

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Highways and Transport Committee**
held on Thursday, 18th September, 2025 in The Capesthorpe Room - Town
Hall, Macclesfield, SK10 1EA

PRESENT

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

Councillors A Burton, R Chadwick, P Coan, D Edwardes, A Coiley, H Faddes,
H Moss, M Sewart and M Warren

OFFICERS IN ATTENDANCE

Genni Butler, Countryside Access Development Manager
Phil Cresswell, Executive Director Place
Dom De Bechi, Head of Hlghways
Richard Hibbert, Head of Strategic Transport & Parking Services
Jenny Marston, Transport Policy and Strategy Manager
Adele Mayer, Definitive Map Officer
Tom Moody, Director of Transport, and Infrastructure
Nicola Lewis-Smith, Public Rights of Way Manager
Steve Reading, Principal Accountant
Terry Ryan, Contract Network Manager
Karen Shuker, Democratic Services Officer
Mandy Withington, Solicitor

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Adams, C Browne and M Muldoon.

Councillors D Edwardes and H Moss were present as substitutes.

14 DECLARATIONS OF INTEREST

There were no declarations of interest.

15 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 19 June 2025 be approved as a correct record.

16 PUBLIC SPEAKING/OPEN SESSION

Councillor A Burton and H Moss joined the meeting during this item.

Mr M Bunte spoke in relation to Item 6 – Local Transport Plan - Strategy and Investment Framework.

Mr Bunte raised concerns regarding the disconnect between the aims of the Local Transport Plan (LTP) and the practical implementation observed in local development processes. Mr Bunte stated that while the LTP outlined 33 challenges, opportunities, aims and priorities—many of which support walking and cycling and discouraged increased car use—actual planning decisions often continued to prioritise road capacity for vehicles.

Mr Bunte cited an example, where a housing developer was asked to contribute to junction improvements unrelated to their site, while a nearby opportunity to enhance walking and cycling access to the railway station was overlooked.

It was further observed that pre-application discussions were typically led by the Highways Team, with a focus on increasing junction capacity. The Rights of Way Team were consulted only at a later stage, and Active Travel representatives were not involved in those early discussions.

Mr Bunte asked how the planning process could be adjusted to better reflect and implement the sustainable transport objectives set out in the LTP.

In response officers agreed that early conversations with developers were significant as often developers had their own expectations on how transport would be accommodated.

The Highways Development Team who liaised with developers was not specifically a Highways team it was a multi-modal team who worked with other parts of the highway's service to get an all-round perspective on a development which helped form their advice to developers and committees. They also needed to be aware of other documents such as those associated with the Local Plan and the Infrastructure delivery Plan.

17 FIRST FINANCIAL REVIEW OF 2025/26

The Committee considered the report which set out the First Financial Review 2025-26 position based on income, expenditure and known commitments at the end of June 2025. The First Financial Review 2025-26 reported a forecasted revenue outturn position as an adverse variance of £3.1m after the application of planned use of Exceptional Financial Support at £25.3m.

There was a £0.114m overspend forecast for Highways and Transport.

To manage pressures in the Place directorate in year mitigations through further vacancy management, reducing expenditure and maximising funding opportunities would be implemented.

RESOLVED:

That the Highways and Transport Committee (By Majority)

1. Review the factors leading to a forecast adverse Net Revenue financial pressure of £3.1m against a revised budget of £440.5m (0.7%). To scrutinise the contents of Annex 1, Section 2 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. Review the in-year forecast capital spending of £205.5m against an increased capital budget of £208.5m. This was adjusted at outturn following an approved MTFS budget of £173m.

3. Approve the Supplementary Capital Estimate Requests for Allocation of Additional Grant Funding over £500,000 and up to £1,000,000 as per Annex 1, Section 4, Table 4. Page 21

4. Note that Council will be asked to approve the Supplementary Capital Estimate Request for Allocation of Additional Grant Funding over £1,000,000 as per Annex 1, Section 4, Table 5.

5. Note the available reserves position as per Annex 1, Section 5.

18 LOCAL TRANSPORT PLAN - STRATEGY AND INVESTMENT FRAMEWORK

The committee considered a report which provided an update on progress in developing a new Local Transport Plan (LTP) for Cheshire East, which would provide a policy framework for transport across the borough and guide investment in the local transport network.

As a statutory Local Transport Authority, the council was required to maintain an up-to-date Local Transport Plan (LTP).

The work completed so far following the report which was considered at the Highways and Transport Committee in January 2025 included a consultation on the LTP vision, aims and priorities, analysis of the feedback, and development of both the LTP strategy and Strategic Investment Framework.

The investment framework would outline and provide much better clarity on how projects would be prioritised. Officers assured members that the framework would not replace the annual programming process.

Approval was sought to undertake a second round of consultation on the draft LTP. Should the committee approve the recommendations set out in the report the statutory consultation would commence in mid-October until

the beginning of December with a report being brought back to committee in 2026.

Following a question in respect of what impact devolution would have on the LTP process and what had happened in other local authorities which were combined authorities' officers confirmed that for the transitional period there would be concurrent powers for LTPs from both the local authority and the combined authority. At the end of the transitional period the mayoral combined authority would become the Local Transport Authority when it would become a mayoral responsibility to deliver LTP's.

Officers outlined the benefits of a mayoral combined authority which included:-

- The opportunity to engage with the Department for Transport (DfT) on long-term transport strategy, ensuring the region was considered in future Comprehensive Spending Reviews (CSR). This included aligning local authority and mayoral priorities with national transport objectives.
- The agreement would facilitate a formal partnership with National Highways, enabling regular dialogue on network issues and strategic priorities. This partnership would support agenda-setting and improve coordination on infrastructure delivery.

RESOLVED: (By Majority)

That the Highways and Transport Committee

1. Note the outcomes from the first round of public consultation on the Local Transport Plan (LTP) vision, aims and priorities (see Appendix 1 of the report).
2. Approve the proposed approach to a second round of public consultation on the LTP Strategy and Investment Framework, in line with the Consultation & Engagement Plan at Appendix 2 and Communications Plan at Appendix 3 of the report.
3. Delegate authority to the Director of Transport and Infrastructure, in consultation with the Chair and Vice Chair of Highways and Transport Committee, to finalise the consultation material and undertake the public consultation

19 DEVELOPMENT OF A LANE RENTAL SCHEME

The committee considered a report which provided an update on the development of a Lane Rental Scheme (LRS) for Cheshire East Council (CEC) and sought approval for the proposed future approach.

An LRS enabled local highway authorities to reduce street works disruption by incentivising undertakers through a charging mechanism.

This encouraged work on key and traffic-sensitive streets during quieter times, easing congestion. With appropriate development, the charging mechanism would enable the Council to cover its costs for the scheme.

Progress so far had included initial proposals and cost-benefit analysis, and a preliminary consultation had been conducted.

There were only five schemes currently active in England operated by local authorities which have unique congestion issues not comparable to CEC.

The current Government supported the development of LRSs and had announced intentions to both encourage new schemes and expand the purpose for which authorities may use surplus income. As with any new statutory approach, best practice was evolving and learning from this would allow the council to get it right first time.

Officers were recommending that CEC deferred developing its LRS to take account of emerging practices and Government changes which would allow the CEC LRS to be developed and tailored appropriately to local needs.

The Chair introduced Terry Ryan who was the new Contract Network Manager, and the committee welcomed the additional resources to get schemes such as the LRS rolled out.

RESOLVED: (Unanimously)

That the Highways and Transport Committee

1. Approve the continued development of a Lane Rental Scheme Proposal, as set out in Appendix 1 to the report.

20 **DRAFT RIGHTS OF WAY IMPROVEMENT PLAN 2026-36**

The committee considered a report which presented the work undertaken so far in renewing the Council's statutory Rights of Way Improvement Plan (ROWIP). The report sought approval to launch a public consultation to ensure that local communities have the opportunity to help shape the ROWIP.

The Council's current ROWIP covered the period 2011-2026. It was a statutory duty of the Council to prepare and publish a ROWIP, under the Countryside and Rights of Way Act 2000 s60, and therefore a new ROWIP was being developed to cover the period 2026-36.

The evidence base which comprised an assessment of the current gap between the PROW and countryside access network, and the demand and use of that network currently seen or anticipated was outlined in the report,

which also included the draft vision, objectives and statement of action of the draft ROWIP.

Subject to approval by Committee, a 12-week consultation, as stipulated in government guidance, was proposed to engage stakeholders and residents to help further refine the draft vision, aims and objectives. A Consultation and Engagement Plan was included in the report.

In response to a question raised in respect of erosion and path responsibility officers explained that responsibility depended on the type of path and each case must be assessed individually.

In response to a question raised in respect of long-distance paths officers explained that these could be created and promoted through various mechanisms:

- Council initiatives (e.g. Gritstone Trail)
- National bodies or user groups

The Council could maintain and improve sections within its area, including with grant funding.

In respect of a question raised about the need for new literature promoting walking routes in light of new housing across the borough officers reported that:-

- paper copies would unlikely be produced due to resource constraints.
- The Rights of Way Improvement Plan included aspirations to refresh and promote local walking routes.
- Town Councils may be able to assist with printing and local distribution.

Members were encouraged to contact officers if they were aware of any routes which needed further linkages or promotion to encourage people to be more active.

Concerns were raised regarding difficulty in evidencing claims for long-standing public use of footpaths, especially when new developments disrupt historic routes.

It was requested that evidence requirements were reviewed to consider historical use, gaps in usage, and renewed public interest in walking and active travel.

It was acknowledged that the process was onerous and time-consuming, but it was governed by national legislation, guidance and case law (under the Definitive Map Modification Order application process), therefore the Council did not have authority to alter evidence requirements.

RESOLVED: (By Majority)

That the Highways and Transport Committee

1. Approve the draft Rights of Way Improvement Plan set out at Appendices 1 and 2 of the report as a basis for public consultation.
2. Approve the proposed approach to public consultation in line with the Consultation and Engagement Plan in Appendix 3 of the report.
3. Delegate authority to the Director of Growth and Enterprise, in consultation with the Chair and Vice Chair of Highways and Transport Committee, to finalise the consultation material and undertake the public consultation.

21 WORK PROGRAMME

The Committee considered the Work Programme. The following was noted:

- The Middlewich Eastern Bypass item had been moved from November 2025 to January 2026.
- The LTP report would be coming back to committee in 2026.

RESOLVED

That the work programme be noted.

Councillor D Edwardes left the meeting and did not return.

22 WILDLIFE & COUNTRYSIDE ACT 1981 - PART III S53 - APPLICATION MA-5-259 - ADDITION OF 2 PUBLIC FOOTPATHS TO THE DEFINITIVE MAP & STATEMENT IN THE PARISH OF BEXTON & TOWN OF KNUTSFORD

The committee considered a report which outlined an application made in September 2020 for an order to add two footpaths to the DM shown between points A-B-C and B-D on Plan WCA/MO048A ("the Plan") (Appendix 1 to the report). The report assessed the submitted evidence and made a recommendation in accordance with the duty set out under Section 53 (2) (b) of the 1981 Act, following the occurrence of an event under Section 53(3)(c)(i), namely the discovery of evidence that a public footpath subsists. This was set out in detail at Appendix 2 to the report.

The evidence in support of the application consisted primarily of user evidence forms from 15 people, 14 of which provided relevant information. Route A-B-C on the Plan was alleged to have been used by the public within periods from 1982-2002 and also a period from 1987- 2007. This could meet the test for a reasonable allegation of public rights under

Section 53 (3)(c)(i). However, the evidence for route B-D over the period 1987-2007 was insufficient to meet that threshold.

The investigation also considered maps and plans from the nineteenth century, the records of the DM and a paths leaflet submitted by the applicant. While these documents were not conclusive in establishing additional rights of way, they did suggest that there had been a longstanding reputation of a public path crossing prior to the construction of the rail line.

The evidence was assessed against the statutory tests set out under the 1981 Act and the Highways Act 1980 ("the 1980 Act"). Submissions from landowners relate to a later period than the claimed use. Based on the user evidence covering a twenty-year period prior to 2002 and 2007, it was considered on the balance of probabilities, that a public footpath subsists between points A-B-C on the Plan. The evidence relating to route B-D was insufficient to support a similar finding. There was no clear basis to suggest that public rights have arisen over that section of the route.

Officers confirmed that they had been provided with confirmation that the land changed hands in 2007 and was held as Crown Estate. Crown land was not bound by the effect of the 20-year statutory test but was affected by the application common law.

RESOLVED: (Unanimously)

That the Highways & Transport Committee

1. Approve a Definitive Map Modification Order under Section 53(2)(b) on the basis of evidence under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981, for the route A to B to C on Plan WCA/MO048A.
2. Refuse to make a Definitive Map Modification Order for the route B to D on Plan WCA/MO048A
3. Approve that public notice of the making of the Order be given and in the event of there being no objections within the period specified, that the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
4. Note that in the event of objections being received, Cheshire East Borough Council will be responsible for the conduct of any Hearing or Public Inquiry relating to the Order.

The meeting commenced at 10.30 am and concluded at 12.00 pm

Councillor M Goldsmith (Chair)