

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Economy and Growth Committee**
held on Friday, 26th January, 2024 in the The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor M Goldsmith (Chair)
Councillor N Mannion (Vice-Chair)

Councillors L Anderson, L Braithwaite, D Brown, J Clowes, B Drake, A Heler,
G Marshall, C O'Leary, P Redstone and F Wilson

OFFICERS IN ATTENDANCE

Peter Skates, Acting Executive Director of Place
Charles Jarvis, Head of Economic Development
Debra Wrench, Property Projects Manager
Steve Reading, Finance Officer
Wendy Broadhurst, Lead Finance Partner (Place)
Adrian Leslie, Legal Services
Rachel Graves, Democratic Services Officer

41 APOLOGIES FOR ABSENCE

Apologies were received from Councillors C Naismith and M Gorman.
Councillors L Anderson and L Braithwaite attended as substitutes.

42 DECLARATIONS OF INTEREST

Item 5 – Response to Petition Poynton Pool: Councillor G Marshall
declared that he was a member of the Strategic Planning Board and stated
he would take no part in the consideration of the matter.

43 MINUTES OF PREVIOUS MEETING

RESOVLED:

That the minutes of the meeting held on 14 November 2023 be approved
as a correct record.

44 PUBLIC SPEAKING/OPEN SESSION

Mike Ellison, Poynton Pool petition organiser, stated that the Friends of
Poynton Pool had collected 5000 signatures in a period of 8 weeks and
that it had been their expectation that this would trigger a meeting of Full
Council to consider the petition. He stated that the dam was constructed,
in part, from permeable sand and gravel which allowed flood events to
percolate through the dam which would explain why there was no record
of the Pool ever overflowing. He stated that there were significant errors in

the engineer's report which had been brought to the Council's attention and led to the Council correcting their position relating to risk, but the spillway proposals remained unchanged. He stated that the project's cost benefit analysis was contrary to central government guidance and did not take into account the loss of amenity, loss to ecology and of other benefits. He requested that the Council put the proposals on hold to allow for appropriate investigation and a more credible risk assessment and would welcome the opportunity to work with the Council.

Elaine Adams stated that Poynton Park was gifted to the people of Poynton in the mid-1700s, and that Cheshire East Council acted as custodian. She stated that to her knowledge the Pool, which had an average depth of 1.2metres, had never overflowed or breached the dam since it was built. She referred to the engineers cost benefit analysis and stated that it was inconsistent with the Green Book methodology and asked why the scheme did not take account of the £3m CAVAT value of the trees and asked if costs had been allocated for the 30-year Landscape Management Plan as the contractor only managed the first year for defects and liability?

Gwenda Mayers stated that about half of the Poynton adult population had signed the Petition, the numbers could have been higher, but they had stopped collecting once it exceeded the 5000 thresholds in order to submit prior to the planning application being registered. She stated that it was disappointing that the Petition was not being debated at a full Council meeting. She stated that the Petition was organised to request that the proposals be reviewed as the work was not mandatory. The Friends of Poynton Pool had consulted with specialists who had clarified this. The risk of the dam breaching, and therefore the risk to life and property was overstated as it was within the tolerable zone for risk. She asked why it had taken four months for the Petition to be heard, which she believed contravened statutory legislation. She asked if the Council could provide a rationale for submitting a related planning application on 3 November without considering the objections and wishes of the residents.

John Borthwick referred to the proposed work scheduled for Poynton Pool and stated that the information should be checked as there were a number of documents which provided different data on the same matter. He stated that an alternative water engineer, not associated with the project, should re-assess the project. He referenced the Floods and Reservoir Safety book by the Institute of Civil Engineers which referred to waves, overtopping and dam freeboards and asked if any site investigation has been carried out to identify the composition of the dam, and if not, how was it possible to set the parameters for an engineered or risk-based solution. He stated to proceed without this information could lead to the destruction of the public amenity. He asked if the Council would share the data for the tested alternative solutions.

Lynn Sullivan stated that since the Economy and Growth Committee had considered the report in June 2023, the engineer's report had been

identified as being inaccurate, which the Friends of Poynton Pool had evidence to support. She asked if it was not incumbent for the Council to ensure that the accuracy of the information was re-assessed and the original decision scrutinised to ensure the public funds were correctly used.

Mike Sullivan asked why the Council was proceeding with the proposals given in his view there were errors in the original engineer's report relating to the overstatement of the pool volume, the pool catchment area and lack of understanding of the pool dam structure and that the scheme was not mandatory.

Stewart Tennant stated that he had visited the site and reviewed the section 10 inspection report, flood study and options report. He stated that the Pool was a statutory reservoir and whilst it was mandatory that it was managed and operated in accordance with the Reservoir Act, it was not mandatory in his view that option 3C should be implemented. He stated that the work would result in the loss of social value, loss of habitat, loss of acoustic screening and loss of carbon capture. He stated that the removal of mature trees on the existing embankments could carry the risk of root dieback and future seepage which could bring the burden of further obligations and remediation for the Council. He asked if the Council would consider a new S10 inspection and if not, why not. He asked if the Council would consider working with the expertise and local knowledge in the community to explore further options which were more sympathetic, cost effective and provide a good outcome to the project.

45 RESPONSE TO A PETITION - POYNTON POOL

The Committee considered a report prepared in response to a petition in relation to Poynton Pool. The petition, received by the Council, had been signed by over 5,000 petitioners.

The Committee noted that the proposal was subject to a live planning application to which the Council was a participant.

It was proposed and seconded that a report be brought to a future meeting to include responses to the issues raised by the public speakers and why the Council did not include a cost benefit analysis. On being put to the vote, the motion was declared lost.

RESOLVED:

That the Committee receive and note the Poynton Pool Petition.

The Chair announced that he wished to make a statement and suggested that those councillors who were on the planning committees leave the room so that his comments did not predetermine them from any future

planning application. Councillors L Braithwaite, J Clowes, B Drake, A Heler, G Marshall, N Mannion and F Wilson left the room.

Councillor M Goldsmith read out his statement in relation to Poynton Pool.

Councillors L Braithwaite, J Clowes, B Drake, A Heler, M Garnet, N Mannion and F Wilson returned to the meeting.

The meeting was adjourned for a short break.

46 THIRD FINANCIAL REVIEW 2023/24 (ECONOMY AND GROWTH COMMITTEE)

The Committee received the report which provided an overview of the Cheshire East Council forecast outturn for the financial year 2023/24 and the financial performance of the services relevant to the committee remit.

RESOLVED: That the Committee

- 1 note the report of the Finance Sub Committee of 11 January 2024.
- 2 note the factors leading to a forecast Net Revenue financial underspend of (£2.8m) against a revised budget of £24.8m (11.3%) for the Economy and Growth Committee.
- 3 note the forecast and any further mitigations to be identified.
- 4 note the in-year forecast Capital Spending of £51.0m against an approved MTFS budget of £71.6m, due to slippage that has been re-profiled into future years, in respect of Economy and Growth projects.
- 5 note the contents of Annex 1 and Appendix 4 and note that any financial mitigation decisions requiring approval will be made in line with relevant delegations.

47 WORK PROGRAMME

The Committee considered the Work Programme for the remainder of the 2023/24 municipal year.

It was raised that a Petition from the Save Dane Moss group had been received by the Council but had not been brought to the Committee as there were live planning applications. It was noted that the Poynton pool Petition, discussed earlier in the meeting, was also subject to a live planning application. It was proposed that a report to receive and to note the Save Dane Moss petition be brought to the next meeting. In response it was stated that any report would be to note the petition and be of a factual nature to avoid any predetermination as many of the Committee's members were also members of planning committees.

It was requested that the Work Programme cover more than one municipal year, with the different stages of large projects identified in the Programme when they would be coming forward so that the Committee could be aware of any slippages in timescales which would affect the budget for the project.

RESOLVED:

That the Work Programme be noted.

48 MEDIUM TERM FINANCIAL STRATEGY CONSULTATION 2024/25 - 2027/28 PROVISIONAL SETTLEMENT UPDATE

The Committee considered a report which sought feedback on the responsibilities of the Committee as consultees, on the development of the Cheshire East Medium-Term Financial Strategy.

There remained a shortfall of £12.7m across all committees to be resolved and further budget change proposals were sought to help present a balanced budget. The Economy and Growth budget for 2023/24 was £25.0m. Expenditure was forecast to increase by £4.9m next year. The budget would increase by £2.0m and as a result Economy and Growth would need to find savings of £2.9m to mitigate the increasing expenditure.

It was reported that the High-Level Business Cases would be presented at the Corporate Policy Committee on the 13 of February.

Members asked questions and provided comments in relation to the proposals. These included:

- asked for an update on the budget allocated for the South Macclesfield Development Area and asked what the financial implications would be if the Council did not proceed with the Gawsworth Road/London Road Link Road and the project was removed from the capital programme. In response it was stated that the cancellation of a capital project would lead to any costs incurred to date, (and have been capitalised against the project) falling against the revenue budget for that year. The spend to date on the project was around £3.2m.
- referred to the Third Financial Review report which referenced the Council being responsible for approximately 500 services and asked what these were and if they were statutory or non-statutory services and could some of these services be provided on the Council's behalf by other local authorities.
- referred to the operating cost for Tatton Park and asked if there should be investment to generate more income and that any target

should be over a longer period than a year and that the overall subsidy should be reduced by a percentage rather than a cash saving.

- referred to the Farms Policy Member Advisory Group and asked if the issue of disposal of the estate and increasing the revenue income could be considered urgently by them.

A list of the additional budget proposals put forward by the Conservative Group was circulated to the Committee. The proposals included:

Disposal of Westfields:

- i. suggestion that the site could be expanded to include the two adjacent car parks to fully maximise its development potential.
- ii. The end-use of the site must include provision that meets the maximum savings potential required by the Council (SEND and ASC Supported Living/Extra Care)
- iii. A clear schedule for development of the expanded site must be included in the Work Programme for Economy & Growth as well as affiliated Committees, with clear KPIs and Project Management oversight throughout the life of the project. Appendix A1 – Economy and Growth further list of proposals OFFICIAL Such project work has a lead-in time of at least two/three years and therefore must be scheduled in the work programme from the outset.

Handforth Garden Village:

- i. the Handforth Village site remains a regular item on this Committee's work programme.
- ii. the Strategic Development Team report back on the financial monitoring of the scheme in order that any future sales of the site (in part or in total) are timed to maximise fiscal returns to the Council.
- iii. the Council's LPA function is supported to prioritise timely appraisal and determination of planning applications related to this and other CEC development projects necessary to deliver fiscal sustainability.

Macclesfield Car Parks:

- i. potentially Duke Street or part of Churchill Way, be released to support Town Centre regeneration and Town Centre residential accommodation, with capacity for older persons or 'HAPPI' disability compliant ground-floor provision.
- ii. the proposal is included in the Work Programme for Economy & Growth and aligned with the work programmes of affiliated Committees.
- iii. a clear schedule for development of the site, with KPIs and Project Management oversight throughout the life of the project.
- iv. the end use for this site is still to be determined but the confirmed over-capacity of Macclesfield's car park provision is better used to meet the Council's development requirements over the medium/long term to help ensure its fiscal sustainability.

- v. such project work has a lead-in time of at least two/three years and therefore must be scheduled in the work programme from the outset.

It was proposed and seconded that the proposals in Appendix 1 and the Conservative Group proposals be recommended to the Corporate Policy Committee for inclusion in the Council's budget 2024/25.

RESOLVED: That the Committee

- 1 recommend to the Corporate Policy Committee, for their meeting on 13 February 2024, all proposals within the budget consultation, as related to the Committee's responsibilities, for inclusion in the Council's budget for 2024/25.
- 2 the additional proposals from the Conservative Group be recommended to the Corporate Policy Committee for inclusion in the Council's budget proposals.

49 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 7a of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

50 HANDFORTH GARDEN VILLAGE BUSINESS CASE

The Committee considered the report on the Handforth Garden Village Business Case.

RESOLVED: That the Committee

- 1 endorse the overarching strategy set out in the report.
- 2 delegate authority to the Executive Director Place to carry out the necessary work to progress the scheme in advance of further decisions.

The meeting commenced at 10.00 am and concluded at 12.23 pm

Councillor M Goldsmith (Chair)