

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee**
held on Thursday, 26th September, 2024 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Warren (Chair)
Councillor D Clark (Vice-Chair)

Councillors L Braithwaite, M Brooks, T Dean, A Farrall, H Moss, D Jefferay,
B Posnett, H Seddon, L Smetham, J Clowes and C O'Leary

OFFICERS IN ATTENDANCE

Tom Shuttleworth, Interim Director of Environment and Neighbourhoods
Ralph Kemp, Head of Environmental Services
Steve Reading, Principal Accountant
Julie Gregory, Legal Team Manager
Josie Lloyd, Democratic Services Officer

ALSO IN ATTENDANCE

Councillor Judy Snowball
Councillor Garnet Marshall
Councillor Ken Edwards
Councillor Mike Sewart

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Gardiner and Cllr Whitaker.
Cllr Clowes and Cllr O'Leary attended as substitutes.

2 DECLARATIONS OF INTEREST

Cllr O'Leary declared in relation to item 6 – Household Waste Recycling
Centres Review Final Recommendations that he had a non-registerable
and non-pecuniary interest as the administrator of the Facebook group
'Save Bollington Recycling Centre'.

3 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 18 July 2024 be agreed as a
correct record.

4 PUBLIC SPEAKING/OPEN SESSION

The following members of the public attended the meeting to speak in relation to item 6 – Household Waste Recycling Centres (HWRC) Review Final Recommendations:

Mr Trevor Priestman presented a petition to the committee relating to the potential closure of the HWRC sites in Poynton, Middlewich and Bollington. The petition had received over 7000 signatures. Mr Priestman felt that when the public consultation was announced, the decision to close the sites had already been made and that the impact on residents borough-wide was dismissed. As there was already an item on the agenda dealing with this subject matter, the committee agreed to note the petition.

Mr Brian Perkins asked a number of questions regarding the closure of the HWRCs;

- How could the Committee vote on only two preferred options when there was a high risk– Operationally Effective was amber and Acceptability was red?
- What and where in the report was the weighting and scoring criteria?
- Could all Committee members confirm they had scrutinised the proposal implementation plans and detailed costs?
- How was the success of the trial mobile HWRC being measured and by whom?
- Had the councillors seen any evidence of trial monitoring before today?
- What was the average cost in pounds per visitor and pounds per tonnage for each of the Mobile tip vs Macclesfield tip?
- What was the total cost of employing ‘Waste Education Specialists’ Recruitment, training, salaries etc?
- What evidence existed that residents would be receiving value for money for such resources?
- What and where were the plans and costs for site improvements that were to remain open?
- Have all Committee members seen those plans before today’s meeting?

Mr Perkins requested confirmation or otherwise that Councillor J Snowball and Councillor K Edwards had submitted the questions asked by ‘Bollington Save Our Tip Group’ dated 14th July as they were requested to do. And if they did, could the Chair confirm answers to them and on what date.

It was agreed that a written response would be provided outside of the meeting.

Mr Jon Park asked members not to vote on the closure of the HMRCs today and instead give the related Town Councils time to come up with alternative proposals.

Mr Greg Lisle requested that the recommendations be amended so that Bollington Town Council could work with Cheshire East Council (CEC) to look at revised HWRC services. The request was made following statistics shared with the committee on the number of slots available, uptake on those slots, no shows, and the approximate cost per user on that particular day in respect of the mobile tip which visited once a month.

Mr Stuart Redgard spoke in support of the proposal. Mr Redgard stated that, although the closures were not what he would like to see, the Council was having to make difficult decisions and the closure of HWRCs was an example of those.

Councillor Robert Douglas shared his concerns on the details in the report, relating specifically to the costs of a new site at Congleton and provided a number of examples of other sites recently constructed. Although it was common for quotations to vary, Councillor Douglas suggested that additional quotations were obtained.

Councillor John Stewart asked why the formal response from Bollington Town Council to the HWRC consultation was not included in the consultation report. Councillor Stewart raised the following questions and requested that the Council consider other options, such as site sharing with Poynton and Bollington, community involvement, parish funding.

1. Was a safety risk assessment done by, or for, CEC to determine whether the decision to mothball and potentially now close three local 'Tip's,' to funnel significant additional traffic into an ailing Macclesfield 'Tip', was a safe decision?
2. Was any consideration made about the economic consequences for the residents of Cheshire East of this proposal to close Bollington Tip?
3. Was there any consideration of the environmental consequences?
4. Since the new contracts run from September 2025, what would happen when the existing contracts end in April 2025?
5. How was it that, in spite of Bollington Town Council's plea to consider alternative options to save the HWRC from closure, officers chose not to engage with the Town Council on these ideas for over 4 months since the final correspondence in May 2024.

Councillor Suzy Firkin stated that fly tipping had increased following the closure of the Congleton HWRC. Councillor Firkin questioned why mobile sites had been offered to Bollington, Middlewich, and Poynton but not to Congleton.

Councillor Laurence Clark questioned how costs were calculated and why there was such secrecy around the newly procured HWRC operating costs and why they could not be published.

5 FIRST FINANCIAL REVIEW 2024/25

The committee considered the report which provided the current forecast outturn for the financial year 2024/25 based on income, expenditure and known commitments as at the end of July 2024. It also identified actions that were being taken to address adverse variances to urgently address financial sustainability.

Officers advised that two further recommendations were being put forward in addition to those published in the report which would read:

4. *Approve the award of a grant to Nether Alderley Parish Council in the sum of £164,540 in order to carry out agreed improvement works to Nether Alderley Parish Hall as a means to discharge an obligation under a s106 agreement between Cheshire East Council and Bruntwood Limited, dated June 2016, namely to provide funds to undertake refurbishment works to Nether Alderley Grade II listed Parish Hall and;*
5. *Delegate authority to the Interim Director of Environment and Neighbourhood Services to take all necessary steps to enter into a funding agreement with Nether Alderley Parish Council for the purposes of providing the grant and evidencing use of the monies, and in doing so evidencing of the discharge of the obligation under the s.106 agreement.*

Officers advised that the transferral of reserves to mitigate overspend would be addresses in the FR2 report, and that the council collected business rates under the Business Rate Retention Scheme, which only allowed local authorities to retain a portion of the monies, however there was an ongoing review into this process.

Officers undertook to provide a written response in respect to the following questions:

CCTV efficiencies

1. Members were advised previously that CCTV was a non-statutory service. Would the removal of the CCTV service be looked at and would it be included in future consultations for budgeting or cost savings?
2. Although the CCTV service generated around £220k income for the council, there were associated costs, of around £480k to the council. What was being done to address this gap?
3. Could officers confirm that the Council were given a Safer Cheshire Partnership grant from the police, and how much this was?

S106 Monies

Could officers confirm that the refurbishment of a parish hall was considered as an appropriate use of section 106 funding under current policy?

RESOLVED (unanimously):

That the Environment and Communities Committee:

1. Review the factors leading to a forecast adverse Net Revenue financial pressure of:

Council: £26.5m against a revised budget of £387.6m (6.8%)
Environment and Communities: £0.6m against a revised budget of £48.4m (1.2%)

To scrutinise the contents of Annex 1, Section 2 relevant to services within the committee's remit, and review progress on the delivery of the MTFS approved 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.

2. Consider the in-year forecast capital spending:

Council: £164.5m against an approved MTFS budget of £215.8m, due to slippage that has been re-profiled into future years.
Environment and Communities: £19.5m against an approved MTFS budget of £19.0m;

3. Note the available reserves position as per Annex 1, Section 5;
4. Approve the award of a grant to Nether Alderley Parish Council in the sum of £164,540 in order to carry out agreed improvement works to Nether Alderley Parish Hall as a means to discharge an obligation under a s106 agreement between Cheshire East Council and Bruntwood Limited, dated June 2016, namely, to provide funds to undertake refurbishment works to Nether Alderley Grade II listed Parish Hall and;
5. Delegate authority to the Interim Director of Environment and Neighbourhood Services to take all necessary steps to enter into a funding agreement with Nether Alderley Parish Council for the purposes of providing the grant and evidencing use of the monies, and in doing so evidencing of the discharge of the obligation under the s.106 agreement.

6 HOUSEHOLD WASTE RECYCLING CENTRES REVIEW - FINAL RECOMMENDATIONS

The Committee considered the report which detailed the final proposals for future permanent Household Waste Recycling Centre (HWRC) service provision following an update of previously collated review and feasibility study information, public consultation, and the commencement of a procurement for a new operating contract provider.

The Committee was being asked to agree levels of service for the contract period of 7 years (with optional up to 3-year extension period) due to commence provisionally in September 2025 to allow continuity of service provision and to achieve best value for the Council through this procurement.

Cllr K Edwards attended to speak as a visiting member and stated that Cheshire East was operating in a difficult scenario with intense pressures on the budget. HWRC's were a great use for waste repurposing and education. Closing 3 of 7 sites would leave a minimum provision across the borough and those in rural areas would face much longer journeys and additional pollution – none of which was mentioned in the report. Cllr Edwards asked for negotiations, to take place with Bollington Town Council who were open to ideas to find financial support to keep the site open and urged serious consideration for the recommendation to be deferred back to officers to negotiate with Bollington Town Council to ensure that one HWRC was left in the north of borough.

Cllr Sewart attended to speak as a visiting member and stated that there was a need for a site north east of the borough as the drive from Poynton to Macclesfield took 34 minutes, meaning that it would take Disley residents even longer and then there would be significant queues to get in to the Macclesfield site. Cllr Sewart said that the credibility of Cheshire East Council would be questioned, and that the decision to temporarily close the Poynton site was “double speak”. Cllr Sewart said that there would be extra costs to the council for additional material in bins and asked the committee to consider keeping, one or both, sites in the north open either fully or on a part time basis.

Cllr Marshall attended to speak as a visiting member and asked members to reject the plan to close HWRCs. Cllr Marshall said that Middlewich was a unique site as all waste comes to Middlewich to be processed as it was where the waste transfer site was located, and several residents would have to drive past this site to go to another HWRC. Cllr Marshall asked the committee to be mindful of the statistics in the report which in his view were not accurate.

Cllr Snowball attended to speak as a visiting member and stated that on 10 May 2024 Bollington Town Council received a notice to keep the HWRC open. The Town Council had already set the budget for the year, and had only 7 days for a response, however they responded and were

determined to do everything reasonable within their power to keep the site open. Cllr Snowball said that she understood that savings needed to be made, and the council must meet statutory obligations. Bollington Town Council were willing to negotiate with the CEC to keep the HWRC open and asked the committee for this opportunity.

Cllr Adams provided a statement which was read out by Cllr Clowes which stated that she had received many complaints about the closure of Poynton HWRC from Disley residents, which related to the closure itself, the quality of the consultation and the lack of meaningful engagement on the proposed closure. Cllr Adams said that Disley residents would face a 28-mile round trip, outside the WRAP (Waste & Resources Action Programme) recommendation of 20 minutes to the nearest site and that the many extra miles that would be driven was not 'green' and did not support the Council's net zero aspirations. Cllr Adams stated that proposed mobile facilities did not meet the demand from residents and she had received complaints about being unable to book a slot during the trial which marginalised the digitally excluded. Cllr Adams said that Disley Parish Council had suggested that Cheshire East talks to Stockport MBC to agree use of the Marple HWRC which was 4 miles from Disley and had made this suggestion to Cheshire East, and it had been dismissed. Cllr Adams requested that a written response be provided to confirm the dates and details of any discussions with Stockport MBC on this matter be provided. If the proposed closures were agreed it would result in a considerable increase in fly tipping, which would lead to substantial extra costs for Cheshire East Council.

Cllr Moreton provided a statement which was read out by Cllr Jefferay which stated that he understood the Councils' financial situation but he, alongside other Congleton Councillors, had been fighting for a new recycling centre since the Congleton site was closed down. Cllr Moreton said that he would carry on this fight for the residents of Congleton as they are one of the biggest towns in the Borough and asked why Congleton was being overlooked as a site for the mobile HWRC service.

During consideration of the item, the committee resolved to move into part 2 to consider the confidential report and appendix. The committee moved back into part 1 for questions and debate.

In response to Members questions, Members were advised that if the decision was deferred, it could cause financial issues to the current procurement timeline, and that the emergency closures currently in place would produce a one off additional pro-rata saving until August 2025, which would be considered as part of the update to the MTFS. Members were advised that the new contract procurement includes the provision of ANPR, and there was a substantial "reuse" element in the specification. Members were advised that the ANSA site at Middlewich had not been designed as a household waste recycling centre, was an operational facility with a large number of HGV movements and was not suitable for the public to access. Rural areas were defined as those outside of a 20-

minute drive of a HWRC, and that the mobile service would set to address areas which were outside of this boundary, along with areas which data has evidenced an elevated fly tipping incident rate. Officers advised that the council has statutory fly tipping obligations and must report in a standard way to central government and fly tipping on council-maintained land where the council has the obligation to clear land. It does not report or clean up fly tipping on private land.

In the debate the following points were raised:

- It was acknowledged that the Council was in a difficult financial situation.
- Nobody wanted to make cuts, but they needed to be made and, if this was not agreed, other services would have to be reduced further
- The consultation evidenced that most residents did not use HWRCs on a frequent basis.
- It was highlighted that there could be significant technical and local issues if Town and Parish Councils were to run the sites independently.
- It was felt that the stated drive times were not accurate so needed to be looked at when looking at mobile recycling centres, nor were the environmental issues related to additional travel time taken into account.
- It was stated that the data collection relating to out of borough use of Cheshire East's HWRCs was only taken on a single day.
- Similar decisions were being made across the country.
- Some members felt that the savings from this proposal were insignificant in the context of the Council's financial position, however other members felt that any saving made would contribute to reducing the risk of a S114 notice having to be issued.
- It was felt that there were issues with the mobile service, booking system and queueing but this could be reviewed and refined
- There were opportunities for monetising cross border tonnage coming into the borough via ANPR, although that had not been appraised in an appropriate way. Officers clarified however that we cannot charge the public for use of HWRC services, as private residents.

Some members felt that they could not support the recommendations; others felt that, while they would not wish to make this decision, they could understand the need and that difficult decisions would have to be made.

It was noted that paragraph 64 of the report outlined that in order to achieve the deadlines set out in the procurement timeline (which is a live process) such that the contract can be awarded, and business disruption avoided, it was appropriate that the decision be made urgently, and referral waived.

It was proposed and seconded a recorded vote was carried out in respect to this item, with the following results:

FOR

Councillors L Braithwaite, M Brooks, D Clark, A Farrell, D Jefferay, H Moss, H Seddon and M Warren.

AGAINST

Councillors J Clowes, T Dean, C O' Leary, B Posnett and L Smetham.

The motion was declared carried with 8 votes for and 5 against.

RESOLVED: That the Environment and Communities Committee

1. Note the outputs of the updated independent review of current site provision and the outcomes of the recent public consultation.

2. Approve:

- a. The permanent household waste recycling centre service provision for the borough, namely four sites located at Knutsford, Macclesfield, Alsager and Crewe,
- b. The permanent closure of the HWRC sites at Bollington, Middlewich and Poynton, and
- c. A mobile HWRC service serving rural and areas where the collected data indicates that incidents of fly tipping are at an increased level
- d. Retention of a booking system to be used as described in this report.

3. Delegate authority to the Interim Director of Environment and Neighbourhoods to

- a. Take all necessary steps to implement the approved permanent household waste recycling centre service provision,
- b. Permanent close the HWRC sites at Bollington, Middlewich and Poynton,
- c. Continue with the trial mobile household waste centre mitigation measures, until commencement of the new permanent service levels, targeted for September 2025.
- d. Take all necessary steps to complete the procurement and award of a new contract to a service provider in consultation with the Director of Governance and Compliance,
- e. Undertake the associated capital site improvement works, and
- f. Develop and implement a robust operating process for the mobile HWRC service, as part of the future permanent provision in consultation with the Chair and Vice Chair of the Committee

Councillor J Clowes left the meeting after consideration of this item and did not return.

7 WORK PROGRAMME

The committee considered the work programme.

It was noted that the Local Plan Update report which had been scheduled for the November committee would be moved to a later date. This was due to the government announcements around planning reforms and the recent consultation which had closed on 24th September. This would give officers time to consider what the implications would be.

The committee were asked to identify further areas of scrutiny that the committee could be involved in, such as policy development. A small group of Members would be involved in the development of any policies at an early stage through a task and finish group, with their recommendations being brought back to the committee for approval. The Chair would work with officers and bring some proposals back to the next meeting. The committee were invited to look at the work programme and contact the Chair or Democratic Services with any suggestions of areas for scrutiny following the meeting.

It was agreed, by majority, that the last meeting of the year would be held as a twilight meeting.

RESOLVED:

That the work programme be noted.

8 EXCLUSION OF THE PRESS AND PUBLIC

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 Paragraphs 2 and 7A of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing this information.

9 HOUSEHOLD WASTE RECYCLING CENTRES REVIEW - FINAL RECOMMENDATIONS

The committee considered the confidential appendix.

The meeting commenced at 10.00 and concluded at 13.35

Councillor M Warren (Chair)