Image (colour)	1992-1995	Short bounded lane shown at the location of the path claimed from Whitchurch Road. There appears to be some demarcation of a route in the field immediately adjacent to Moorsfield Avenue running north to a gate in top north eastern corner of the field. This aligns with the claimed route running from Moorsfield Avenue towards Tollgate Drive;	PROW Unit
Aerial image (colour)	Aerial image 2000	Short bounded lane shown at the location of the path claimed from Whitchurch Road. The demarcation running adjacent to Moorsfield Avenue is more clearly shown as vehicle tracks with a parallel line shown more clearly in this image.	PROW Unit
Aerial image (colour)	Aerial image 2005	Short bounded lane shown at the location of the path claimed from Whitchurch Road	PROW unit
Aerial image (colour)	2010	Short bounded lane shown at the location of the path claimed from Whitchurch Road. A fairly clear trod route between Tollgate Drive where it enters the field and travels west and south towards Moorsfield Avenue. There is a trod route adjacent to Moorsfield Avenue.	PROW Unit
Aerial image (colour)	2015	Short bounded lane shown at the location of the path claimed from Whitchurch Road. A fairly clear trod route between Tollgate Drive where it enters the field and travels west and south towards Moorsfield Avenue. There is a trod route adjacent to Moorsfield Avenue	PROW Unit

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Appendix 4

Section 53

Application No. No. CN-7-/28: Application for the addition of a Public Footpath in Audlem Parish



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OPEN

Highways and Transport Committee

20 June 2024

**Appointments to Sub Committees,
Working Groups, Panels, Boards and
Joint Committees**

**Report of: Brian Reed, Head of Democratic Services and
Governance**

Report Reference No: HTC/15/24-25

Ward(s) Affected: No specific wards

Purpose of Report

- 1 This report seeks approval from the Highways and Transport Committee to appoint the Public Rights of Way Consultative Group and to nominate two elected Members of the Highways and Transport Committee to it. The report also asks the committee to note the Terms of Reference (Appendix 1) of the Public Rights of Way Consultative Group.
- 2 This report also sets out the membership for the Enhanced Partnership Board for Committee Members to note.

Executive Summary

- 3 The Council, at its annual meeting on 15 May 2024, approved its representation on its main committees. The appointment of certain sub-committees, working groups, panels and boards is a matter for the relevant service committees. This report concerns the appointment of Elected Members to the Public Rights of Way Consultative Group, a matter that should be considered by the Highways and Transport Committee.
- 4 The report also asks the committee to note the membership of the Enhanced Partnership Board, a joint Board between the Local Transport Authority and Bus Operators, which was established in 2022. Membership of the Board is set out in Appendix 2 – Enhanced

Partnership Scheme. Committee Members are asked to note that the Chair and Vice Chair of the Highways and Transport Committee will take up the member representative positions on the Enhanced Partnership Board, in line with the terms of reference previously agreed by the Highways and Transport Committee.

- 5 Appointments to Outside Organisations (such as Transport for the North) are made by the Corporate Policy Committee and will next be reviewed in May 2027.

RECOMMENDATIONS

The Highways and Transport Committee is recommended to:

1. Appoint two Elected Members of the Highways and Transport Committee to the Public Rights of Way Consultative Group.
2. Note the Terms of Reference for the Public Rights of Way Consultative Group attached as **Appendix 1** to the report;
3. Notes the Enhanced Partnership Board membership, as set out within **Appendix 2**.
4. Where appropriate, agree to submit member nominations to the above bodies to the Head of Democratic Services and Governance.

Bodies which report to the Highways and Transport Committee

6 Public Rights of Way Consultative Group

- 7 The Public Rights of Way Consultative Group is an established meeting of users, Elected Members and Officers of Cheshire East Council which operates to enable stakeholders to engage in constructive debate and discussion about issues of law, policy, principle and work programming relating to Public Rights of Way. The Group meets twice a year via Microsoft Teams and receives twice yearly updates from the Public Rights of Way team between meetings. The Terms of Reference for the Group is attached as **Appendix 1**.

- 8 It is proposed that the Highways and Transport Committee agree to the appointment of two elected Members, from the Highways and Transport Committee, to the Public Rights of Way Consultative Group and that the nominees be notified to the Head of Democratic Services and Governance.

- 9 Previously, the two Elected Members appointed to the Public Rights of Way Consultative Group were members of the Public Rights of Way Sub Committee. Full Council resolved to dissolve this Sub Committee, incorporating its functions into the functions of the Highways and Transport Committee. Therefore, it is proposed that the future membership is agreed by the Highways and Transport Committee, and that those Elected Members appointed, are also members of the Service Committee.

10 Previous Membership

- 11 Councillors L Crane and H Faddes.

12 **Enhanced Partnership Board**

- 13 The Highways and Transport Committee approved the governance arrangements for the Enhanced Partnership Board at its meeting in April 2022. The Board is the decision-making body of the Enhanced Partnership and has the mandate to make decisions using an Enhanced Partnership Scheme Variation mechanism. The Board is responsible for delivery of the project and actions agreed in the Enhanced Partnership Plan, which was agreed unanimously by the Highways and Transport Committee in July 2022.

- 14 The Terms of Reference for the Enhanced Partnership Board, set out in Appendix 2, provide that the four Cheshire East Council representatives be the following:

- (a) Chair of Highways and Transport Committee
- (b) Vice Chair of Highways and Transport Committee
- (c) Head of Highways
- (d) Head of Strategic Highways and Transport

- 15 The Highways and Transport Committee are asked to note the membership of the Enhanced Partnership Board.

Consultation and Engagement

- 16 There has been consultation with Group Leaders and Administrators in relation to the representation of the Public Rights of Way Consultative Group.

Reasons for Recommendations

- 17 In accordance with the Constitution, the Highways and Transport Committee is responsible for the Public Rights of Way functions of the Council.

Options Considered

18

Option	Impact	Risk
Do nothing	The Council's Constitution requires these bodies to be appointed in line with the legislation referenced in this report. Not appointing to these bodies would negatively affect the Council's ability to make decisions in an open and transparent manner.	Failure to comply with the Council's Constitution and the legislation referenced in this report could leave the Council open to legal challenge.

Implications and Comments

Monitoring Officer/Legal

19 There are no direct legal implications.

Section 151 Officer/Finance

20 There are no financial implications of this report.

Policy

21 The work of the Public Rights of Way team contributes to the Green aim of the Corporate Plan, the "thriving and sustainable place" priority and the policies and objectives of the Council's statutory Rights of Way Improvement Plan.

A thriving and sustainable place

- A great place for people to live, work and visit
- Welcoming, safe and clean neighbourhoods
- Reduce impact on the environment
- A transport network that is safe and promotes active travel.
- Thriving urban and rural economies with opportunities for all
- Be a carbon neutral council by 2027

Equality, Diversity and Inclusion

22 There are no direct equality, diversity and inclusion implications.

Human Resources

23 There are no direct human resources implications.

Risk Management

24 There are no direct risk management implications.

Rural Communities

25 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

26 There are no direct implications for children and young people.

Public Health

27 There are no direct implications for public health.

Climate Change

28 There are no direct implications for climate change.

Access to Information	
Contact Officer:	Brian Reed Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	Appendix 1 – Public Rights of Way Consultative Group Terms of Reference Appendix 2 – Enhanced Partnership Board Terms of Reference
Background Papers:	None

APPENDIX 1

CHESHIRE EAST PUBLIC RIGHTS OF WAY CONSULTATIVE GROUP

ROLE AND PURPOSE

The Forum operates to achieve the following purposes:

- to enable interest groups (users, landowners and others) to engage in constructive debate and discussion about issues of law, policy, principle and work programming with members and officers of the Cheshire East Council;
- to encourage understanding of each others' concerns;
- to participate in the consultation process and ongoing monitoring associated with the Rights of Way Improvement Plan.

The Forum is not constituted:

- to discuss the facts, merits or demerits of individual cases, which should be dealt with direct with the officers;
- to criticise the actions of individual officers or members of the Cheshire East Council in the execution of their statutory duties, since there is a formal complaints procedure which can be followed.

MEMBERSHIP

Membership of the Forum is by invitation of the Public Rights of Way Manager. In general, one representative from each group is invited, although additional invitations may be issued on request at the discretion of the Public Rights of Way Manager. The Forum is not open to the general public.

REGULATION OF PROCEEDINGS

The Chair of the Forum is appointed by Cheshire East Council and is normally a member of the Highways and Transport Committee. Officers of the Cheshire East Council in liaison with the Chair generate agenda items and receive suggested agenda items from participating members of the Forum. Whilst the Group is not a Committee of the Cheshire East Council for the purposes of Section 101 of the Local Government Act 1972, it is a meeting which is governed by the common law relating to the law of meetings and their conduct and procedure. The Chair has to control the conduct of the meeting and is appointed by the Cheshire East Council. The Forum has no authority to appoint, elect, or remove the Chair presiding over a meeting.

It is the duty of the Chair and to preserve order and to take care that proceedings are conducted in a proper manner.

The principal powers of a Chair are:-

- (i) determining that the meeting is properly constituted;
- (ii) informing him/herself as to the business and objects of the meeting;
- (iii) preserving order in the conduct of those present;
- (iv) confining discussion within the scope of the meeting and reasonable limits of time;
- (v) formulating for discussion and decision questions which have been moved for the consideration of the meeting;
- (vi) deciding points of order and other incidental matters which require decision at the time;
- (vii) in the case of a meeting which is one of a series, dealing with the record or minutes of the proceedings and any matters arising therefrom;
- (viii) adjourning the meeting where circumstances justify that course;
- (ix) declaring the meeting closed when its business has been completed.

To carry out the function of Chair, the Chair is invested with appropriate powers which include the following:-

The Chair may, if necessary, direct the removal of any disruptive person whose conduct threatens to disturb the proceedings.

It is the Chair's role to regulate discussion and permission to address the meeting must come from the Chair and by the Chair and consent to address the meeting can be withheld if the Chair so decides.

APPENDIX 2

Enhanced Partnership Board – Terms of Reference

The Board will have the following initial terms of reference:

Purpose

The Enhanced Partnership (EP) Board has been established to oversee the Cheshire East Enhanced Partnership. The purpose of the EP Board is therefore to:

- Ensure successful delivery of EP Schemes (time, cost and quality)
- Provide technical project direction and scrutiny on interventions
- Resolve any issues escalated by the EP Forum

Role & Remit

The role of this board is to:

- Monitor the progress of the Enhanced Partnership in delivering the EP Scheme and BSIP
- Agree a forward plan of work including any feasibility studies, business case preparation, design, public consultations and impact assessments
- Ensure the Enhanced Partnership Scheme and BSIP documentation is robust and ready for future funding opportunities
- Coordinate scheme variations where necessary (subject to the bespoke voting procedure of the Enhanced Partnership Board)
- Monitor the effectiveness of any future implemented Schemes in achieving the EP Scheme and BSIP objectives
- Review proposals brought to the board for changes to the EP Plan and Scheme and once content initiate the required process to make proposed changes/variations
- Liaise with the EP Forum on the forward work programme

The Board shall be entitled to keep under review these terms of reference and further develop them. The Board are responsible for all decisions relating to administration of the affairs of the Board including frequency of meeting, requests for the attendance of individuals and

representatives of organisations and the manner in which the affairs of the Board are made to all Operators and interested parties.

Enhanced Partnership Board – Summary Extracts

The Cheshire East Enhanced Partnership Board will be the decision-making body of the Enhanced Partnership.

Certain decisions of the Board may constitute Enhanced Partnership Scheme Variations if the requirements are met. Membership of the Board will comprise the following representatives:

- **Four Bus Operators (4 votes):**
 - Two Large Operators ○ Two Small Operators
- **Four Cheshire East Borough Council representatives (2 votes):**
 - Two Council Members:
 - Chair of Highways and Transport Committee
 - Vice Chair of Highways and Transport Committee
 - Two Cheshire East Council Officers:
 - Head of Highways
 - Head of Strategic Transport and Parking

Under the Cheshire East Council constitution the LTA's votes are vested in the Officers and will be exercised in consultation with the Councillors, as described in the protocol.

The Chair of the EP Board will be a member of the Board (i.e. Operator, Councillor or Council Officer) and will be confirmed by all Board members annually.

Board meetings will require a quorum attendance of one Bus Operator per category (one Large and one Small) and two Council representatives (with a minimum of one Officer). An Operator representative may, if necessary, arrange for an alternate or deputy from the same category to participate with voting rights.

Cheshire East Borough Council will provide a secretary for Board Meeting arrangements and minuting.

Operator representative selection

Operators representing each of the categories of Operator Membership above will be invited to self-nominate or nominate other willing operators in writing to the secretary for the Enhanced Partnership Board (care of Cheshire East Borough Council Democratic Services) prior to each Forum AGM.

Where there are more than two nominees for a single category, all Bus Operators in the same category will be given the opportunity to vote by secret ballot undertaken among those present at the Enhanced Partnership Forum AGM for a preferred representative.

Voting will be on the basis of one vote per Operator (where Operators are part of the same holding company or group, they will only be entitled to one vote between them). Operator representatives will be reselected on an annual basis.

The voting procedure for membership selection will be a simple majority and be administered by the Council. Where there is a tie, a run-off vote will take place between the leading tied Operators.

In the event that a Forum AGM ballot fails to select Operator representatives for one or more Operator category, the default Operator objection mechanism set out in the Enhanced Partnerships and Schemes (Objections) Regulations will be used to determine the views of Operators in that category for the purposes of Board votes (in terms of objection or otherwise to the proposals).

Operator representatives will be acting on behalf of all Operators in that category, not on behalf of their own company alone. Representatives will be responsible for ensuring attendance at all Enhanced Partnership Board meetings in that year, and ensure they have:

- fully reviewed and understood all meeting papers in advance of attendance,
- the required mandate from the Operators they represent. **Protocol for**

Enhanced Partnership Board Members

Members on the Board must ensure:

- all decisions must be within the Cheshire East Council's agreed Policies

- decision-making will be by consensus not by vote
- the Chair will ask the Councillor representatives for their view first before asking the LTA Officer
- if agreement between Councillors and Officers cannot be reached, then the matter will be referred to the Highways and Transport Committee for advice, before returning to the EP Board.
- if agreement is reached, then the Director of Highways and Infrastructure will formally record their decision and a copy of this will be retained within the minutes of the meeting. No formal decisions can be taken at the meeting unless the Director of Highways (or delegated officer) is present.

Meeting Observers

Any other Bus Operator and Council representatives will be able to attend the Board meetings as observers but will not have the right to vote.

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Highways and Transport Committee Work Programme 2024-25

Report Reference	Highways & Transport Committee	Title	Purpose of Report	Lead Officer	Consultation	Equality Impact Assessment	Corporate Plan Priority	Part of Budget and Policy Framework	Exempt Item
July 2024									
HTC/16/24-25	19/07/24	Highway Service Contract Peer Review & Contract Break Clause	Further to the paper that was presented to the Highways & Transport Committee on 25 January 2024 regarding the Highway Service Contract Break Clause and the proposed Peer Review, this paper will provide details of the outcome of the Peer Review and will help to inform Council's decision with regards to Highway Service Contract Break Clause which allows the Council to shorten the contract period to 8 years in specific circumstances.	Director of Highways and Infrastructure	N/A	Yes	Open;#Fair	TBC	Yes
September 2024									

Highways and Transport Committee Work Programme 2024-25

HT/26/21-22	19/09/24	Flowerpot Junction Improvement Scheme	<p>Authorise to make Compulsory Purchase Orders and Side Roads Orders for the delivery of the Flowerpot Junction Improvement Scheme.</p> <p>Approve the forward funding of the additional developer contributions in accordance with the capital programme</p>	Director of Highways and Infrastructure	No	No	Green	Yes	Yes
HTC/07/24-25	19/09/24	Crossings Strategy Consultation Outcome Report	Feedback following consultation	Director of Highways and Infrastructure	No	No	Open;#Green;#Fair	No	No
HTC/09/24/25	19/09/24	National Parking Platform Update	To provide committee with a status update on the development of the National Parking Platform and to consider its application in Cheshire East	Director of Highways and Infrastructure	No	TBC	Open	No	No
HTC/19/24-25	19/09/24	First Financial Review of 2024/25 (Highways & Transport Committee)	To note and comment on the First Financial Review and Performance position of 2024/25, including	Director of Finance and Customer Services	No	No	Open	Yes	No

Highways and Transport Committee Work Programme 2024-25

			progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements.						
HTC/28/24-25	19/09/24	Middlewich Eastern Bypass - Approval of Revised Full Business Case (Provisional Report)	To approve the submission of a revised Full Business Case for the Middlewich Eastern Bypass to the Department for Transport for the release of the grant funding.	Director of Highways and Infrastructure	No	No	Green	Yes	No
November 2024									
HTC/09/23-24	21/11/24	Tree Planting and Verge Maintenance (Nature Based Approach) Policy	To seek approval for highways to adopt a tree planting and verge maintenance policy to allow its implementation from 2024/25 onwards.	Director of Highways and Infrastructure	Yes	No	Open;#Green	Yes	No
HTC/14/24-25	21/11/24	Application to approve a Lane Rental Scheme	To outline the process required to develop a Lane Rental Scheme and to consider implementation of the scheme	Director of Highways and Infrastructure	No	Yes	Open	No	TBC

Highways and Transport Committee Work Programme 2024-25

HTC/20/24-25	21/11/24	Second Financial Review of 2024/25 (Highways and Transport Committee)	To note and comment on the Second Financial Review and Performance position of 2024/25, including progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements.	Director of Finance and Customer Services	No	No	Open	Yes	No
HTC/22/24-25	21/11/24	Medium Term Financial Strategy Consultation 2025/26 - 2028/29 (Highways & Transport Committee)	All Committees were being asked to provide feedback in relation to their financial responsibilities as identified within the Constitution and linked to the budget alignment approved by the Finance Sub-Committee in March 2024. Responses to the consultation would be reported to the Corporate Policy Committee to support that Committee in making recommendations	Director of Finance and Customer Services	No	No	Open	Yes	No

Highways and Transport Committee Work Programme 2024-25

			to Council on changes to the current financial strategy.						
January 2025									
HTC/21/24-25	23/01/25	Third Financial Review of 2024/25 (Highways & Transport Committee)	To note and comment on the Third Financial Review and Performance position of 2024/25, including progress on policy proposals and material variances from the MTFS and (if necessary) approve Supplementary Estimates and Virements.	Director of Finance and Customer Services	No	No	Open	Yes	No
HTC/24/24-25	23/01/25	Medium Term Financial Strategy Consultation 2025/26 - 2028/29 Provisional Settlement Update (Highways & Transport Committee)	All Committees were being asked to provide feedback in relation to their financial responsibilities as identified within the Constitution and linked to the budget alignment	Director of Finance and Customer Services	No	No	Open	Yes	No

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			approved by the Finance Sub-Committee in March 2024. Responses to the consultation would be reported to the Corporate Policy Committee to support that Committee in making recommendations to Council on changes to the current financial strategy.						
April 2025									
HTC/23/24-25	03/04/25	Service Budgets 2025/26 (Highways & Transport Committee)	The purpose of this report is to set out the allocation of approved budgets for 2025/26 for services under the Committee's remit, as determined by Finance Sub Committee	Director of Finance and Customer Services	No	No	Open	Yes	No