

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee**
held on Monday, 11th March, 2024 in the The Assembly Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

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

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

OFFICERS IN ATTENDANCE

Tom Shuttleworth, Interim Director of Environment and Neighbourhoods
Chris Allman, Head of Neighbourhood Services
Ralph Kemp, Head of Environmental Services
David Malcolm, Head of Planning
Jeremy Owens, Development Planning Manager
Tom Evans, Neighbourhood Planning Manager and Interim Environmental
Planning Manager
Tracy Baldwin, Finance Manager
Julie Gregory, Legal Manager
Josie Lloyd, Democratic Services Officer
Emma Williams, Carbon Manager
Emma Fairhurst, Conservation and Design Officer
Robert Law, Planning Team Leader
Chris Greenhalgh, Project Manager
Lauren Ebsworth, Environmental Service Graduate Trainee

ALSO PRESENT

Councillor A Kolker
Councillor M Sewart

136 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors L Buchanan and L
Smetham. Councillors L Crane and J Clowes attended as substitutes.

137 **DECLARATIONS OF INTEREST**

Cllr Brooks declared that she was a member of Everybody Health and
Leisure and a Trustee of the Packhorse Bowling and Social Club.

Cllr Whitaker declared that she was a current member of Everybody
Health and Leisure in Poynton.

Cllr Gardiner made the following declarations:

- In respect of public speakers, he was known to Ms Jamison as they were both members of a community group within Knutsford for many years, both were involved in the Knutsford Neighbourhood Plan and Ms Jamison regularly attended Knutsford Town Council meetings. Cllr Gardiner was also known to Mr Finnan and occasionally met socially
- Until the end of February 2024, he was in regular contact with senior personnel at Barratt Homes relating to a situation outside of Cheshire East Council, not related to Planning, and did not discuss anything relating to their consultation responses
- He was a former employee of Barton Willmore who had also made representations through the consultation in relation to item 11 – Developer Contributions Supplementary Planning Document. Cllr Gardiner also declared that he was still in the Barton Willmore pension scheme
- He was a former employee of Emery Planning, who had also made representations
- He was heavily involved in Knutsford Town Council's role in respect of the Legh Road Conservation Area
- During consideration of item 6, Cllr Gardiner declared in relation to Tatton Estates that he was known to Mr Brooks and was the Chair of the Tatton Conservative Association

138 **MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 1 February 2024 be agreed as a correct record.

139 **PUBLIC SPEAKING/OPEN SESSION**

Mr Thomas Eccles, Chair of the Save Danes Moss community group, attended the meeting to speak in relation to item 8 (Local Plan Issues Paper) and item 7 (Carbon Neutral Programme Update). Mr Moss was encouraged by some of the documentation associated with the new Local Plan, particularly appendix A which referred to peatland habitats which the Local Plan should aim to protect and encourage their restoration. Mr Eccles felt that currently some of Cheshire East's environmental policies were in contradiction to their environmental ambitions, for example the previous Local Plan which allocated eight separate peatlands for various forms of development which meant there would be extraction at those sites and contrasted with plans to reduce carbon emissions. On behalf of

Save Danes Moss, Mr Eccles asked the committee to introduce a policy to prohibit peat extraction in Cheshire East except for peatland habitat restoration and to remove all peatland sites allocated for housing from the Local Plan.

Mr John Finnan from the Save Longridge Greenbelt community group attended to speak in relation to item 8 (Local Plan Issues Paper) and referred to Longridge LPS 38 which was a local wildlife site and part of it also ancient woodland. Mr Finnan stated that its rich ecology and a covenant preventing access to it did not inform its adoption into the Local Plan and that it should not have been included. The outline planning application had been refused but it was still in the Local Plan. Mr Finnan asked what mechanisms were in place, or could be put in place, to expedite its removal from the Local Plan.

In response, the Chair advised that through the Council's new Local Plan the status of any allocated sites that had not come forward for development would be reviewed. However, such assessments would be made much further into the plan-making process in light of up-to-date evidence and circumstances at that time.

Ms Debbie Jamison attended the meeting to speak in relation to item 5 (Strategic Leisure Review) and asked the following questions:

1. Why there was no reference to the Council seeking to control its own corporate landlord operating costs, engagement with property services or an understanding of how the contract with external suppliers works
2. Regarding recommendation 3e asking for officer delegation to negotiate top up funding agreements with Town and Parish Councils, was the committee accepting a double taxation system in Cheshire East with no oversight on the fairness of how these monies may be requested
3. Free text comments had not been made available in the appendix whereas responses sent via letter or email had been reproduced in full, therefore did the committee understand that some groups did not feel that they had been listened to
4. Would the committee ensure that the contract amendments with Everybody Health and Leisure contained key performance indicators around utilisation of various facilities, to make sure that all opportunities for public health activity were promoted, specifically regarding hours of use and not just numbers attending
5. Regarding the Playing Pitch and Outdoor Sports Strategy, did the committee see an overlap with the Strategic Leisure Review where Everybody Health and Leisure had outdoor facilities

The following responses were provided by officers:

1. The observed cost increases in the main related to the prices of energy and maintenance construction works, which were driven by much higher levels of inflation. This was a trend seen nationally and was not specific to Cheshire East. This cost pressure and the need to assist in protecting local leisure services had already been recognised by Government in the form of the £500k Sport England revenue grant awarded in 2023 which specifically related to offsetting increased energy prices. A working group had been established during 2023/24 involving the leisure commissioning team, Cheshire East Facilities Management, supported by Equans and Everybody Health and Leisure to ensure that, moving forward, corporate landlord costs were considered and managed jointly by all parties
2. Discussions with Town and Parish Councils around the top up of a variety of services, from libraires where an established model existed, green spaces, community enforcement and leisure were already ongoing. These discussions had, in a number of cases, been initiated by the Town Councils. The figures used were based on prior years' corporate landlord costs which had been included in the Council's published accounts.
3. In developing the proposals presented today all views expressed through the consultation had been considered thematically, whether they appeared in the published report or otherwise.
4. Officers, including representatives of the Public Health Team, were in the very early stages of developing a suite of new KPIs to build into any modified contract. These would cover themes specific to each leisure site such as usage, membership, public health and driving efficiencies for the corporate landlord.
5. It was acknowledged that there was an overlap with the Playing Pitch and Outdoor Sports Strategy. All available facilities, regardless of ownership or control interest, had been considered in terms of the demand analysis for each area.

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MTFS 90 STRATEGIC LEISURE REVIEW - FINAL PROPOSAL

The committee considered the report which provided an update on the progress of the implementation of Cheshire East's Strategic Leisure Review following approval of the Council's Medium Term Financial Strategy 2023-27 at Full Council on 22 February 2023 and following the previous report to the committee in November 2023 which gave approval to undertake a consultation exercise.

Cllr Sewart attended the meeting to speak as a visiting member and expressed that he felt that the report had a geographical bias against the

north of the borough. Cllr Sewart felt that it was unfair to ask Town and Parish Councils to bridge funding gaps, particularly where contributions would vary between towns, and was concerned that residents from surrounding areas would also be using the facilities without those Town and Parish Councils contributing. Cllr Sewart also raised a concern that air source heat pumps had been installed at the Poynton site but were not yet connected. During discussion of the item, officers advised that the delay with the air source heat pump was with the electricity provider as an upgraded grid connection was awaited.

Cllr Kolker also spoke as a visiting member and as the Council's representative at Everybody Health and Leisure and the Chair of Trustees. Cllr Kolker thanked all Cheshire East officers and members who had worked with Everybody Health and Leisure to seek fair solutions. He believed the recommendations overall would help to safeguard the leisure estate for future years.

During consideration of the item, the committee resolved to move into part 2 to consider the confidential report and appendix. Cllr Whitaker left the meeting before the committee returned to part 1 and gave apologies for the rest of the meeting.

The committee moved back into part 1 for the debate in which the following points were raised:

- There was concern that a lack of investment in the Knutsford, Poynton and Alsager sites could negatively impact their chances of sustainability
- Where leisure facilities would be transferred to schools (Holmes Chapel and Middlewich), there was a request for the Council to work with schools to ensure affordable, quality provision long term
- Some members felt that all Town and Parish Councils with a leisure centre should be asked to provide the same amount of funding support
- There was also a view put forward that there should be recognition of Town and Parish Councils varying in size and that any funding agreement should be based on a ratio to avoid smaller towns and parishes subsidising larger ones
- There was a need to be mindful that there were several pieces of work within the committee's remit to which Town and Parish Councils were being asked to contribute and that it may not always be possible to secure the required funding

An amendment was moved and seconded which sought to amend recommendation 4 in the report to the following:

Note the requirement for a further update to be brought to Committee in mid-2024/25 to set out the progress in delivering the required MTFS saving, to set out further proposals in order to deliver a balanced budget and a programme of investment to counter the current lack of future

proofing at Poynton, Alsager and Knutsford for inclusion in future MTFS programmes subject to favourable fiscal conditions.

This was carried by majority and became part of the substantive motion.

There was a request for the update report to be brought to committee no later than the 26 September 2024 meeting.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Note the progress made to date in implementing the Strategic Leisure Review included as a specific proposal within the Medium-Term Financial Strategy 2023-27 as approved at Council on 22 February 2023, including the feedback from the recent public consultation exercise

2. Approve the final details of the proposals to meet the MTFS budget savings target for 2024/25 onwards, as set out at paragraphs 39-51 of this report

3. Delegate authority to the Interim Director Environment and Neighbourhoods to take all necessary steps to implement the proposals including but not limited to:

a. Make the necessary changes to the operating agreement with Everybody Health and Leisure to secure additional income or cost reductions to the Council subsidies paid

b. Enter into a modification of the existing leisure operating agreement, subject to the constraints set out in the associated Part 2 report

c. Take forward to completion asset disposals at the Holmes Chapel and Middlewich joint use sites, to allow alternative local delivery models to establish

d. Implement pricing increases to the joint / access facilities access agreements for joint use school sites and

e. Enter into “top up” funding agreements with Town and Parish Councils relating to the safeguarding of leisure provision for their local area

4. Note the requirement for a further update to be brought to Committee in mid-2024/25 to set out the progress in delivering the required MTFS saving, to set out further proposals in order to deliver a balanced budget and a programme of investment to counter the current lack of future proofing at Poynton, Alsager and Knutsford for inclusion in future MTFS programmes subject to favourable fiscal conditions

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)(4) of the Local Government Act 1972 as amended on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing this information.

142 **MTFS 90 - STRATEGIC LEISURE REVIEW - FINAL PROPOSAL**

The committee considered the confidential report and appendices.

143 **UPDATED PLAYING PITCH AND OPEN SPACES STRATEGY**

The committee received the report which provided an update on the progress of updating the Cheshire East Playing Pitch and Outdoor Sports Strategy and sought approval for its formal adoption.

It was noted that the report contained an error, referring to an Outdoor Spaces Strategy, and it was confirmed that this should be Outdoor Sports.

RESOLVED (unanimously):

That the Environment and Communities Committee approve the adoption of the Playing Pitch and Outdoors Spaces Strategy.

144 **CARBON NEUTRAL PROGRAMME - PROGRESS UPDATE**

The committee received the report which provided an updated on the progress the Council has made in relation to its carbon neutral commitments.

RESOLVED (by majority):

That the Environment and Communities Committee:

1. Note the progress made to date towards the Council's carbon neutral commitments
2. Note that Full Council has approved an extension of the time for the achievement of the Carbon Neutral Council objective to 2027
3. Authorise the Head of Environmental Services to take all necessary steps to carry out a public consultation to seek views on the Wider Borough Carbon Action Plan 2024-29 (Appendix 1) and to inform the final action plan to be returned to this committee for adoption and approval of actions arising from it

The committee adjourned for a short break after this item. Cllr Jefferay left the meeting and did not return.

145 **LOCAL PLAN ISSUES PAPER AND LOCAL DEVELOPMENT SCHEME UPDATE**

The committee considered the report which sought agreement to carry out public consultation regarding the new Local Plan Issues Paper and associated background draft reports.

Cllr Clowes read out a statement on behalf of Cllr Chris O’Leary and referred to a petition from the Save Danes Moss Group which had been submitted to the Council. The statement also asked the committee to ensure peatland sites were not included in the Local Plan without assessment of the scale of the peat deposits, and that specific planning guidance be introduced to protect peatlands from development.

In response, the Head of Planning stated that officers had responded to the petition by advising that the correct procedure would be for the petition to be considered as a representation through the planning application process due to there being a number of live planning applications for the site. It would therefore form part of the overall assessment of the planning application which would be presented to a future planning committee. In developing the new Local Plan, the Council would consider appropriate protections for peatland, wetlands, meres and mosses in line with legislation and national planning policy, recognising the wider benefits they can have.

It was requested that, before carrying out the consultation, officers carefully review the questions in the issues paper and accompanying topic papers to ensure that the questions being raised were focused on things that could be achieved and were Planning focused, with a suggestion that the language be looked at to ensure it was specific. Officers therefore suggested that the recommendations as set out in the report also include a delegation to the Head of Planning to review the questions and make any minor changes required prior to publication.

A query was raised in relation to page 6 of appendix M and whether peat should be a safeguarded resource. It was agreed that officers would look into this further outside the meeting.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Agree that the following documents, appended to this report, are published for 12 weeks public consultation, with delegation to the Head of Planning to review and make minor changes prior to publication:

- a. Issues Paper (Appendix A), supported by Topic Papers (Appendices B to N)
 - b. Draft Land Availability Assessment Methodology (Appendix O), accompanied by a 'call for sites'
 - c. Draft Sustainability Appraisal Scoping Report (Appendix P)
 - d. Draft Settlement Hierarchy Review Methodology (Appendix Q)
2. Agree that the update to the Local Development Scheme, appended to this report (Appendix R) is published on the Council's web site and that a copy is sent to the Secretary of State for Levelling-up, Housing and Communities

Cllr Crane left the meeting and did not return.

146 **ENVIRONMENTAL PROTECTION SUPPLEMENTARY
PLANNING DOCUMENT**

The committee considered the report which sought approval to adopt the Environmental Protection Supplementary Planning Document.

RESOLVED (unanimously):

That the Environment and Communities Committee:

- 1. Consider the Report of Consultation (Appendix B); the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report (Appendix C); and the Equalities Impact Assessment Screening Report (Appendix D)
- 2. Adopt the Environmental Protection Supplementary Planning Document (Appendix A)
- 3. Delegate to the Head of Planning the authority to make minor changes and corrections to the SPD prior to publication

147 **CONSERVATION AREA APPRAISALS AND MANAGEMENT
PLANS**

The committee considered the report which sought approval to adopt Conservation Area Appraisals and Management Plans for Legh Road Knutsford, Holmes Chapel, Gawsforth and Bollin Hill Wilmslow, following a four-week public consultation.

RESOLVED (unanimously):

That the Environment and Communities Committee:

- 1. Consider the feedback from the public consultation (Appendix E)

2. Approve the Legh Road Conservation Area Appraisal (including a boundary review) and Management Plan (Appendix A) for adoption
3. Approve the Holmes Chapel Conservation Area Appraisal and Management Plan (Appendix B) for adoption
4. Approve the Gawsorth Conservation Area Appraisal and Management Plan (Appendix C) for adoption
5. Approve the Bollin Hill Wilmslow Conservation Area Appraisal and Management Plan (Appendix D) for adoption

Cllr Dean and Cllr Posnett left the meeting and did not return.

148 **DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT**

The committee considered the report which sought approval to adopt the Developer Contributions Supplementary Planning Document.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Consider the Report of Consultation (Appendix 2); the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report (Appendix 3); and the Equalities Impact Assessment Screening Report (Appendix 4)
2. Adopt the Developer Contributions Supplementary Planning Document (Appendix 1)
3. Revoke the Macclesfield Borough Council Supplementary Planning Guidance on s106 (Planning) Agreements (2004); and Congleton Borough Local Development Framework Interim Policy Note - Public Open Space Provision for New Residential Development (2008)
4. Delegate to the Head of Planning the introduction of the detailed charging regime for s106 Monitoring Fees by 1 April 2024
5. Delegate to the Head of Planning the authority to make minor changes and corrections to the SPD prior to publication

149 **REVISED DRAFT LOCAL VALIDATION CHECKLISTS FOR PLANNING APPLICATIONS**

The committee considered the report which sought approval to adopt the Council's updated Local Validation Checklists for planning applications.

The Local Validation Checklists set out the information that will usually be required to be submitted with a planning application.

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Approve the adoption of the updated set of Local Validation Checklists
2. Permit officers to make any minor revisions / changes to the Local Validation Checklists in response to the public consultation so long as such changes are not substantive in nature
3. Publish the associated Equalities Impact Assessment Screening Report ("EQIA") (Appendix 1)

150 **WORK PROGRAMME**

The committee considered the work programme.

It was noted that a July meeting had been included in the calendar of meeting approved by full Council. Some items currently scheduled for June would be moved onto the July agenda to balance the two meetings.

There was discussion around the trial of one twilight meeting during the 2024-25 municipal year, as agreed by the Corporate Policy Committee. There was a preference for this to be trialled at one of the earlier meetings in the year.

RESOLVED:

That the work programme be noted.

The meeting commenced at 10.00 and concluded at 16.20

Councillor M Warren (Chair)