

# Cabinet Agenda

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**Date:** Tuesday, 5th May, 2020

**Time:** 1.00 pm

**Venue:** Virtual Meeting

For anybody wishing to view the meeting please click on the link below:

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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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are recorded and the recordings are uploaded to the Council's website.

## **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

### **1. Apologies for Absence**

To receive any apologies for absence.

### **2. Declarations of Interest**

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

3. **Public Speaking Time/Open Session - Virtual Meetings**

In accordance with paragraph 3.33 of the Cabinet Procedure Rules, a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the Cabinet. Individual members of the public may speak for up to two minutes. The Chairman or person presiding will have discretion to vary this requirement where he/she considers it appropriate.

Members of the public wishing to ask a question or make a statement at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Questions to Cabinet Members - Virtual Meetings**

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. A maximum period of two minutes will be allowed for each member wishing to ask a question. The Leader will have discretion to vary this requirement where he considers it appropriate. Members wishing to ask a question at the meeting should register to do so in writing by not later than 4.00 pm on the Friday in the week preceding the meeting. Members should include the general topic their question will relate to and indicate if it relates to an item on the agenda. Questions must relate to the powers, duties or responsibilities of the Cabinet. Questions put to Cabinet Members must relate to their portfolio responsibilities.

Where a question relates to a matter which appears on the agenda, the Leader may allow the question to be asked at the beginning of consideration of that item.

5. **Minutes of Previous Meeting** (Pages 5 - 12)

To approve the minutes of the meeting held on 10<sup>th</sup> March 2020.

6. **Well Managed Highways Infrastructure** (Pages 13 - 48)

To consider a report on the Well Managed Highways Infrastructure which responds to the call-in notice.

7. **Environment Strategy** (Pages 49 - 104)

To consider a report on the Environment Strategy.

8. **Cheshire East Carbon Action Plan** (Pages 105 - 194)

To consider a report on the Cheshire East Carbon Action Plan.

9. **North West Crewe Package - Infrastructure Agreement** (Pages 195 - 208)

To consider a report on the North West Crewe Package - Infrastructure Agreement.

10. **North West Crewe Package - Approval to Authorise the Use of Compulsory Purchase Powers for the Delivery of the North West Crewe Package Scheme** (Pages 209 - 354)

To consider a report on the North West Crewe Package-Approval to Authorise the Use of Compulsory Purchase Powers for the Delivery of the North West Crewe Package Scheme.

11. **A500 - Approval to Proceed with Compulsory Purchase Order Powers to Acquire Revised Land Take for the Scheme** (Pages 355 - 472)

To consider a report on the A500 - Approval to Proceed with Compulsory Purchase Order Powers to Acquire Revised Land Take for the Scheme.

12. **Vulnerable and Older Persons' Housing Strategy 2020-24** (Pages 473 - 544)

To consider a report on the Vulnerable and Older Persons' Housing Strategy 2020-24.

13. **Procurement of a Housing Development Framework** (Pages 545 - 558)

To consider a report on the Procurement of a Housing Development Framework.

**THERE ARE NO PART 2 ITEMS**

**Membership:** Councillors C Browne (Vice-Chairman), S Corcoran (Chairman), L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott and M Warren

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 10th March, 2020 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

**PRESENT**

Councillor S Corcoran (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott  
and M Warren

**Councillors in attendance**

Councillors Q Abel, M Benson, C Bulman, J Clowes, T Dean, H Faddes,  
J P Findlow, S Hogben, J Parry, J Saunders, L Smith and L Wardlaw

**Officers in Attendance**

Frank Jordan, Executive Director Place and Acting Chief Executive  
Mark Palethorpe, Executive Director People  
Jane Burns, Executive Director Corporate Services  
Jan Bakewell, Director of Governance and Compliance  
Alex Thompson, Director of Finance and Customer Services  
Paul Mountford, Executive Democratic Services Officer

**110 DECLARATIONS OF INTEREST**

Councillor S Hogben declared a disclosable pecuniary interest in an item on the agenda relating to Municipal Waste Management Strategy Review as a director of ANSA Environmental Services.

**111 PUBLIC SPEAKING TIME/OPEN SESSION**

Sue Helliwell referred to the similarity of the Council Tax bands between Alsager and Sandbach in 2020/21 and asked how much money in Section 106 contributions had been paid out to each of the two areas.

The Deputy Leader responded that there was no link between Council Tax bands and S106 contributions. He undertook to provide a fuller response in writing, including details of S106 monies expended over the last five years within the Alsager and Sandbach wards.

Andrew Needham had given notice of two questions in relation to a report on the agenda on the Crewe Hub Station. Unfortunately, Mr Needham arrived late at the meeting and was unable to ask his questions.

The Deputy Leader undertook to respond in writing.

**QUESTIONS TO CABINET MEMBERS**

Councillor J Clowes sought further details about proposals to plant 6,000 trees across the Borough during the planting season ending in March 2020, including the source of funding and whether any further tree planting was planned beyond the current planting season. The Portfolio Holder for Environment and Regeneration gave details of the locations concerned and indicated that he would be bringing forward proposals for further planting in the autumn, including hedgerows. The proposals were fully funded from the Council's resources although residents and businesses were being encouraged to take similar action.

Councillor L Wardlaw referred to damage done to member relationships by the Administration not supporting the Conservative nominee for Mayor. The Leader referred to previous Deputy Mayors who had stood down from their political positions. The Deputy Leader referred to a statement he had made at Council which he said had been factual, balanced and measured.

Councillor J Saunders expressed concern that the Brighter Future Programme meeting had been cancelled at short notice without explanation. The Portfolio Holder for Public Health and Corporate Services apologised for the urgent cancellation.

Councillor T Dean referred to a report on the agenda concerning safer roads and asked how the roads submitted for funding bids had been selected. The Deputy Leader replied that the roads had been selected by the Department for Transport in conjunction with the Road Safety Foundation with the aim of prioritising accident hot spots.

Councillor S Hogben referred to the fact that there were no Council representatives on the boards of the Guinness Partnership or Plus Dane and asked how housing associations could be held to account. The Portfolio Holder for Environment and Regeneration replied that local authority representation on the boards of social housing providers had been reduced in recent years. He added that it would be for the relevant overview and scrutiny committee to decide whether to consider the issue of accountability.

Councillor J Parry sought clarification of the Council's advice to events organisers on the holding of large scale events in the light of coronavirus. The Portfolio Holder for Public Health and Corporate Services replied that there were currently no confirmed cases of coronavirus in Cheshire East and that the Council was working closely with its partners and stakeholders. The UK currently remained in the containment phase and the Council would update its emergency plan and guidance as necessary.

113      **MINUTES OF PREVIOUS MEETING**

**RESOLVED**

That the minutes of the meeting held on 4<sup>th</sup> February 2020 be approved as a correct record.

114      **NOTICE OF MOTION - COUNCIL TAX PROTOCOL**

Cabinet considered a report in response to the following Notice of Motion which had been moved by Councillor K Flavell and seconded by Councillor B Puddicombe at the Council meeting on 19<sup>th</sup> December 2019 and referred to Cabinet for consideration:

*The Citizens' Advice Bureau, in partnership with the LGA, has developed a 'Council Tax Protocol' which sets out 27 recommendations for dealing with Council Tax collection and debt recovery. Its aim is to offer a fairer system that ensures that residents struggling with payments are not pushed further into debt by poor collection practices. Over 60 Local Authorities have so far signed up to the scheme, including Wolverhampton, whose Cabinet member Cllr Andrew Johnson states:*

*"There are all sorts of reasons why people might struggle to pay their council tax bills and this protocol is all about how we can work with people to support them so that they can pay their bills without getting into greater financial difficulties.*

*We have a duty to collect the money owed, but we want to do so in a fair way and only go down the enforcement route when other avenues are exhausted."*

*I would like Cheshire East to follow this example and commit to being a more caring Council.*

*Motion:*

*That Cheshire East Council adopt the Council Tax Protocol, as recommended by the LGA and Citizens' Advice Bureau.*

Councillor Flavell spoke on the motion.

**RESOLVED**

That Cabinet approves the proposal that Cheshire East Council sign the Council Tax Protocol.

115      **CREWE HUB STATION UPDATE**

Cabinet considered a report on Crewe Hub Station which outlined the project development work completed to date which had identified a

number of key interventions required to unlock the potential benefits to Crewe, Cheshire East and the wider region.

Prior to consideration of the report, Cabinet had received a presentation on the key features of the scheme.

## **RESOLVED**

That Cabinet

1. approves the Masterplan Report for the Crewe Hub Station as outlined in Appendix 1 to the report;
2. notes the feasibility and options stage reports of the Crewe hub station and project development presented in Appendices 2 and 3;
3. approves the funding and financing principles set out in Appendix 4 of this report as the basis negotiating a Crewe Hub Regeneration and Investment Agreement with Government, and as the mechanism to underpin any local contribution; and
4. authorises the Executive Director of Place to take all necessary actions to negotiate and conclude terms with the Government and the West Coast Franchise operator to secure an appropriate funding and financing package to inform an investment decision by full Council.

## **116 CREWE HUB AREA ACTION PLAN REPORT - PUBLICATION DRAFT PLAN**

Cabinet considered a report on the draft Crewe Hub Area Action Plan which set out a detailed planning framework in response to the opportunity presented by HS2.

The Strategic Planning Board had considered the draft Crewe Hub Area Action Plan at its meeting on 26<sup>th</sup> February 2020 and the Board's comments and recommendations were set out in Appendix 1 to the report.

## **RESOLVED**

That Cabinet

1. having considered the recommendations of the Strategic Planning Board set out at Appendix 1 to the report, approves the Publication Draft version of the Crewe Hub Area Action Plan (Appendix 2), its Sustainability Appraisal (Appendix 3) and Habitats Regulation Assessment (Appendix 4) for public consultation, under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, for a period of six weeks, and approves the draft Plan's supporting evidence base for publication;

2. authorises the Head of Planning to make any additional non-material changes to the consultation documents or supporting information ahead of the consultation and prepare any additional explanatory information to support the consultation;
3. notes that a full Council approval will be sought to implement the submission of the Area Action Plan to the Secretary of State; and
4. notes the previous engagement and consultation undertaken to date on this matter.

117        **DEPARTMENT FOR TRANSPORT FUNDED SAFER ROAD  
FUND SCHEMES**

Cabinet considered a report on the delivery of three Safer Road Fund Schemes in Cheshire East, namely:

A532 West Street, Crewe  
A536 Congleton to Macclesfield  
A537 Macclesfield to Congleton Boundary

The Department for Transport had worked with the Road Safety Foundation to identify the roads and had invited the submission of a funding bid to upgrade and improve the roads to improve road safety.

**RESOLVED**

That Cabinet

1. approves the delivery of the A532 West Street, Crewe and the A536 Congleton to Macclesfield Schemes through the Highway Service Contract, subject to the Ringway Jacobs target costs for the schemes satisfying the Council's best value requirements;
2. subject to full funding being received from the Department for Transport, approves the delivery of the A537 Macclesfield to Congleton Boundary Scheme through the Highway Service Contract, subject to the Ringway Jacobs target costs for the schemes satisfying the Council's best value requirements; and
3. authorises the Director of Highways and Infrastructure in consultation with the Portfolio Holder for Highways and Waste to take all necessary actions to implement the three Schemes using the funding provided by the Department for Transport.

118        **MUNICIPAL WASTE MANAGEMENT STRATEGY REVIEW**

Cabinet considered a report on the revised draft Municipal Waste Management Strategy which reflected changes to the legislative and policy

framework affecting waste and street scene services and was to be used as a basis of consultation.

**RESOLVED**

That Cabinet

1. approves the draft Waste Management Strategy as outlined at Appendix 1 to the report;
2. delegates authority to the Head of Environmental Services, to carry out a consultation exercise on the draft strategy; and
3. delegates authority to the Head of Environmental Services to review the results of the consultation and to approve the final version of the document in consultation with the Portfolio Holder for Highways and Waste.

**119 RE-PROCUREMENT OF LOW VALUE CONSTRUCTION SERVICES FRAMEWORK 2021-2025**

Cabinet considered a report on the establishment of a framework agreement to commission low value construction services following the expiry of the current framework on 22<sup>nd</sup> January 2021. The report considered the available options for undertaking low value construction projects beyond that date.

**RESOLVED**

That Cabinet

1. agrees to the establishment of a framework agreement to commission low value construction services for a total value of works of £16.5million over four years; and
2. delegates authority to the Executive Director of Place in consultation with the Portfolio Holder for Environment and Regeneration to award contracts to providers meeting the requirements of the Framework.

**120 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 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

121      **ALLIANCE ENVIRONMENTAL SERVICES LTD - FINAL PHASE**

Cabinet considered a report on Alliance Environmental Services Ltd - Final Phase.

Non-Cabinet members had been given an opportunity to attend a briefing with officers prior to the Cabinet meeting to consider and comment on the report.

**RESOLVED**

That the recommendations in the report be approved.

The meeting commenced at 1.00 pm and concluded at 2.35 pm

Councillor S Corcoran (Chairman)

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Key Decision Y

Date First  
Published: 16/08/19

## Cabinet

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**Date of Meeting:** 05 May 2020

**Report Title:** Well Managed Highways -Response to Call In

**Portfolio Holder:** Laura Crane – Portfolio Holder for Highways and Waste

**Senior Officer:** Frank Jordan - Executive Director Place

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### 1. Report Summary

- 1.1. On the 04/02/20 a paper relating to 'Well-Managed Highways Infrastructure' (Appendix 1) was presented to Cabinet for consideration. The paper outlined proposed changes to the Highway Safety Inspection Policy, Code of Practice for Highway Safety Inspections, The Winter and Adverse Weather Policy, The Adverse Weather Plan and the Cheshire East Highways Resilient Network. Included in these proposals were proposed changes to the winter treatment network.
- 1.2. Cabinet approved the proposals in the paper; however, a call-in request was subsequently received and considered by the Environment and Regeneration Overview and Scrutiny Committee on 16th March 2020.
- 1.3. This report outlines the recommendations made by the Environment and Regeneration Overview and Scrutiny Committee (EROSC). This paper outlines the proposed responses to these recommendations for Cabinet to consider.

### 2. Recommendations

- 2.1. That Cabinet note the advice of The Environment and Regeneration Overview and Scrutiny Committee in relation to Well Managed Highways, that is

*That Cabinet be advised to:*

- (1) *To undertake a further round of streamlined consultation on the winter service element only as part of the annual review of the the Well Managed Highways Infrastructure annual review process;*
- (2) *That this annual review process be carried out through the Area Highways Groups, including the involvement of all Parish and Town Councils and relevant community/cycle groups as appropriate, with supporting information to be supplied to the AHG's in advance of the meetings and shared with all schools;*
- (3) *That a letter be sent to all schools within the Borough informing them of this additional round of consultation as part of the first annual review;*
- (4) *That all schools will be given an appropriate amount of time to respond to the consultation as part of the first annual review. (to be discussed with the Portfolio Holder to take into consideration the current public health issues and school holidays)*

*It should be noted that the above recommendations are taken directly from the EROSC minutes*

2.2. That Cabinet agrees to put appropriate measures in place, which enables this advice to be incorporated in to the implementation and review plans for Well Managed Highway Infrastructure.

### **3. Reasons for Recommendations**

3.1. This report addresses the points raised in the call in notice and the subsequent advice provided to Cabinet from the EROSC.

### **4. Other Options Considered**

4.1. There are no other viable options for Cabinet to consider.

### **5. Background**

5.1. The national guidance to which the Council aligns its highway policies and operational procedures has been updated by the release of the 'Well Managed Highway Infrastructure Code of Practice' (WMHI).

5.2. Cabinet, considered a paper on 4/02/20 which outlined proposed changes to the Council's

- Highway Safety Inspection Policy
- Code of Practice for Highway Safety Inspections
- Winter and Adverse Weather Policy
- Adverse Weather Plan
- Cheshire East Highways Resilient Network Strategy

5.3. Following approval of the proposals by Cabinet, a call-in request was received and upheld.

5.4. The call in queried a number of points around the consultation process that was utilised to inform the changes to the documents outlined in Paragraph 5.2. Details of the call in notice can be found in Appendix 2.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The full legal implications are outline in the cabinet report in Appendix 1.
- 6.1.2. As a result of the call in, the implementation of the proposals has ceased.
- 6.1.3. The recommendations of the Well Managed Highway Infrastructure 'The Code' are not statutory but provide highway authorities with guidance on highways management. Adoption of the recommendations within the Code is a matter for each highway authority, based on their own interpretation of local risks, needs and priorities. The Highways Act 1980 covers the legal elements of the management and operation of the road network within England and Wales and as such sets out the statutory duties of highway authorities. This includes the identification and rectification of defects and the provision of winter and adverse weather services. Further duties that the Highway Authority must address are covered under The Railways and Transport Safety Act 2003 and the Traffic Management Act 2004.
- 6.1.4. The implementation of a new way of working which is in accordance with WMHI should strengthen the Council's defence against third party claims under Section 58 Highways Act and would enable the Council to demonstrate that it is meeting its obligations relating to winter service under Section 41(1A) of the Highways Act 1980 (as amended by Section 111 of the Railways and Transport Safety Act 2003).
- 6.1.5. The delay in implementation increases legal risk to the Council under the Acts outlined above. A failure to adopt the Code will likely increase the

number of successful claims against the Council along with associated costs.

## **6.2. Finance Implications**

- 6.2.1. As a result of the call in, the costs to the service in the 2020/21 financial year will increase by approximately £230,000.
- 6.2.2. The increased costs are linked to three main factors: An increase in the number of highway safety inspections on some of the Borough's busier roads, the implementation of a 40mm carriageway defect investigatory level compared to the 50mm intervention level that is currently operated and the continued operation of the unamended winter service network.
- 6.2.3. The original proposals were to enable the funding of the additional of £230,000 through a reduction in costs associated with winter maintenance.
- 6.2.4. Some of the above costs will be mitigated through training to ensure highway safety inspectors only identify actionable defects; however, this will only have a limited impact on the increase in costs.
- 6.2.5. The £230,000 increase in costs is unbudgeted in the 2020/21 financial year and as such is a financial pressure. However, the place directorate will look to identify one off compensatory savings for the 2020/21 financial year. Subject to the annual review process, any savings relating to winter maintenance could be implemented in 21/22 enabling the recurrent savings in winter maintenance to be made.

## **6.3. Policy Implications**

- 6.3.1. The policy implications are outlined in the Cabinet report in Appendix 1.
- 6.3.2. The recommendations relating to the winter element of the Cabinet report cannot now be implemented until the 2021/22 winter season.

## **6.4. Equality Implications**

- 6.4.1. An Equality Impact Assessment has been completed as part of the Cabinet report in Appendix 1.

## **6.5. Human Resources Implications**

- 6.5.1. The human resource implications are outlined in the Cabinet report in Appendix 1.

#### **6.6. Risk Management Implications**

6.6.1. The risk management implications are outlined in the Cabinet report in Appendix 1.

#### **6.7. Rural Communities Implications**

6.7.1. The rural communities implications are outlined in the Cabinet report in Appendix 1.

#### **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. The implications for Children & Young People/Cared for Children are outlined in the Cabinet report in Appendix 1.

#### **6.9. Public Health Implications**

6.9.1. The public health implications are outlined in the Cabinet report in Appendix 1.

#### **6.10. Climate Change Implications**

6.10.1. The climate change implications are outlined in the Cabinet report in Appendix 1.

### **7. Ward Members Affected**

7.1.1. All wards and all ward members are affected by the implication of the code.

### **8. Consultation & Engagement**

8.1. Details of the consultation and engagement undertaken with regards to the proposed changes to the ways of working are discussed in the Cabinet report in Appendix 1.

8.2. Details of the call in request and the points raised around the consultation can be found in Appendix 2.

8.3. A response to the points raised in the call in can be found in Appendix 3.

## **9. Access to Information**

9.1. All supporting documents to this report can be found in the Appendices.

9.2. List of Appendices:

Appendix 1-Well Managed Highway Infrastructure Cabinet Paper

Note: Appendix documents associated with the original cabinet paper can be found here under item 105:

<https://moderngov.cheshireeast.gov.uk/ecminutes/ieListDocuments.aspx?CId=241&MId=7464&Ver=4>

Appendix 2 – Well Managed Highway Infrastructure Call in Request

Appendix 3 – Well Managed Highway Infrastructure Call in Response

## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

Name: Matthew Davenhill

Job Title: Contract Asset Manager

Email: [matthew.davenhill@cheshireeast.gov.uk](mailto:matthew.davenhill@cheshireeast.gov.uk)



*Working for a brighter future together*

Key Decision: Y

Date First Published:  
16/08/19

## Cabinet

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**Date of Meeting:** 4<sup>th</sup> February 2020

**Report Title:** Well-Managed Highway Infrastructure

**Portfolio Holder:** Cllr Brian Roberts – Highways and Waste

**Senior Officer:** Frank Jordan - Executive Director Place

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### 1. Report Summary

- 1.1. The national guidance to which the Council aligns its highway policies and operational procedures has been updated by the release of the 'Well-Managed Highway Infrastructure Code of Practice' (WMHI).
- 1.2. Alignment of the key policies outlined in this report with the recommendations of WMHI will see actionable 'pothole' defects identified for treatment at a shallower depth, particularly reducing risk to cyclists and pedestrians. The introduction of these policies will see the better allocation of resource to address winter issues.
- 1.3. This report seeks approval from Cabinet to adopt changes to the following policies and plans to ensure that they align with this national code of practice.
  - 1.3.1. Highway Safety Inspection Policy
  - 1.3.2. Code of Practice for Highway Safety Inspections
  - 1.3.3. Winter and Adverse Weather Policy
  - 1.3.4. Adverse Weather Plan
  - 1.3.5. Cheshire East Highway Resilient Network Strategy
- 1.4. Approval to these changes would enable the Council to fulfil its key statutory duties in keeping the highway network safe for all road users.

- 1.5. The Appendices referred to throughout this report are available on the Cabinet agenda web page.

## **2. Recommendations**

That Cabinet

- 2.1. Approve the adoption of the Resilient Network Approach to Highway Safety Inspections.
- 2.2. Approve the adoption of the Highway Safety Inspection Policy 2020, Code of Practice for Highway Safety Inspections 2020, the Winter & Adverse Weather Policy 2020, Adverse Weather Plan 2020/21 and the Cheshire East Highways Resilient Network 2020.
- 2.3. Delegate authority to the Director of Highways and Infrastructure in consultation with the Portfolio Holder for Highways and Waste to make minor operational changes to the Highway Safety Inspection Policy, Code of Practice for Highway Safety Inspections, the Winter & Adverse Weather Policy, Adverse Weather Plan and the Cheshire East Highways Resilient Network Strategy from time to time and as appropriate.

## **3. Reasons for Recommendations**

- 3.1. The guidance 'WMHI' was commissioned by the Department for Transport (DfT). It is not a statutory requirement to comply with this Code; however, it is recommended that the Code is adopted into the Council's practice for the following reasons:
- 3.2. The guidance has been identified by the DfT as being best Practice and is seen as a more efficient way to prioritise the highway network for all highway users.
- 3.3. The DfT have made it clear that future maintenance funding through the Local Highway Maintenance Incentive Fund will be linked to compliance with this new Code. Under the banding system used to allocate the incentive funding, Band 1 councils receive no funding and Band 2 councils receive only 30%. At present Cheshire East are a Band 3 council and receive the full funding allocation of £1.751m.
- 3.4. Under the Highway Service Contract the contractor is responsible for the management of all aspects of third party claims and indemnifies the Council against all third party claims that arise out of a failure to provide a service. As such, the failure to maintain an up to date Policy in line with the new Code could leave the Council liable.



#### **4. Other Options Considered**

- 4.1. The Council could opt to continue with its current systems for inspections and winter maintenance. However, they do not fully address the risk management approach outlined in the revised Code of Practice.
- 4.2. The Department for Transport have expressed a desire to tie elements of future funding to the implementation of the recommendations of The Code. Failure to adopt the recommendations would likely result in a reduction in funding from Central Government.

#### **5. Background**

- 5.1. The documents which form the basis of this report represent the first of the highway service policies and procedures to be reviewed in light of WMHI. The remaining highway service documents are to be reviewed as part of a rolling programme.
- 5.2. In 2016 under the direction of the Department for Transport, the UK Roads Liaison Group replaced the highway management guidance document, Well Maintained Highways with Well Managed Highway Infrastructure.
- 5.3. The revision of national guidance documents has resulted in the Council undertaking a root and branch examination of the policies and processes that it uses to manage the network.
- 5.4. The review identified a number of areas where changes are required to ensure best practice is being delivered. The documents reviewed under this cabinet report cover winter service, highway safety inspections and the resilient highway network.

#### **Network Hierarchy**

- 5.5. The Code recommends the development of a Network Hierarchy in order to prioritise areas of the network in accordance with their expected use, resilience and local economic and social factors such as industry, schools, hospitals etc. The approach recommended in The Code looks to move away from the traditional prioritisation of the network by road classification i.e. A, B and C etc. The proposed Network Hierarchy can be found in Appendix 2.
- 5.6. Under the proposed approach, in order to better manage risk, the travelling public will notice busier parts of the highway network receiving greater priority.
- 5.7. The proposed approach will be reviewed regularly to consider additions to the network such as Congleton Bypass. The addition of new roads will change driver behaviour and as such will amend the Network Hierarchy. The

proposed approach will also help pave the way for new technologies which will help to deliver a better understanding of highway usage and user needs.

- 5.8. Under the proposed approach, the greatest priority in the Network Hierarchy is afforded to the Resilient Network.

### **Resilient Network**

- 5.9. Following the severe weather of 2013/14 the Government commissioned the Transport Resilience Review which was published in July 2014. A key finding of the review was the need for local councils to identify a resilient network to which they give priority, in order to maintain economic activity in times of extreme weather or during disruptive events.
- 5.10. Currently the Council delivers a Resilient Network in line with the current Adverse Weather Plan. This has been reviewed and revised in light of the new Code. The proposed roads shown in Table 1 have been identified as forming an appropriate Resilient Network:

<b>CEC Roads Identified for Resilience</b>			
A34	A5020	A530	A538
A49	A5024	A532	A54
A50	A5033	A533	A555
A500	A51	A534	A556
A5015	A523	A536	A6
A5016	A525	A537	

Table 1 – Proposed Resilient Network

- 5.11. A Resilient Network map together with the Resilient Network Strategy can be found in Appendix 3.
- 5.12. The proposed Resilient Network consists of the most important routes in the Borough in terms of connectivity and accessibility and also includes the roads used by Highways England as Emergency Diversion Routes and Advanced Diversion Routes.
- 5.13. The Resilient Network will be regularly reviewed to identify areas for inclusion or removal as the Network Hierarchy evolves over time.

### **Highway Safety Inspection Code of Practice and Policy**

- 5.14. The proposed Network Hierarchy seeks to amend the current safety inspection frequencies in order to better address risk. When considering appropriate inspection frequencies of the Network Hierarchy, two options have been considered:

**5.14.1. Option 1: A Minimal Change Approach to Highway Safety**

**Inspections:** This approach proposes the network prioritisation shown in Appendix 4 and is broadly comparable to the system currently operated under the guidance offered in Well Maintained Highways.

**5.14.2. Option 2: A Resilient Network Approach to Highway Safety**

**Inspections:** This approach, detailed in Appendix 4, looks to prioritise resources on the network in terms of risk and importance. With Special Interest Areas (high footfall areas) and the Resilient Network receiving the greatest number of safety inspections.

- 5.15. The proposed approach would see 843km of the most heavily trafficked roads in the Borough receive an increase in inspection frequency and 516km of lesser used routes receiving a lower inspection frequency. Under the proposals, the most important roads in the Borough would receive inspections every month, whereas under the existing arrangements this is undertaken every two months. The Resilient Network Approach better aligns with the inspection regimes of our neighbouring authorities, a key requirement of the new Code.
- 5.16. It is recommended that the Resilient Network Approach is adopted as this aligns closely to the recommendations in The Code and will help to mitigate risk on the network.
- 5.17. Under the proposed approach, in some low risk areas it may take longer for the Council to identify defects; however, members of the public will still be able to report defects that they come across on the highway network, either through the contact centre or the Council's online reporting tool.

**Response Times and Investigatory Levels**

- 5.18. The proposed approach sees a revision to the response times to the repair of defects. The current code of practice, aims to address the most dangerous actionable defects within 1.5 hours and less dangerous actionable defects within 5 days. The proposed code of practice aims to address emergency defects in 1 hour during the working day and 1.5 hours outside of working hours; however, defects that pose a lesser risk to the traveling public will be repaired between 2 and 20 working days from the point of identification by an inspector. Some defects may be identified to be rectified beyond this if they are covered as part of a programme of works depending on the risks. This will primarily be through larger patching schemes.
- 5.19. The move to this new way of working will mean that works will be able to be programmed with greater efficiency and planning meaning more permanent long term repairs can be delivered. This should, with adequate maintenance funding, reduce the number of defects on the network.

- 5.20. The proposed approach would see intervention levels revised to investigatory levels. Under the current approach defects are actioned at the specific intervention level. Under the proposed approach defects are risk assessed at the investigatory level to determine the risk they pose to the public. Table 2 shows the proposed investigatory levels.

<b>Defect</b>	<b>Intervention Level under the Current Policy and Code</b>	<b>Investigatory Level Under the Proposed Policy and Code</b>
Pothole	50mm	40mm
Localised carriageway edge deterioration	100mm	80mm
Footway/Cycleway defect	25mm	20mm
On carriageway marked cycle lane defect	50mm	20mm

Table 2- Comparison of intervention and investigatory levels

- 5.21. The proposed use of investigatory levels should see individual actionable defects on the carriageway for a reduced amount of time and this would reduce the level of risk to the travelling public. In addition, the reduced investigatory levels should reduce the amount of unseen long term damage a defect inflicts upon the asset.
- 5.22. Approval of the proposed approach to Highway Safety Inspections would see the new way of working implemented by June 2020.
- 5.23. Details of the proposed Highway Safety Inspection Policy and Highway Safety Inspection Code of Practice can be found in Appendix 5.

### **The Winter and Adverse Weather Policy and Plan**

- 5.24. Currently the winter service is delivered in accordance with Well Maintained Highways. The routes treated date back to the days of Cheshire County Council.
- 5.25. At present, the Council treats around 1120km of the 2700km network (41%).
- 5.26. The Council also engages in cross boundary agreements where roads in other council's areas are treated in return for the treatment of roads in Cheshire East. These agreements are undertaken to deliver route efficiencies. The Council presently treats 58km of other councils' roads with 19km of the CEC network treated in return. Under the WMHI winter route optimisation exercise, these cross boundary routes will be reviewed and dialog has begun with the neighbouring authorities to discuss these changes.

- 5.27. The Code recommends that 'local policies and service levels should be developed as far as reasonably possible with users and key stakeholders and should also be based on a risk assessment to define the scope of the service'.
- 5.28. The proposed winter treatment network has been developed using a risk based process to take into consideration local risk factors including usage, local amenities, vulnerable users, public transport and local risks such as steep gradients, cold spots and other known local issues.
- 5.29. Each section of highway within the Borough has been risk assessed in line with the risk assessment pro-forma which can be made available upon request.
- 5.30. This approach ensures a uniform and consistent approach across the network.
- 5.31. As a result of the risk assessment process, 995km out of 2700km (37%) of the highway network has been identified as requiring routine winter treatment.
- 5.32. The proposed approach sees 103km of previously untreated roads added to the network. 892 km of previously treated roads remaining on the network and 230km of previously treated roads removed from the treated network.
- 5.33. Under the proposed approach the Council will retain the services of farm contractors, who in times of more extreme weather may be utilised to undertake winter maintenance to specific routes in the high east of the Borough.
- 5.34. The proposed approach to winter service will require a route optimisation exercise to ensure that the roads identified for treatment are included on driver routes that minimise vehicle mileage. It is likely that the route optimisation exercise will see a small number of roads added to the treated network to aid operational efficiency.
- 5.35. In addition, a grit bin risk assessment has been developed to assess the suitability of locations with regards to the siting of grit bins. This will help to provide communities with self help resources. A copy of the grit bin assessment form is available upon request.
- 5.36. Where roads have been removed from the treated network, a grit bin risk assessment will be undertaken to ascertain if a grit bin is required. Under the criteria of the grit bin risk assessment process these roads will receive an extra weighting due to the loss of service.
- 5.37. All existing grit bins will be assessed against the proposed grit bin risk assessment form to ascertain whether they should be on the network.

- 5.38. Approval of the proposed approach to winter service would see the new way of working implemented for the 2020/21 winter season.
- 5.39. Details of the proposed Winter and Adverse Weather Policy and Winter and Adverse Weather Plan along with the proposed treatment maps can be found in Appendix 6.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The recommendations of The Code are not statutory but provide highway authorities with guidance on highways management. Adoption of the recommendations within The Code is a matter for each highway authority, based on their own interpretation of local risks, needs and priorities. The Highways Act 1980 covers the legal elements of the management and operation of the road network within England and Wales and as such sets out the statutory duties of highway authorities. This includes the identification and rectification of defects and the provision of winter and adverse weather services. Further duties that the Highway Authority must address are covered under The Railways and Transport Safety Act 2003 and the Traffic Management Act 2004.

The implementation of a new way of working which is in accordance with WMHI should strengthen the Council's defence against third party claims under Section 58 Highways Act and would enable the Council to demonstrate that it is meeting its obligations relating to winter service under Section 41(1A) of the Highways Act 1980 (as amended by Section 111 of the Railways and Transport Safety Act 2003).

### **6.2. Finance Implications**

- 6.2.1. The proposed approach to Highway Safety Inspections will see an increase in costs to cover the additional Safety Inspector and Driver/Inspector and the increase in defect repairs.
- 6.2.2. The proposed increase in service levels in the Highway Safety Inspection Service Area will be offset by the savings generated by the proposed changes to the winter service.
- 6.2.3. The new approach to comply with The Code is therefore expected to be cost neutral within the highway budget.

### **6.3. Policy Implications**

- 6.3.1. In order to comply with the recommendations outlined in The Code, the Council's Highway Safety Inspection Policy and associated Code of Practice for Highway Safety Inspections and Winter & Adverse Weather

Policy and associated Adverse Weather Plan have required updating. In addition a Resilient Network Strategy has been developed.

- 6.3.2. The above mentioned documents have been updated to adopt a new approach to the management of the highways asset that is risk focused and enables prioritisation of resource to address risks.
- 6.3.3. The reviewed approach to delivering highway services will help the Council to deliver the outcomes detailed in the 2017 - 2020 Corporate Plan, specifically Outcome 2 'Cheshire East has a strong and resilient economy', Outcome 4 'Cheshire East is a green & sustainable place' and Outcome 6 'A responsible, effective & efficient organisation'. Furthermore, the approach aligns with our Corporate Values of flexibility, innovation, responsibility, service and teamwork.
- 6.3.4. The adoption of the recommendations in this report will further help to deliver the aspirations of the Local Transport Plan (LTP).
- 6.3.5. Adoption of the proposed approaches would see an annual review of the Code of Practice for Highway Safety Inspections, Winter & Adverse Weather Plan and Resilient Network Strategy to ensure a dynamic approach to the evolution of the highway network.

#### **6.4. Equality Implications**

- 6.4.1. An Equality Impact Assessment has been completed and can be found in Appendix 7.

#### **6.5. Human Resources Implications**

- 6.5.1. The proposed increase in the frequency of inspection would increase staffing within our Highway Service delivery partner, Ringway Jacobs. This would include the need for 1 additional Highway Safety Inspector and 1 additional Driver/Inspector. An initial increase in defect repairs would require a corresponding increase in operational staff to deliver the works.
- 6.5.2. Some further training will be required for highways staff in order to implement the new way of working.
- 6.5.3. For the winter service, the number of drivers required is anticipated to reduce by between 6 and 12, some of these drivers are sourced through supply chain partners who deliver the service as an additional duty, hence this will not result in redundancies.

#### **6.6. Risk Management Implications**

- 6.6.1. The approach to safety inspections may see some defects existing on lesser used roads for a longer length of time after identification. However the move to a 40mm investigation level from the current 50mm intervention



level is likely to mitigate this and should reduce the overall risk to the travelling public.

- 6.6.2. The approach to winter service has seen the removal of some roads from the winter treatment routes and the addition of others, this has been undertaken in accordance with the guidance provided in The Code and thus has seen a risk based approach to the inclusion of roads to the treated network.
- 6.6.3. The removal of some roads from the winter treatment network could increase the risk of accidents on the network; however, the risk assessment process adopted should mean this is a manageable risk.
- 6.6.4. The application of road salt to a highway doesn't give an absolute guarantee that the road will remain free from ice and as such drivers should still drive to the weather conditions.
- 6.6.5. The reduction in winter fleet drivers is likely to result in less driver resilience during times of extreme weather.
- 6.6.6. A risk matrix relating to this report can be found in Appendix 8.

#### **6.7. Rural Communities Implications**

- 6.7.1. 57% of the Cheshire East highway network is classed as rural serving over half of our population. The rural highway network is vital to the economy of the Borough.
- 6.7.2. The risk based approach to highway maintenance sees resources prioritised by road usage, risk and nature of the network and as such lesser used low risk routes may receive lower prioritisation than busier high risk main routes.
- 6.7.3. The removal of some of the rural roads may make access to some rural businesses and communities difficult during snow and icing conditions; however, the proposed assessment of the removed roads for a grit bin could help to mitigate this.

#### **6.8. Implications for Children & Young People/Cared for Children**

- 6.8.1. The new way of working considers levels of service where facilities serving children and young people are located.

#### **6.9. Public Health Implications**

- 6.9.1. The new code of practice considers key infrastructure needs to promote sustainable modes of travel.
- 6.9.2. The new proposals also consider the LTP and as such look to reduce risks to walkers and cyclists and as such should reduce the risk of trips and falls.



#### **6.10. Climate Change Implications**

- 6.10.1. The suggested approach to WMHI could reduce the climate impact of the service area by helping the Council implement longer lasting highway repairs and hence use less construction materials.
- 6.10.2. A further climate impact reduction could be achieved as a result of reducing the amount of salt spread on the highway and the distances travelled by the gritting fleet.

#### **6.11. Ward Members Affected**

- 6.11.1. All wards and all ward members are affected by the implications of The Code.

### **7. Consultation & Engagement**

- 7.1. The approach to The Code has been discussed with the Environment and Regeneration Overview and Scrutiny Committee on the 18/06/18, 15/10/18, 15/07/19 and 21/01/20.
- 7.2. From 2nd July to 27th August 2018 Cheshire East Council consulted on a number of draft policies in relation to Highway Safety Inspections and Winter Service activities. Respondents were provided with a summary of the five documents listed below:
  - Draft Highways Inspection Policy
  - Draft Code of Practice for Highways Safety Inspections
  - Examples of the Old and New Inspection Process
  - Draft Winter and Adverse Weather Policy
  - Winter and Adverse Weather Plan Consultation 2018
- 7.3. The approach to community engagement was guided by the Council's Research and Consultation Team.
- 7.4. The details of the consultees can be found in Appendix 9.
- 7.5. The Well Managed Highways consultation was advertised through the Cheshire East Council website and through social media, paper copies were made available at all Cheshire East libraries and at key contact centres.
- 7.6. The consultation was pushed through social media and was pushed to 3583 Twitter accounts. The Council retweeted the consultation four times.
- 7.7. In total, 93 responses were received from a variety of interested parties including local residents, town/parish Councillors and voluntary/community

organisations. A report on the public consultation can be found in Appendix 10.

- 7.8. As a result of the consultation with Environment Regeneration and Overview Scrutiny Committee and the public consultation. The following amendments were made to the documents and proposed ways of working:

**Highway Inspection Code of Practice and Policy**

- 7.9. Further consideration was given to cyclists and motorcyclist, and investigatory levels in on carriageway cycle lanes were revised from 40mm to 20mm.

**Winter and Adverse Weather Plan**

- 7.10. More information was added to the document around self-help.
- 7.11. A scoring factor was added to the risk assessment process to consider the National Cycle Network.
- 7.12. Consideration is being given to the way the Council communicate during weather events.

**Resilient Highway Network**

- 7.13. An additional consultation was carried out with regards to the Resilient Network. Details of the consulted stakeholders can be found in Appendix 9.
- 7.14. A limited response to the Resilient Network consultation was received, with only 3 responses received through the consultation web page. However, further to a meeting held with the Lead Emergency Planning Officer comments were received from the emergency services.
- 7.15. Comments were also received from Highways England and as a result their emergency and planned diversion routes were added to the Resilient Network.

**Area Highway Groups**

- 7.16. At the Environment and Regeneration Overview and Scrutiny Committee on 15/07/19 it was agreed that the proposed winter treatment network should be consulted on with the Area Highway Groups (AHG). As a result over the summer and early autumn each AHG was visited and given opportunity to comment on the roads that are proposed to be gritted in their areas. The AHGs suggested roads which they felt should be included on the treated network. The roads highlighted had the risk assessment process repeated and in some instances roads were added in. Details of these roads can be found in Appendix 11.

- 7.17. Following on from the AHGs a further update regarding the AHG comments was presented to Environment and Regeneration Overview and Scrutiny Committee on 20/01/20.

## **8. Access to Information**

- 8.1. All supporting documents to this report can be found in the Appendices.

- 8.2. List of Appendices:

Appendix 1 – Legislation, Guidance and Local Documents

Appendix 2 - Proposed Network Hierarchy

Appendix 3 - Resilient Network Strategy and Map

Appendix 4 - Inspection Frequency Options

Appendix 5 - Highway Safety Inspection Policy and Code of Practice

Appendix 6 - Winter and Adverse Weather Policy and Plan

Appendix 7 - Equality Impact Assessment

Appendix 8 – Risk Register

Appendix 9 - Public Consultation Consultee List

Appendix 10- Well Managed Highway Infrastructure –Summary of Results

Appendix 11 - Area Highway Group Comments

All appendices are available electronically by contacting Matthew Davenhill via: [Matthew.Davenhill@cheshireeast.gov.uk](mailto:Matthew.Davenhill@cheshireeast.gov.uk) or on the cabinet agenda webpage.

## **9. Contact Information**

- 9.1. Any questions relating to this report should be directed to the following officer:

Name: Matthew Davenhill

Job Title: Contract Asset Manager

Email: [matthew.davenhill@cheshireeast.gov.uk](mailto:matthew.davenhill@cheshireeast.gov.uk)

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Received on 13.02.20

# Call-in request form

Decision taken by: Cabinet/Portfolio Holder/Officer (please indicate)

Date of Decision 04.02.2020 (Published 06.02.2020)

Title of agenda item/report ITEM 9: WELL-MANAGED HIGHWAY INFRASTRUCTURE

Reason for Call In\*\*

PLEASE SEE ATTACHED DOCUMENT

(7)

(8)

(9)

Call In Signatories (to be signed by 6 Members)

(1) Signed Councillor

(2) Signed Councillor

(3) Signed Councillor

(4) Signed Councillor

(5) Signed Councillor

(6) Signed Councillor

Date of call in Notice

\*\*The Call-in rules as set out in the constitution stipulate that any 6 or more Members of the Council may submit a call-in notice in writing within 5 days of the decision being taken and recorded for one of the reasons set out below. In giving reasons for the call in, Members should consider the following criteria AND explain how any of them apply. Failure to provide sufficient detail may lead to the call in being refused:

Decision is taken outside the policy/budgetary framework

Inadequate consultation relating to the decision

Relevant information not considered

Viable alternatives not considered

Justification for the decision open to challenge on the basis of the evidence considered

Head of legal Services and Monitoring Officer Signature

14.02.20

## Call In Request

Decision taken by: **Cabinet**  
Date of Decision: **04.02.20** (published 06.02.20)  
Title of agenda item 9: **Well Managed Highway Infrastructure**  
Principle Concern: A Failure of Effective Consultation and Inclusion with reference to the Well Managed Highways Infrastructure Policies and Plans.

The following grounds are engaged in support of this Call-In.

**4.28.2 Inadequate consultation relating to the decision**

**4.28.3 Relevant information not considered**

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### **4.28.2 Inadequate consultation relating to the decision**

Our concerns focus specifically on the Consultation Processes conducted prior to the Cabinet decision to approve the Well-Managed Highways Infrastructure Strategy and the impact on Cheshire East Highways Gritting Policies.

Highways gritting policy is alluded to in the Cheshire East Local Transport Plan, (LTP) (Action 9.1.5, page 115) but was not included in the LTP consultation process (1st May 2018 to 25th June 2018).

This was followed by a Consultation related to the Well Managed Highways Policy Infrastructure Strategy. This was conducted during the summer months (July/August 2018) therefore the prominence of the consultation was diminished.

Consultation related to Winter and Adverse Weather would have been better served as a stand-alone engagement.

NO record of any consultation related to the Well-Managed Highways Strategy (July/August 2018) or the results of such a survey has ever been up-loaded onto the relevant 'Consultation Results' page of the Cheshire East Council website for public scrutiny. This is contrary to CEC Policy.

The Winter and Adverse Weather Policy (included as Appendix 6 on 04.02.2020) states: *"Risk assessments are undertaken by CEH Winter Service staff to determine the inclusion of an element of the network into the Treated Network, with consideration to a number of factors."*

The risk assessment framework and associated results of this exercise should have been publicly available prior to the decision being taken. Insufficient weight was given to local knowledge with no acknowledgement or discussion of relevant feed-back.

At the Cabinet meeting of 04/02/20 Council Members, members of our teaching community, and members of the public expressed concern about the removal of winter gritting to multiple routes throughout our borough; all agreed there had been poor communication since the Consultation in 2018

- Under 100 respondents to the consultation from a population of 375 000 gives rise to the question how well did we promote the consultation?
- Only 1 school responded to the consultation
- Insufficient weight has been given to Member feedback and their local knowledge
- No confidence in, or evidence given that Cabinet gave due consideration to Scrutiny's recommendations

**4.28.3: Relevant Information not considered.**

Information should have been disseminated to partners in a more effective manner and crucial information has not been made unavailable to Members and partners.

- No grit bin policy has been made available to support the decision taken.  
This is essential based on the significance of this policy.
- The Risk Assessment scoring criteria that determines which roads are to be gritted (or not), were not made public in advance of Cabinet's Decision.
- To date, this data has still not been published (12.02.20).
- Cabinet were asked by Councillors and members of the public to reconsider or defer this decision. Despite the lack of transparent information and the limited historic consultation data, Cabinet proceeded to approve a policy which is unsatisfactory and potentially jeopardises the safety of our residents.

This leaves no alternative than to submit this Call-In request.

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Signatories:

Cllr Rachel Bailey  
Cllr Mike Benson  
Cllr Liz Wardlaw

4) Cllr Margaret Simon  
5) Cllr Janet Clowes  
6) Cllr Allen Gage

7) Cllr Peter Groves  
8) Cllr Charlotte Leach  
9) Cllr Tony Dean

12.02.2020.







*Working for a brighter future together*

## **Environment and Regeneration Overview and Scrutiny Committee**

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**Date of Meeting:** 16 March 2020

**Report Title:** Well Managed Highway Infrastructure Call in Response

**Portfolio Holder:** Cllr Craig Browne –Deputy Leader

**Author:** Matthew Davenhill –Contract Asset Manager

**Senior Officer:** Frank Jordan - Executive Director - Place

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### **1. Introduction and Policy Context**

- 1.1. On the 04/02/20 a paper 'Well-Managed Highway Infrastructure' was presented to Cabinet for consideration outlining proposed changes to the Highway Safety Inspection Policy, Highway Safety Inspection Code of Practice, The Winter and Adverse Weather Policy, The Adverse Weather Plan and the Resilient Network. Included in these proposals were proposed changes to the winter treatment network.
- 1.2. Figure 1 below outlines the policy context of the documents presented for consideration.

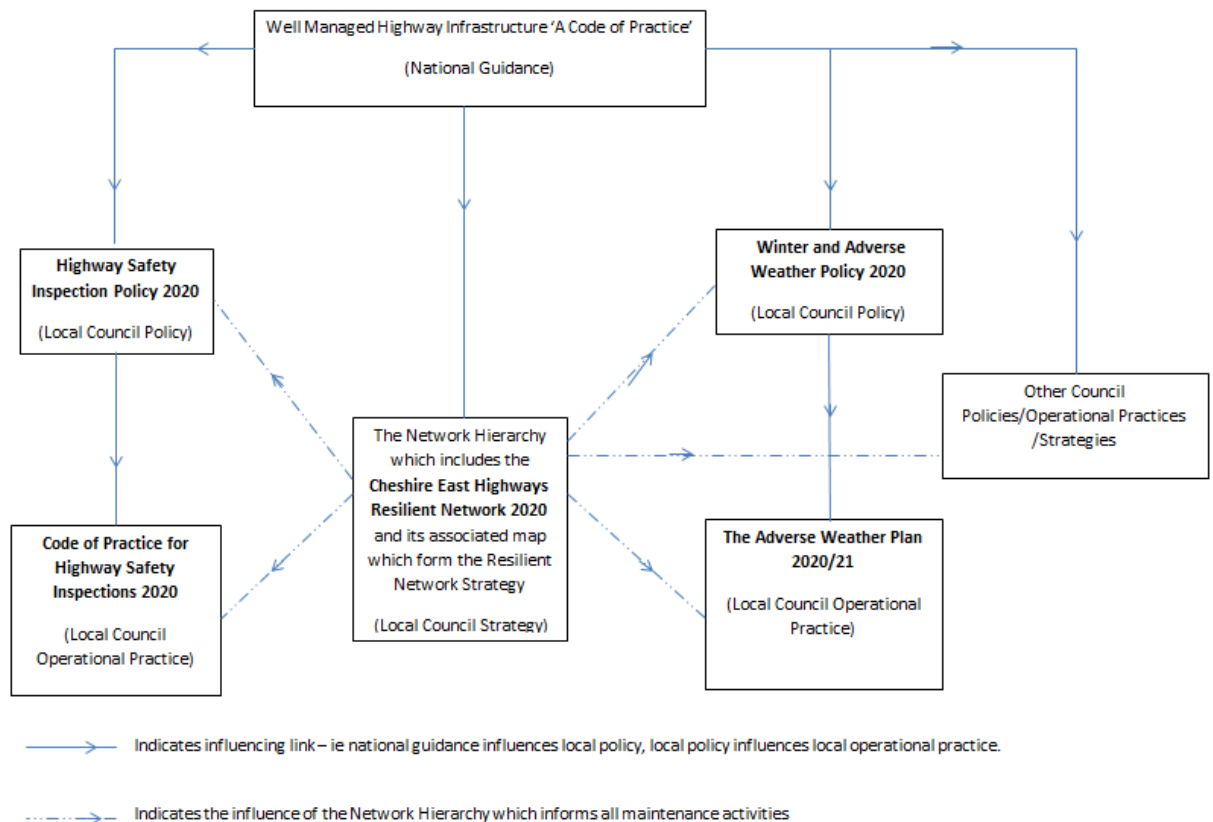


Figure 1 – Policy Context

- 1.3. At the meeting Cabinet approved the proposals in the paper; however, a call-in request has subsequently been received which is to be considered by the Environment and Regeneration Overview and Scrutiny Committee on 16 March 2020.

## 2. Background

- 2.1. During the discussions that were held in Cabinet, a number of members highlighted concerns with the levels of consultation that had been undertaken and the provision of winter service to primary schools, amongst other things.

## 3. Briefing Information

- 3.1. A public consultation was undertaken between 2nd July and 27th August 2018 (8 weeks) to seek the opinion of interested parties with regards to the Council's approach to Well Managed Highway Infrastructure (WMHI). Guidance on consultations suggests that a proportionate amount of time should be allowed, typically the Council allows between 4 and 12 weeks. In this instance 3.5 weeks of the consultation fell in schools term time.

- 3.2. The consultation was undertaken by the Council's Research and Consultation Team. All officers in the Research and Consultation Team are accredited members of the Consultation Institute and follow best practice consultation processes. The public consultation was designed to follow the Council's established processes, being published on the Council's website during the period that the consultation was live, utilising both paper and digital surveys alongside engagement directly with key statutory and non-statutory stakeholders as detailed in Appendix 1. Paper copies of the consultation documentation, freepost envelopes and questionnaires were made available in all libraries across Cheshire East and customer service desks in Crewe and Macclesfield, with supporting guidance for officers in those locations, and copies in large print or alternative languages also made available upon request.
- 3.3. The "Gunning" principles on consultation, along with others, have been followed during the policy formation process. The principles set out:
- Consultation should occur when proposals are at a formative stage. Case law has examined the phrase "formative stage" and determined that this is where the mind of the decision maker is open to change.
  - Consultation should give sufficient information or reasons for any proposal to permit intelligent consideration.
  - Consultations should allow adequate time for consideration and response.
- 3.4. As a result of the consultation 93 responses were received, with comments from members of the public, town and parish councils and school representatives.
- 3.5. A summary of the consultation results can now be found on the Councils' consultation results website and in Appendix 2.
- 3.6. Figure 2 below shows the consultation undertaken.

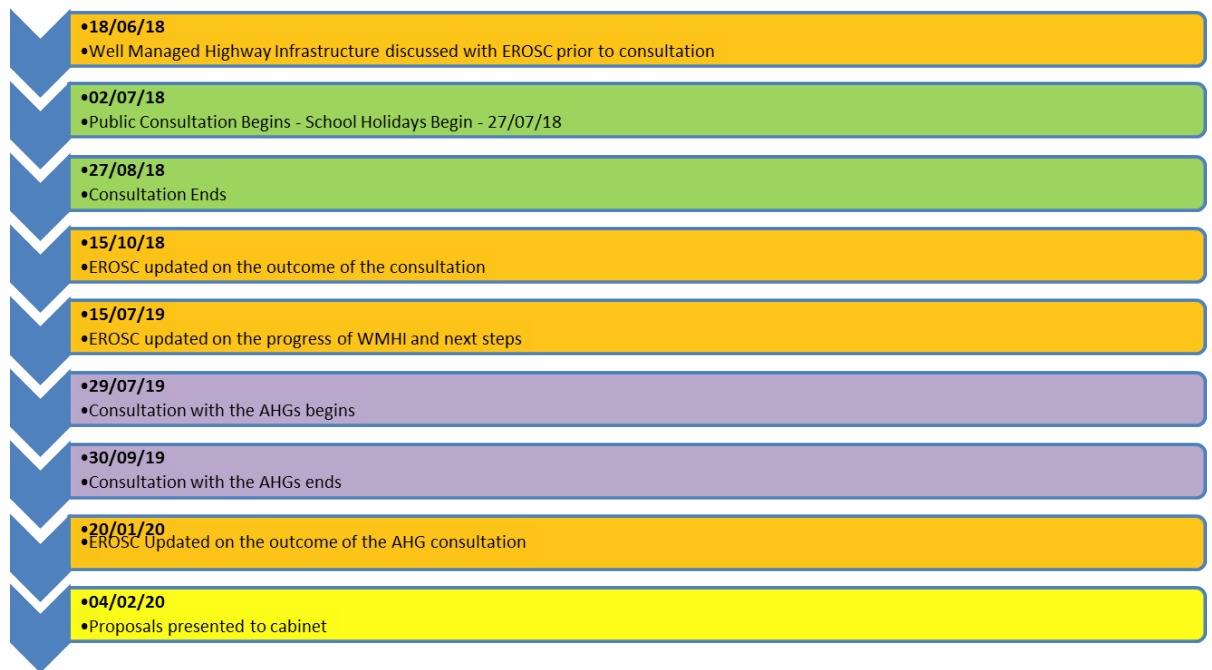


Figure 2– Consultation time line

### **The Highway Safety Inspection Policy 2020 and The Code of Practice for Highway Safety Inspections 2020.**

- 3.7. The Highway Safety Inspection Policy 2020 sets out the principles overarching the Code of Practice for Highway Safety Inspections.
- 3.8. The Code of Practice for Highway Safety Inspections 2020 defines how the aspirations of the Highway Safety Inspection Policy 2020 will be operationally delivered.
- 3.9. These documents were consulted on through the Well Managed Highway Infrastructure Consultation.
- 3.10. The consultation included examples of the existing and proposed inspection regime.
- 3.11. As a result of the consultation, further consideration was given to cyclists and motorcyclist, and investigatory levels for on carriageway cycle lanes were revised from 40mm to 20mm.
- 3.12. The consultation results were discussed at length with Environment and Regeneration Overview and Scrutiny Committee on 15/10/18.

- 3.13. The consultation and the amendments made as a result of the consultation were discussed at length by the Environment and Regeneration Overview and Scrutiny Committee on 15/07/19.

**The Winter and Adverse Weather Policy 2020 and The Adverse Weather Plan 2020/21**

- 3.14. The Winter and Adverse Weather Policy 2020 sets out the principles overarching the Adverse Weather Plan 2020/21.
- 3.15. The Adverse Weather Plan 2020/21 defines how the aspirations of the Winter and Adverse Weather Policy 2020/21 will be operationally delivered.
- 3.16. As a consequence of the consultation and the feedback received, the Winter and Adverse Weather Policy 2020 and Adverse Weather Plan 2020/21 were amended and a scoring factor was added to the risk assessment process to consider the National Cycle Network.
- 3.17. In addition, the proposals outlined in the Cabinet paper were considered by the Environment and Regeneration Overview and Scrutiny Committee (EROSC) on the following dates: 18/06/18, 15/10/18, 15/07/19 and 20/01/20.
- 3.18. The consultation results were discussed at length with Environment and Regeneration Overview and Scrutiny Committee on 15/10/18.
- 3.19. At EROSC on 15/07/19 the proposals were discussed for approximately 2 hours and in depth detail was given with regards to the scoring matrix. At the request of EROSC, the proposals, including maps which showed the full extents of the proposed amendments and the scoring matrix were presented to the 7 Area Highway Groups (AHGs) between 29th July and 30th September 2019. From this further and comprehensive consultation, the AHGs suggested a number of roads for inclusion on the Winter Treatment Network. These suggested locations were re-analysed to take into consideration the local factors highlighted and a number were added to the proposed winter treatment network. A list of these roads can be found in Appendix 3.

**The Cheshire East Highways Resilient Network 2020 & Map**

- 3.20. The Cheshire East Highways Resilient Network 2020 & Map identify the roads in the Borough that are key to maintaining economic activity and access to key services during extreme weather.

- 3.21. This refresh aligns with the Department for Transport's (DfT) 2014 Transport Resilience Review and forms part of with the Council's proposed Network Hierarchy.
- 3.22. The requirement for a separate consultation to the main WMHI consultation was identified. For this consultation a specific stakeholder group was identified and steps were taken to engage with this stakeholder group.
- 3.23. As a result of the consultation, Highways England's Emergency Diversion routes were added to the Resilient Network.

#### **Specific Issues Raised in the Call in**

- 3.24. The call in raised a number of issues on the following grounds '4.28.2 Inadequate consultation relating to the decision.' and '4.28.3 relevant information not considered'.
- 3.25. The points raised in the call in are noted in bold, with a corresponding response below.
- 3.26. **4.28.2 Inadequate consultation relating to the decision**
- 3.27. **Our concerns focus specifically on the Consultation Processes conducted prior to the Cabinet Decision to approve the Well-Managed Highways Infrastructure Strategy and the impact on Cheshire East Gritting Polices.**
- 3.28. ***Highways gritting policy is alluded to in the Cheshire East Local Transport Plan (LTP) (Action 9.1.5, page 115) but was not included in the LTP consultation (1<sup>st</sup> May 2018 to 25<sup>th</sup> June 2018).***
- 3.29. The Local Transport Plan Action 9.1.5 states 'We will seek to ensure that the transport network is increasingly secure against extreme weather events and disruption.' Under the proposal outlined in the Cabinet report, the development of the Network Hierarchy helps to prioritise the network for resilience during extreme weather. This is further enhanced by the review and refresh of the Resilient Network which has been undertaken as part of this exercise.
- 3.30. ***This was followed by a consultation related to the Well Managed Highways Policy Infrastructure Strategy. This was conducted during the summer months (July/August 2018) therefore the prominence of the consultation was diminished.***
- 3.31. There is no guidance given on the timing of a consultation exercise or the impact this has on the effectiveness of a consultation. It could be

considered that undertaking a consultation in the winter is likely to be less successful as consultees may have greater difficulties accessing areas where consultation information is displayed. In addition, delaying the consultation exercise into the winter would have further delayed the implementation of best practice. To establish the prominence of the consultation in the local area, a Google search can be undertaken. This reveals that a number of parish council's made use of their own websites to promote the consultation and some of the first pages discovered following the search for 'WMHI consultation' relate to the Cheshire East Council WMHI consultation.

- 3.32. ***Consultation related to Winter and Adverse Weather would have been better served as a stand-alone engagement.***
- 3.33. Both the Highway Safety Inspection Policy 2020 and its associated Code of Practice and the Winter and Adverse Weather Policy 2020 and associated Plan are documents which cover highway safety and are heavily influenced by the Network Hierarchy. It was therefore considered better to review the highway safety inspection activities, winter service activities and the Resilient Network as a package.
- 3.34. ***NO record of any consultation related to Well Managed Highways Strategy (July/August 2018) or the results of such a survey has ever been up-loaded onto the relevant 'Consultation Results' page of the Cheshire East Council website for public scrutiny. This is contrary to CEC Policy.***
- 3.35. Although the consultation results were not initially published on the consultation results page, the results were published on the meetings page as part of a briefing report to the Environment and Regeneration Overview and Scrutiny Committee (EROSC) titled 'Well Managed Highway Infrastructure Public Consultation Feedback' which was discussed on 15/10/18, with the results included as an appendix to the briefing report. In addition, the results were included in the briefing to EROSC on 15/07/19 and as part of the report pack. This information is readily available on the Council's web page. There is no fixed policy relating to the publishing of consultations.
- 3.36. ***The Winter and Adverse Weather Policy (included as Appendix 6 on 04.02.2020) states: "Risk assessments are undertaken by CEH Winter Service staff to determine the inclusion of an element of the network into the Treated Network, with consideration to a number of factors"***
- 3.37. ***The risk assessment framework and associated results of this exercise should have been publicly available prior to the decision***

***being taken. Insufficient weight was given to local knowledge with no acknowledgement or discussion of relevant feed-back.***

- 3.38. The scoring matrix was discussed at length with EROSC on 15/07/19 and the scoring matrix was explained in detail with all the scoring factors explained. The proposed network was drawn up in consultation with Local Highway Officers and Highway Safety Inspectors who have an in depth knowledge of the network. Further to this the proposed routes were discussed with the Local Area Highway Groups (AHG) between 29th July and 30th September 2019. This AHG consultation process involved the risk matrix and maps relevant to each AHG being thoroughly explained and discussed. These maps showed roads which were to remain on the treated network, roads to be added to the treated network and roads to be removed from the treated network. As a result of this consultation, the AHGs highlighted roads which they thought should be considered for treatment. This resulted in a number of roads being included following a further risk assessment. The proposed treatment maps showing roads to remain on the treated network, roads to be added and roads to be removed were available to EROSC prior to the meeting on 20/01/20. At this meeting the AHG consultation and the amendments made to the proposals were discussed. The Cabinet report in paragraph 5.29 identifies that the risk scoring matrix can be made available upon request.
- 3.39. ***At the cabinet meeting of 04/02/20 Council Members, members of our teaching community, and members of the public expressed concerns about the removal of winter gritting to multiple routes throughout our borough; all agreed there had been poor communication since the Consultation in 2018.***
- 3.40. As outline above, extensive communication has been undertaken with EROSC and the AHGs who represent the electorate and as such it is felt that sufficient communication has been undertaken.
- 3.41. ***Under 100 respondents to the consultation from a population of 375,000 gives rise to the question how well did we promote the consultation?***

To put this level of response in context; 103 responses were received to the Councils' Budget Consultation 20/21, 94 responses were received to the HS2 Southern Link Road Bridge options consultation and 57 responses were received to the SEMMMS consultation. The WMHI consultation attracted 93 responses.



- 3.42. ***Only 1 school responded to the consultation.***
- 3.43. The consultation ran from 2<sup>nd</sup> July to the 27<sup>th</sup> August 2018, the school holidays ran from 27<sup>th</sup> July to 3<sup>rd</sup> September; hence this allowed time for the schools to comment. Under the proposals all secondary schools receive a treated route due to the large number of pupils and catchment areas. It isn't practicable that every primary school receives a treated route; the cost of providing a route to every primary school would be a minimum of £150,000-£200,000 during an average winter season. Given the range of risk factors identified, the proposed approach gives greater consideration to local roads in the vicinity of more of our primary schools.
- 3.44. ***Insufficient weight has been given to member feedback and their local knowledge.***
- 3.45. The proposals were extensively discussed with the AHGs and feedback was received and taken into consideration. As a result of this feedback a number of roads were added to the proposals, the details of which can be found in Appendix 3.
- 3.46. ***'No confidence in, or evidence given that the cabinet gave due consideration to Scrutiny's recommendations'***
- 3.47. As a result of EROSC recommendations the proposals were taken to the AHGs.
- 3.48. At EROSC on 20/01/20 no objection was raised to the proposals.
- 3.49. Both Cllrs Corcoran and Browne summarised the points that were raised during the meeting and offered commitment that further information would be made available and that the process would receive annual review. Further information was added to the Council's website on 19/02/20.
- 3.50. ***The following points were raised under 4.28.3 of the call in process.***
- 3.51. ***No grit bin policy has been made available to support the decision. This is essential based on the significance of this policy.***
- 3.52. The placement of grit bins on the network will be determined through a risk assessment exercise; as outlined in the Cabinet report in paragraph 5.35, the pro-forma for this was available on request. This is now available on the Council's website.
- 3.53. ***The risk assessment scoring criteria that determines which roads are to be gritted(or not), were not made public in advance of Cabinets Decision.***

- 3.54. As previously stated this information was available upon request.
- 3.55. ***To date, this data has still not been published (12.02.20)***
- 3.56. This information was published on 19/02/20 and can be found via the below web link:
- 3.57. [https://www.cheshireeast.gov.uk/highways\\_and\\_roads/road-maintenance/well-managed-highway-infrastructure.aspx](https://www.cheshireeast.gov.uk/highways_and_roads/road-maintenance/well-managed-highway-infrastructure.aspx)
- 3.58. ***Cabinet were asked by Councillors and members of the public to reconsider or defer this decision, despite the lack of transparent information and limited historic consultation data, Cabinet proceeded to approve a policy which is unsatisfactory and potentially jeopardises the safety of our residents.***
- 3.59. In summarising the Cabinet's decision, Cllr Browne committed to publish the relevant information on the Council's website, this was undertaken on 19/02/20. The information relating to many of the areas discussed was available either as part of the Cabinet report pack or on request.

#### **4. Implications**

##### **4.1. Legal Implications**

- 4.1.1. As a result of the call in, all work on the proposals have stopped.
- 4.1.2. The recommendations of the Well Managed Highway Infrastructure 'The Code' are not statutory but provide highway authorities with guidance on highways management. Adoption of the recommendations within the Code is a matter for each highway authority, based on their own interpretation of local risks, needs and priorities. The Highways Act 1980 covers the legal elements of the management and operation of the road network within England and Wales and as such sets out the statutory duties of highway authorities. This includes the identification and rectification of defects and the provision of winter and adverse weather services. Further duties that the Highway Authority must address are covered under The Railways and Transport Safety Act 2003 and the Traffic Management Act 2004.
- 4.1.3. The implementation of a new way of working which is in accordance with WMHI should strengthen the Council's defence against third party claims under Section 58 Highways Act and would enable the Council to demonstrate that it is meeting its obligations relating to winter service under Section 41(1A) of the Highways Act 1980 (as amended by Section 111 of the Railways and Transport Safety Act 2003).

- 4.1.4. The delay in implementation increases legal risk to the Council under the Acts outlined above. A failure to adopt the Code will likely increase the number of successful claims against the Council along with associated costs.

#### **4.2. Financial Implications**

- 4.2.1. As a result of the call in, the costs to the service in the 2020/21 financial year will increase by approximately £230,000. This figure is split across highway safety inspections and winter service.
- 4.2.2. The £230,000 increase in costs is unbudgeted and as such is a financial pressure. Should the number of 3<sup>rd</sup> party claims against the Council increase, the cost to the authority will increase above £230,000.

#### **4.3. List of Appendices**

Appendix A – List of Consultees

Appendix B - WMHI Consultation Summary

Appendix C – AHG Responses





Working for a brighter future together

Key Decision Y

Date First

Published: 29/11/19

## Cabinet

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**Date of Meeting:** 05 May 2020

**Report Title:** Environment Strategy

**Portfolio Holder:** Cllr Nick Mannion, Environment and Regeneration

**Senior Officer:** Frank Jordan, Executive Director Place

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### 1. Report Summary

- 1.1. The Council has developed an Environment Strategy to respond to the global threat of climate change and protect and enhance the environment within our borough. Cabinet decided on 10 September 2019 to consult on the draft Environment Strategy.
- 1.2. This report provides a summary of the consultation responses that were received. It summarises the changes to the strategy as result of the consultation and to reflect progress since September.
- 1.3. The report also considers and responds to the notice of motion proposed by Cllr Abel at the Council meeting on 19<sup>th</sup> December 2019:

*Cheshire East Council as part of our commitment to the environment and mitigation of climate change require development of whatever size to incorporate best practice (e.g. passive house) to reduce energy requirements and provide a non-carbon footprint for heating and cooking. Ideally ground source heat pump or equivalents and induction hobs.*

*Further, the Council to lobby Government to bring the legal requirement forward to the earliest possible date to achieve zero carbon for all new development and conversions.*

- 1.4. Council resolved that the motion be referred to Cabinet.

## **2. Recommendations**

### **2.1. That Cabinet:**

- 2.1.1. Approves the draft Environment Strategy, following public consultation, as outlined at appendix One.
- 2.1.2. Authorises the Portfolio Holder for Environment and Regeneration to make any further revisions to the strategy.
- 2.1.3. Supports the spirit of the motion by Cllr Abel, encouraging and looking favourably upon development proposals that include measures to reduce carbon emissions and mitigate climate change, but acknowledge that in the context of current planning policy cannot require best practice; and
- 2.1.4. Agrees that the Council writes to the Secretary of State for the Ministry of Housing, Communities and Local Government advocating that the changes to energy efficiency standards within the Building Regulations, as set out in the Future Homes Standard, requiring new build homes to meet world-leading levels of energy efficiency, be brought forward to the earliest possible date.

## **3. Reasons for Recommendations**

- 3.1. The Council has developed its first Environment Strategy to set out its strategic goals and actions to respond to the global challenge of climate change. In addition, the strategy aims to protect and enhance our local environment.
- 3.2. The Council consulted on its draft Environment Strategy during October and November 2019. Following consideration of the consultation response, the Environment Strategy is recommended to Cabinet to approve and adopt.
- 3.3. In relation to the notice of motion proposed by Cllr Abel, whilst the Council can welcome, encourage, and look favourably upon development which incorporates best practice to reduce carbon emissions the current planning policy framework means that it cannot be required.
- 3.4. Building Regulations are the means by which minimum energy standards in new homes are regulated. Government has committed to introduce the Future Homes Standard in 2025 through Building Regulations which will require new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency. Government has also consulted on proposals to improve the energy efficiency of new homes from 2020 as a meaningful and achievable stepping stone to the Future Homes Standard.

- 3.5. Some home-builders are already building to standards above the current regulations and some are already installing low carbon heating systems. However, the Government has acknowledged that not all home-builders are ready to build to higher environmental specifications yet. Furthermore, industry will need to develop the necessary supply chains, skills and construction practices for every home-builder to deliver low-carbon heat, and highly energy efficient new homes.
- 3.6. Current legislation allows local planning authorities to set and apply policies in their local plans which require compliance with energy efficiency standards for new homes that exceed the requirements of the Building Regulations. In 2015 the then government announced that it would introduce an amendment to the Planning and Energy Act that would restrict local authorities from setting higher energy standards for new homes, but this amendment has not yet been commenced. This has led to confusion and uncertainty for both local planning authorities and home builders.
- 3.7. The Cheshire East Local Plan Strategy was adopted in 2017 and in light of the afore-mentioned government announcement did not include policies requiring higher energy efficiency. It did, however, include a policy encouraging the implementation of renewable and low carbon energy (Policy SE 8), and a policy looking favourably upon development that follows the principles of the Energy Hierarchy, and seeks to achieve a high rating under schemes such as BREEAM, CEEQUAL and Building for Life (Policy SE 9).
- 3.8. The draft Site Allocations and Development Policies Document (Local Plan Part 2), includes further proposed policies on climate change mitigation. The Council is currently reviewing this document following the consultation undertaken during Autumn 2019.

#### **4. Other Options Considered**

- 4.1. The Council could do nothing, but that would mean that the Council will take no action to protect, sustain and improve the environment in support of local, national and global priorities.

#### **5. Background**

- 5.1. The Climate Change Act 2008 introduced a legally binding target for the UK to reduce greenhouse gases by 80% by 2050 against a 1990 baseline. In June 2019 the UK Prime Minister announced a revised target - the UK will cut emissions to net zero by 2050.
- 5.2. The Government published its 25-Year Environment Plan in 2018. Central to this plan is climate change and it sets out its goals for cleaner air and water, thriving plants and animals, and a cleaner, greener country for us all. The Government's Plan acknowledges that it will require work across

society - citizens, businesses, local councils, charities and other non-profit organisations - to make sure that responsible attitudes towards the environment become the norm to secure lasting change.

- 5.3. At the Council meeting on 22 May 2019 the Elected Members of Cheshire East Council approved a Notice of Motion relating to climate change, requesting that a Cheshire East Environmental Strategy is developed and that the Council commits to being carbon neutral by 2025. The Notice of Motion also proposed that the Council worked to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint.
- 5.4. The Council consulted on its draft Environment Strategy during October and November 2019. The consultation received a high number of responses from a wide range of stakeholders, including 384 survey responses, 32 formal written responses, and 54 social media comments. Respondents seemed particularly passionate on the topic.
- 5.5. On the whole, the draft Environment Strategy was well received with very large proportions of respondents agreeing the Strategic Goals were relevant (89%) – this suggests the strategy focuses on the right areas. However, respondents felt more detail and greater urgency is needed for the delivery of a successful Environment Strategy
- 5.6. Respondents called for the council to be clearer in the strategy about what its role would be in tackling the climate emergency, with some calling for the council to lead on this issue throughout the borough. Some suggested a sub-regional Carbon Strategy.
- 5.7. Throughout the consultation respondents highlighted some of the key challenges the council will need to meet to face the climate emergency:
  - 5.7.1. **Economic growth** – respondents felt that economic growth has in many ways only been possible at the expense of the environment, with a “throw-away” economy, increasing populations and constant development. They questioned how the council will balance economic growth with environmental sustainability.
  - 5.7.2. In response to this, the Council has developed a revised Economic Strategy that promotes a ‘sustainable approach’ to growth. In addition delivering sustainable infrastructure and sustainable business environments in the Borough is seen as a way for Cheshire East to exploit the economic opportunities relating environmental and sustainability in the Borough.



- 5.7.3. **Development** - Respondents were concerned at current and planned levels of new housing and development within the borough. They questioned how the council will balance demands for new housing, and new roads, with environmental sustainability.
- 5.7.4. The Environment Strategy explains that the Local Plan, the Council's plan to manage growth and development over future years, seeks to meet the objectively assessed needs for development. This includes accommodating a realistic element of economic growth-derived development need. A strong economy offering sustainable growth is essential in maintaining the borough's prosperity, but the objective is not economic growth at any price; rather it is the sustainable development of Cheshire East.
- 5.7.5. **Reliance on cars** – Respondents are aware of their reliance on cars, even for short journeys, but feel that there is currently no practical, viable alternative. They felt that current development is not supportive of this aim – it is “out of town” and therefore car dependent, little green infrastructure is being built, and cuts to bus service subsidies lessen the sustainable transport options available. Electric cars are presented as a solution, but there is doubt that these are environmentally friendly enough to provide a long-term viable alternative.
- 5.7.6. The Environment Strategy acknowledges the reliance on cars within the borough, reporting that Cheshire East has one of the lowest levels of per capita bus use in England. It commits to develop a new Cheshire East Bus Strategy and an Electric Vehicle Infrastructure Strategy.
- 5.7.7. **Reducing waste** – Reduction of the amount of waste produced by residents was seen as a high priority – achieving this with an affluent population will be a challenge, particularly in a consumer economy, as will reducing use of packaging and single use plastic by manufacturers and retailers.
- 5.7.8. Not producing waste in the first place is by far the best environmental and economic solution to tackling waste, then reusing it followed by recycling and composting. Through a range of waste education and awareness initiatives, the Council is encouraging residents to make waste prevention, reduction and reuse a priority over recycling and disposal.
- 5.8. The consultation also asked whether the delivery of the Environment Strategy should be subsidised from local taxation or cost neutral to the council, i.e. by relying on government grants and other external funding. Respondents favoured delivery of the strategy being cost neutral to the council – though opinion was fairly split on this. 47% felt delivery of the strategy should be cost neutral to the council, 34% felt it should be

subsidised from local taxation, while the remaining 19% were unsure. The adoption of the Environment Strategy will help ensure the financial decisions the Council makes in future are increasingly influenced by carbon accounting principles and the impact on climate change.

- 5.9. The Strategy is designed to provide the policy framework for the Council to evaluate strategies, policies, plans, projects, service delivery and partnerships to consider the environmental and climate change impact. It will ensure that the Council provides strong environmental leadership and stewardship, leading local action in support of the Government's 25-Year Environment Plan to make sure that responsible attitudes towards the environment become the norm to secure lasting change.
- 5.10. There have been wide-ranging changes to the Environment Strategy to acknowledge and respond to the consultation feedback and in particular the key challenges highlighted by respondents. The Strategic Goals have remained the same, albeit re-worded to reflect the sense of urgency:
- Cheshire East Council will be carbon neutral by 2025
  - Reduce waste
  - Improve air quality
  - Ensure new development is sustainable
  - Increase sustainable transport and travel
  - Protect and enhance our natural environment
- 5.11. The strategy has also been updated to reflect the progress made against the priority actions identified in the draft strategy. For example, the Carbon Action Plan, Local Transport Plan, Municipal Waste Strategy and Green Infrastructure Plan have all been completed and provide the more detailed action plans that respondents to the consultation were seeking.
- 5.12. The strategy identifies that there are further key strategies that will be brought forward to support the achievement of our goals, in particular:
- Site Allocations and Development Policies Document (Local Plan part 2)
  - Minerals & Waste Development Plan Document (Local Plan part 3)
  - Cheshire East Bus Strategy
  - Town Delivery Plans
  - Electric Vehicle Infrastructure Strategy
- 5.13. The Council is already engaging with sub-regional partners through the Local Enterprise Partnership (LEP) to consider our common goals and how our stronger, collective voice can have a better impact, in particular in influencing government and business.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. There is no legal obligation to publish an Environment Strategy, but doing so resonates with the approach taken by government in respect of its 25 Year Plan and the draft Environment (Principles and Governance) Bill 2018. It ensures the Council is well positioned in respect of the direction of travel at national and international level.

6.1.2. There are no implications from the Environment Strategy, as its purpose is to guide the formulation of other strategies and plans with a focus on environmental matters. There may well be legal implications that arise from the formulation or implementation of those other strategies and plans, but those will be addressed on a case by case basis.

### **6.2. Finance Implications**

6.2.1. To support the delivery of this strategy, the Council has included investment totalling £12.7m (revenue and capital) within the 2020/24 Medium Term Financial Strategy supporting the development of a range of measures including:

- Improving energy efficiency across the Council's buildings estate
- Improving active and sustainable travel options
- Exploring and developing local schemes for sustainable energy production
- Investing in locally focused carbon offset schemes including large-scale tree planting, hedgerow replacement and peat moss regeneration
- Establishing crowd funding applications and policies to allow local communities to contribute to carbon offset through community tree planting.

6.2.2. In light of the additional financial pressures on the Council arising from Covid-19, the timing and availability of this investment will need review.

### **6.3. Policy Implications**

6.3.1. The Environment Strategy sets out priorities and actions that will contribute to priorities at a borough, national and global level. The strategy contributes to two of the Council's strategic outcomes: that Cheshire East is a green and sustainable place and that People live well and for longer.

6.3.2. The Government published its 25 Year Environment Plan in 2018 calling for action across society – citizens, businesses, local authorities,

charities and other non-profit organisations – to secure lasting change for our country and for our planet. The strategy sets out how the Council will contribute to the national policy.

**6.4. Equality Implications**

6.4.1. An Equality Impact Assessment has been conducted and concluded that there are no direct equality implications.

**6.5. Human Resources Implications**

6.5.1. There are no implications for human resources from the strategy.

**6.6. Risk Management Implications**

6.6.1. The Environment Strategy has been developed to help mitigate the risk of further harm to our environment.

6.6.2. The key risk to the delivery of the strategy will be competing priorities within the council.

**6.7. Rural Communities Implications**

6.7.1. The Environment Strategy will help to protect and enhance the character of our rural areas and support rural communities.

**6.8. Implications for Children & Young People/Cared for Children**

6.8.1. Improving our environment benefits all people, but taking action on climate change will help to leave the environment in a better state for the next generation. Young people in many parts of the world have been actively protesting that their environment is being destroyed and calling on governments to take urgent action on climate change. This has led to the UK Government to announcing that a group of young people will advise the government on priorities for environmental action.

**6.9. Public Health Implications**

6.9.1. Spending time in the natural environment improves mental health and feelings of wellbeing. The Environment Strategy seeks to protect, develop and enhance our green spaces and in so doing help people of all ages access and benefit from their use.

6.9.2. The strategy also recognises the impact air quality can have on public health and reinforces our commitment to improve the air quality environment in Cheshire East.

## **6.10. Climate Change Implications**

- 6.10.1. The key purpose of the Environment Strategy is to set out the strategic goals and priority actions the Council will take to respond to the global challenge of climate change. It includes the commitment that Cheshire East Council will be carbon neutral by 2025.

## **7. Ward Members Affected**

- 7.1. All wards.

## **8. Consultation & Engagement**

- 8.1. The Council consulted on its draft Environment Strategy during October and November 2019. Three reports have been produced to report on the consultation: a summary report, which is included as appendix 2 to this report; a full report, and a report containing all formal response. All reports will be published on the council's website.

## **9. Access to Information**

- 9.1. The Council's Environment Strategy is provided as appendix 1 to this report.
- 9.2. The Environment Strategy Consultation – Summary Report is provided as appendix 2.

## **10. Contact Information**

- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Paul Bayley

Job Title: Director of Environment and Neighbourhood Services

Email: [paul.bayley@cheshireeast.gov.uk](mailto:paul.bayley@cheshireeast.gov.uk)

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## Cheshire East Council

## Environment Strategy 2020-24



## INTRODUCTION

At the Council meeting on 22 May 2019 the Elected Members of Cheshire East Council approved the following Notice of Motion<sup>1</sup>:

“This Council notes that on 1 May Parliament declared an environment and climate emergency and

- a) Requests that a Cheshire East Environmental Strategy is brought forward as a matter of urgency;
- b) Commits to the target of Cheshire East Council being carbon neutral by 2025 and asks that details of how to meet this commitment are included in the Environmental Strategy;
- c) Will work to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumptions and promoting healthy lifestyles.”

It is widely accepted that climate change is happening as a result of human activity, as is the fact that we need to do things differently, both to adapt to the impact and reduce the extent of change in the long term. The effects are being felt at a global level with higher land and sea temperatures, rising sea levels and extreme weather patterns. The impact of extreme weather is being felt at a local level also, whether it be the impact on homes and businesses from increased incidents of flooding or the impact on the elderly and vulnerable from extreme heat.

The Climate Change Act 2008<sup>2</sup> introduced a legally binding target for the UK to reduce greenhouse gases by 80% by 2050 against a 1990 baseline. In June 2019 the UK Prime Minister announced a revised target - the UK will cut emissions to net zero by 2050<sup>3</sup>.

The UK Government published its 25-Year Environment Plan<sup>4</sup> in 2018. Central to this plan is climate change and it sets out its goals for “cleaner air and water; plants and animals which are thriving; and a cleaner, greener country for us all.” The Government’s Plan acknowledges that it will require work across society - citizens, businesses, local councils, charities and other non-profit organisations - to make sure that responsible attitudes towards the environment become the norm to secure lasting change.

The Environment Bill<sup>5</sup>, designed to deliver against the priorities set out in the 25-Year Environment Plan, was re-introduced to parliament on 30 January 2020 following the general election. Upon introducing the Bill, the Secretary of State wrote to local authority Chief Executives across the UK reaffirming the importance of central and local government working together to protect and improve the environment, and explaining how the Bill would bolster the role of local government in responding to environmental issues at a local level, leading specific and locally appropriate responses and driving innovation.

As well as responding to climate change, the Council is committed to protecting and enhancing the built and natural environment of the borough and how this relates to



residents, visitors and business. Spending time in the natural environment also has a positive impact on people's mental and physical health and wellbeing, helping people to live well and for longer.

This Environment strategy sets out our strategic goals and summarises the key strategies and action plans that will ensure we deliver these goals through our service delivery, regulatory activity, projects, and partnerships. It also provides a policy framework for the Council to evaluate all emerging strategies, policies, action plans, and projects to consider the environmental and climate change impact and how they can contribute positively to the goals of this strategy. It will ensure that the Council provides strong environmental leadership and stewardship. Everything we do as a council should consider the implications on climate change and the natural environment.

**1. Cheshire East Council will be carbon neutral by 2025**

- **Carbon Action Plan**

**2. Reduce waste**

- **Municipal Waste Strategy**

**3. Improve air quality**

- **Air Quality Strategy, Air Quality Action Plan**

**4. Ensure new development is sustainable**

- **Local Plan**

**5. Increase sustainable transport and travel**

- **Local Transport Plan**

**6. Protect and enhance our natural environment**

- **Green Infrastructure Plan**

The Council has developed a new Economic Strategy for the Borough that outlines the main priorities that will support inclusive and sustainable growth. This promotes a 'sustainable approach' to growth through encouraging businesses, residents, visitors and organisations across Cheshire East to reduce their carbon footprint and to protect and enhance our natural environment. There are interdependencies between the Environment and Economic strategies that need to be closely managed to ensure economic aspirations do not have a detrimental effect on the environment. However, delivering sustainable infrastructure and business environments could be a significant attractor for business to invest in the borough.

The Environment Strategy also complements the Cheshire East Health and Wellbeing Strategy<sup>6</sup> as attractive and accessible green spaces enable people to access outdoor

space for the mental and physical health benefits. We will promote access to our natural environments and inspire more people to use green spaces for the health benefits.

## **ENCOURAGING BEHAVIOUR CHANGE**

Supporting and encouraging changes in day to day behaviour, habits and expectations of residents, Council staff, council customers, local businesses and other stakeholders will be an important part of the council's activities to deliver this strategy.

The council has a number of platforms and opportunities to engage and educate different audiences about climate change and the environmental impacts of their day to day lives. This includes access to local media through media releases and feature articles, social media activity, web content, and internal communications activity.

A programme of campaigns will be delivered to raise awareness of issues and nudge people towards simple changes and the day-to-day lifestyle choices that they can make in order to reduce their carbon footprint and protect and enhance our environment. This programme will be coordinated with the work of partners, commissioned services and national and international awareness days / weeks, to maximise reach and traction. This will include content and opportunities to engage around issues such as sustainable travel, recycling, household energy, making space for wildlife, and reducing energy consumption in the workplace.

## **MEASURING PROGRESS**

We will measure and report progress and impact through key outcome indicators such as carbon emissions, waste re-use and recycling rates, and air quality. Our decision-making reports now include a section to consider the implications of the recommendations on climate change. Carbon accounting will be embedded into our business planning and financial investment practices and procedures.

We will produce a report in 2022 to update on progress against our goals and review our action plans to ensure they reflect our broader strategic planning and learning.

## 1. A CARBON NEUTRAL COUNCIL BY 2025

Climate change is a global issue, threatening unpredictable and potentially irreversible damage to our planet. It is in everyone's interest to be part of the solution and the Council will lead by example locally by taking action to reduce our carbon emissions and become a Carbon Neutral Council by 2025.

The Council has already reduced carbon emissions by 55% since 2010 through initiatives to reduce carbon and introduce renewal energy sources to our buildings and streetlighting. The Council has produced its Carbon Action Plan<sup>7</sup> to set out how it will achieve carbon neutrality by 2025 and how it will influence wider carbon emission reductions across the borough.

The current carbon footprint of the Council has been assessed to be 15,447 t/CO<sub>2</sub>e (tonnes of carbon dioxide equivalent). To achieve carbon neutrality the Council recognises that it has a range of influences on carbon emissions depending upon the amount of control it has. The scope of the carbon neutrality ambition for 2025 are those emissions which the Council has direct operational control.

Currently carbon for the Borough is estimated to be 2,518,000 t/CO<sub>2</sub>e, of which 38% is On-Road Non-Electric (transport fuels), 35% is Stationary Energy Non-electric (heating and process gas), and 24% is Stationary Energy Electric (electricity use). The residual are small amounts of landfill and rail emissions. Going forward the emissions in the Borough should decrease in line with the UK Government's 2050 zero carbon objective; however, there is a significant amount of influence the council will bring locally to facilitate this.

The action plan to reduce emissions is broken down into 5 areas:

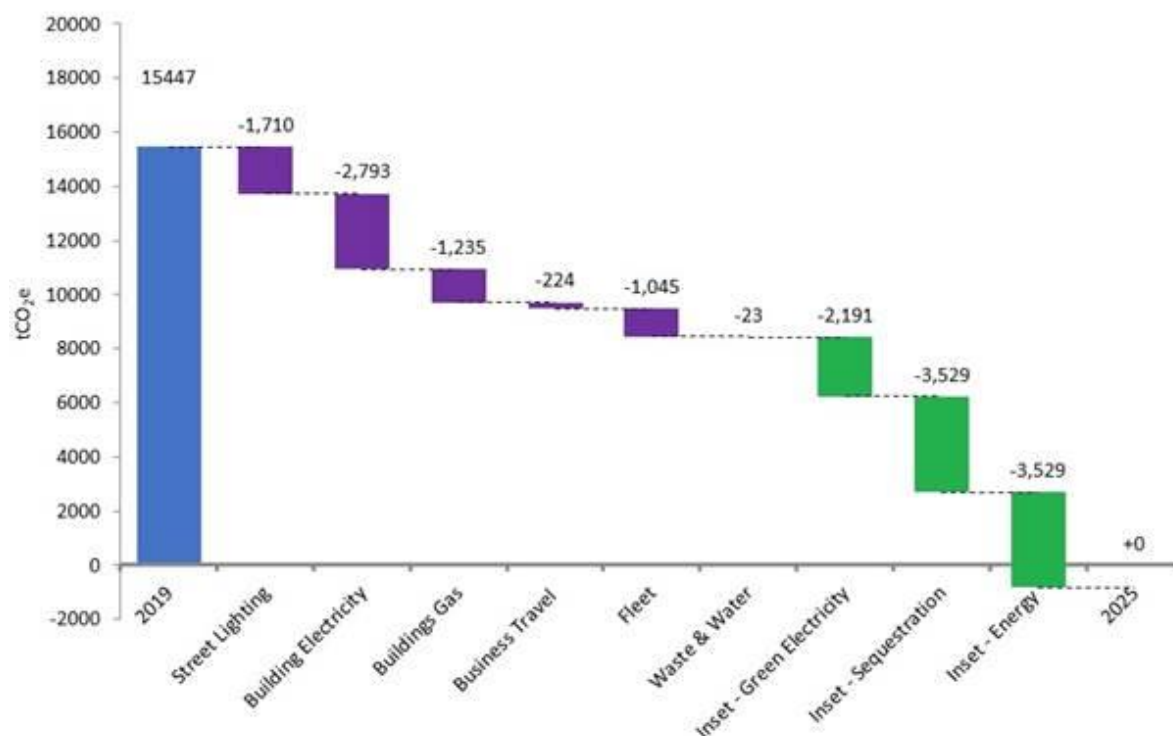
- **Behaviour Change and Internal Policy** - Actions that focus on internal policy, culture and behaviour of the council (e.g. decision-making and procurement process). Changes in this category are generally the least financially intensive and can be initiated quickly. It is also important to drive actions in this area as an enabler and stimulus of further action in the wider borough.
- **Energy Demand Reduction** - Focused on council operations and assets (e.g. council buildings, fleet), but unlike the above, relates to more tangible, capital investment related actions that the council can take to use less energy and fuel, and improve efficiency.
- **Increase Low Carbon Energy Supply** - Alongside a reduction in energy demand, it is necessary to improve the supply of energy by using renewable sources. This includes both a council and borough-wide focus for action, as measures will commonly deliver benefits at scale that can provide opportunity for stakeholders beyond just the council.
- **Natural Capital** - similar to energy supply, the council has the opportunity to progress action both on its own land estate and within the borough more widely.

- **Reducing Borough-wide Emissions/External Policy** - Although these emissions may be under the least influence from the council, in-borough emissions must also reach net zero to keep the UK on track with the national target. The council's role becomes one of a partner and facilitator amongst the community and local businesses, but there is the potential to offset direct council emissions through this work.

It is anticipated that these actions, alongside decarbonisation of the electricity grid, will save 6,315 t/CO<sub>2</sub>e, a 41% reduction. The Council will therefore need to plan to offset a minimum of 9,132 t/CO<sub>2</sub>e. This will be done through two mechanisms:

- **Green Electricity** – the residual carbon from electricity can be offset with purchase of green electricity. The Council will prioritise purchase from local energy generating projects where available. This is expected to save 2,051 t/CO<sub>2</sub>e.
- **Authority Based Insets** – the remaining 7,081 t/CO<sub>2</sub>e will be offset through local offsetting projects, described as 'insets' because they are within the scope of the council's control, in this instance the borough. It is anticipated that this will initially be an even 50/50 split between carbon sequestration, such as large-scale tree-planting, and reduction projects, such as renewable energy generation.

The below diagram outlines the relative contribution of all activity to achieve carbon neutrality by 2025.



In order to ensure that this level of emissions is reached, each service area within the Council will be allocated a carbon budget and will be required to develop a costed implementation plan to deliver this. Progress against these carbon budgets will be reported though the Council's performance management system.

## 2. REDUCE WASTE

A key objective of sustainable development is to produce less waste and as far as possible use it as a resource. In Cheshire East the waste produced in our community needs to be sustainably managed in order to protect the environment and help to achieve the Government's key aim of moving towards a 'zero waste economy'.

In 2018 the Government published its Resources and Waste Strategy – Our Waste, Our Resources: A strategy for England. This set out the ambition to preserve material resources by minimising waste, promoting resource efficiency, and moving towards a circular economy. It also advocated minimising the damage caused to our natural environment by reducing and managing waste safely and carefully, and by tackling waste crime.

The draft Environment Bill will take forward the ambitions set out in the Government's Resources and Waste Strategy and will ensure that, under the 'polluter pays' principle, producers can be held responsible for the full net costs of managing the packaging that they produce at the end of its life, reducing local authorities' financial burdens from waste management. The draft Bill also includes the powers to introduce a deposit return scheme whereby consumers pay a deposit for the single-use container (e.g. a plastic bottle) at the point of purchase which is then returned to the consumer where they bring back the container for recycling.

It should be noted that the Government has also proposed minimum service standards designed to ensure consistency in the materials collected for recycling by all English local authorities. However, there are certain aspects, such as separate collections of dry recyclables and weekly food waste collections, that may require changes to our current service. Further consultation on the details of these schemes is expected in 2020.

The Council has produced its revised Municipal Waste Management Strategy 2030 to ensure its objectives are still relevant in the changing waste industry and national policy framework. The Council is responsible for the management of all household waste within the borough. This means making adequate provision for a range of waste management facilities which enable waste to be re-used, recycled or recovered wherever possible, and only disposed of as the last option in accordance with the overarching principle of the 'Waste Hierarchy'. In 2018/19 total local authority collected waste was 181,288 tonnes. Just over half of this was recycled, composted or re-used (52%); the majority of the remainder was sent to an energy from waste facility, with only around 5% going to landfill. Since 2012 the Council has consistently exceeded the national 2020 recycling target of 50%.

The Council provides a range of services for the collection of municipal waste and litter, including:

- Kerbside collections – non-recyclable waste, recycling and garden and food waste
- A bulky waste collection service

- Household waste recycling centres (HWRCs)
- Bring banks
- Street cleansing
- Litter and dog waste bins
- Litter picking
- Clearing of fly tipped waste.

The Municipal Waste Management Strategy is underpinned by the principles of the waste management hierarchy that prioritise not producing waste in the first place, then reusing it followed by recycling and composting. Not producing waste in the first place is by far the best environmental and economic solution to tackling waste.

The Strategy includes objectives to help reduce waste through a range of waste education and awareness initiatives to make waste prevention, reduction and reuse a priority over recycling and disposal. One of the challenges that the authority faces is that Cheshire East is a good place to live and that levels of income are higher than the national average and this is reflected in the higher levels of waste produced per household. At the most local level – at home – reducing what is put in the bin (perhaps by making decisions in the supermarket not to accept over-packaging or using food waste to make compost) all contributes to the objective of reducing the amount of waste produced across Cheshire East. The Council provides a collection service for bulky waste such as items of furniture through a partnership with a third sector partner. In many cases these items can be re-used either almost immediately or after some repair and refurbishment. This provides many opportunities to use the waste to the benefit of less advantaged members of our community. We also plan to set up a re-use shop at Macclesfield household waste recycling centre. This will be a pilot for the council and we will see what materials are brought to the site that could be made available through the re-use shop.

#### **CASE STUDY – FOOD WASTE CAMPAIGN**

40% of residual waste in our black bin is food waste. In order to address this high figure, Cheshire East has been working hard to encourage residents to waste food by encouraging them to buy less, use leftovers, freeze when possible and from January 2020 to recycle food waste. Our campaigns have aimed to address these issues head on, indicating to residents that by wasting less food they could potentially save themselves around £70 per month (updated from £60 in 2019). Each year we reach on average 7,000 schoolchildren and approx. 8,000 adults during our engagement events. A common theme of our food waste dialogue is clearing confusion over sell-by, use-by and best before dates on packaging as uncertainty around these areas has a direct impact on the volume of food waste collected.

We will also continue to work in partnership with the commercial and charitable sectors, such as supermarkets and housing trusts, schools and higher education establishments to promote waste reduction, re-use and recycling. We will also continue to build and utilise

our waste prevention volunteer network in communities across the borough. We will continue to support and equip local Clean Teams who come together as volunteers to organise litter picks and clean their local areas.

With an increasing awareness of the harm that our waste can cause to the environment and the need to offer as many opportunities to recycle as possible, the Council will be increasing the number of opportunities to recycle 'on the go'. This will mean a move away from a traditional litter bin only and see the introduction of bins that enable residents to recycle their waste. These bins will initially be located in high footfall areas and some parks.

We will measure the impact of our activity to reduce the overall volume of waste and increase re-use through the Council's performance management system.



### 3. IMPROVE AIR QUALITY

Pollution by particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>) can impact public health and cause short and long term health effects. These pollutants also contribute to climate change by affecting sunlight reflection and absorption.

The protection and improvement of the air quality environment is both a national and local priority. Part IV of the Environment Act 1995 requires local authorities to review air quality in their area and designate air quality management areas (AQMA) if improvements are necessary. Where an AQMA is designated an air quality action plan (AQAP) describing the pollution reduction measures must then be put in place to contribute to the achievement of air quality objectives at local level. Local Authorities are required to produce an Annual Status Report describing the strategies employed to improve air quality, the progress made in implementing actions, and to review the planned actions to ensure they reflect the latest understanding of effective air quality mitigation measures. The Air Quality Action Plan and Annual Status Report must be submitted to Defra for assessment and feedback.

The Cheshire East Air Quality Strategy (AQS)<sup>10</sup> was updated in 2018. It provides an overarching strategic framework to deliver air quality improvements within the borough. Its purpose is to support the achievement of the national air quality objectives and raise air quality as an issue for consideration within a wide range of local and regional frameworks including transport and strategic planning. The strategy also acknowledges the need to raise awareness of air quality and its impact upon health within the local community to help residents understand the role that they can play in reducing pollutant concentrations.

The Council adopted an updated Air Quality Action Plan<sup>11</sup> in 2018. This contains general measures that will help improve air quality across the borough and specific measures for each Air Quality Management Area. The measures target traffic management, development control, alternative and active travel, low emission technology and public awareness and education. The actions required to improve air quality in an area requires the active cooperation and commitment of a wide range of council services, partners and the local community.

The Council has published the 2019 Air Quality Annual Status Report<sup>12</sup> which provides an overview of air quality across the borough for the 2018 calendar year. It sets out the results of monitoring, discusses trends in air quality data and outlines strategies employed by Cheshire East Borough Council to improve air quality including any progress with regards to actions contained in the Council's Air Quality Action Plan. Defra have provided their appraisal of the latest Annual Status Report and accepted the report, commenting that the measures within the adopted Air Quality Action Plan are highly detailed and show that the Council have great consideration for improving air quality within their borough. They also commented that the AQMA and diffusion tube mapping is comprehensive and clearly demonstrates the monitoring network, and that monitoring quality assurance/quality control is considered robust.

Air quality in the borough is generally good, but there are areas where the measured nitrogen dioxide concentrations are exceeding the annual average objective, which is 40µg/m<sup>3</sup>. There are currently 19 Air Quality Management Areas (AQMAs) within the borough, however, trend data indicates that air quality is starting to improve and some AQMAs may be considered for revocation in the 2020 Annual Status Report.

It is apparent that the main source of air pollution across the borough is due to vehicular emissions and in particular where there are areas of poor traffic flow. For example, as a result of the construction of a bypass for Mere traffic within the AQMA has decreased and this is reflected in the monitoring results. Given this, measures to improve air quality within Cheshire East are focused on reducing vehicular emissions and easing/improving traffic flows through traffic management, development management, alternative and active travel, low emission technology, and also public awareness.

#### **CASE STUDY – AIR QUALITY EDUCATION IN SCHOOLS**

The level of air pollution is currently a regular item on national and local media reports. Therefore, Cheshire East is currently looking at all options to try and educate and where possible, change perceptions with regards to air pollution. To help with this, the air quality team have produced an education package for delivery in schools to raise awareness within Key Stage 2 (KS2), specifically years 5 and 6.

The aim of the education package is to educate children about air pollution and the effects it can have on health. It is hoped that this will enable the children to have a better understanding about the choices they make and the effects these can have on both the environment and their health. The education awareness package includes a short session with hands on activities for the children, delivered by members of the air quality team. It gives children the opportunity to discuss the causes, effects and potential solutions to air pollution.

The number of Air Quality Management Areas is monitored through the Council's performance management system. The overall number of AQMAs should not be considered an indicator of good or bad as identifying AQMAs and actions to improve air quality is positive action. However, the revocation of AQMAs once monitoring confirms a sustained improvement in air quality is the key measure of success. The Annual Status Report is submitted to Defra for assessment and feedback, and is presented to the Environment and Regeneration Overview and Scrutiny Committee before being published on the Council's website.

## 4. ENSURE NEW DEVELOPMENT IS SUSTAINABLE

### 4.1 Planning Policy

The Local Plan is the Council's plan to manage growth and development over future years. It governs all new development, including the change of use of land, and allocates land for new developments such as housing, employment, retailing, infrastructure and community facilities. The Local Plan seeks to meet the objectively assessed needs for development which includes accommodating a realistic element of economic growth-derived development need. The overall growth proposition set out in the Local Plan Strategy, adopted in 2017, is to deliver at least 36,000 new homes and around 31,000 additional jobs by 2030. A strong economy offering sustainable growth is essential in maintaining the borough's prosperity, but the objective is not economic growth at any price; rather it is the sustainable development of Cheshire East.

The National Planning Policy Framework<sup>14</sup> (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that we must develop both economically and socially, but in a way that contributes to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

At the heart of the NPPF and the Cheshire East Local Plan is a presumption in favour of sustainable development. This is set out in the Local Plan Strategy by the overarching all-embracing Policy MP 1 – Presumption in Favour of Sustainable Development. Further policies in the Local Plan Strategy provide clear guidance on how the Presumption in Favour of Sustainable Development will be applied locally.

The Local Plan is in three parts:

- **The Local Plan Strategy** (adopted July 2017) – this provides the overall framework for growth up to 2030 and includes the key strategic policies necessary to achieve sustainable development.
- **The Site Allocations and Development Policies Document (SADPD)** - this plan provides further detailed planning policies and site Allocations to support the strategic policies and sites contained in the Local Plan Strategy. This includes more detailed policies to manage the impact of new development on the natural environment, climate change mitigation, renewable energy, flood risk management, and natural resources. The Council consulted on its draft SADPD during Autumn 2019 and is undertaking a further review because of the significant number of representations received, and this may require a further round of public consultation prior to its submission to the Secretary of State for examination.

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- **The Minerals & Waste Development Plan Document (MWDPD)** - this is a plan to govern and manage natural resources. It plans for the extraction and exploitation of earth minerals in all their forms: sand, aggregate, hard rock, salt, coal, shale gas and peat. It also plans for how the sustainable management of waste in the Borough to 2030. A first draft of the MWDPD is being prepared for initial consultation during 2020. A further consultation will be undertaken on the publication draft in 2021 before that plan is also submitted for examination

## 4.2 Development Management

The delivery of sustainable development is central to the determination of planning applications ensuring that any new developments comply with appropriate National and Local Plan policies. New developments are required to have regard to all relevant material planning considerations which includes key environmental factors such as air quality, access to sustainable transport, and protection and enhancement of the natural and built environment.

New developments are required to achieve no 'net loss' of biodiversity and deliver a positive net gain for the borough. This can be achieved through financial contribution secured through s106 legal agreements and/or the provision of land to deliver off-site habitat creation. The draft Environment Bill proposes a mandatory requirement for biodiversity net gain in the planning system, to ensure that new developments enhance biodiversity and create new green spaces for local communities to enjoy.

To date the Council has secured financial contribution for biodiversity through section 106 agreements associated with planning permissions with a total value of £1.7m. Funding for biodiversity has also been secured through non-section 106 sources including HS2 Phase 2a - £875,000. The following habitat creation measures have been implemented using contributions secured for biodiversity through the section 106 process:

Habitat Type	Quantity
Native Species Hedgerows	1080m new native species hedgerow
Species Rich Grassland / Wildflower Meadow	In partnership with Cheshire Wildlife Trust's 'Pollinating Cheshire' project 13.4ha have been enhanced as species rich grassland.
Barn Owl	A number of contributions have been received to offset the loss of barn owl foraging habitat which has been used to deliver a substantial number of barn owl boxes in partnership with the Local Barn Owl Groups.
Ponds	One new pond created, one existing pond restored, and marginal planting completed at Queens Park Lake.
Lowland Raised Bog and associated habitats	£50,000 worth of habitat restoration underway at Wybunbury Moss. £3,780 worth of fencing installed at Blakenhall Moss local Wildlife Site to prevent damage to this Lowland Raised Bog Local

### **CASE STUDY – MITIGATING BIODIVERSITY LOSS FROM INFRASTRUCTURE DEVELOPMENT**

The planning application for the widening and dualling of 3.3km of the A500 between Junction 16 of the M6 and the Mere Moss Roundabout was approved in April 2019. The existing habitats within the boundary of the planning application were assessed using the Defra Biodiversity Metric in order to determine their nature conservation importance in an objective standardised manner. The proposals to widen the road will result in the loss of a range of habitats including scrub, broad-leaved plantation woodland and mixed deciduous woodland. Most of the habitats lost to the scheme were considered to be of low to medium value, but there will be the loss of 0.29ha of high value woodland. The total loss of habitat associated with the scheme was anticipated to equate to 43.78 biodiversity units.

The A500 widening scheme included proposals for the enhancement of a number of retained habitats including one and three-quarter hectares of species rich grassland and a small area of marshy grassland. The scheme also included proposals for the planting of new areas of native woodland and scrub. Despite these on-site measures, the scheme was found to result in the loss of a number of biodiversity units. This deficit was mainly the result of the time that newly created or enhanced habitats take to achieve their target condition, which limits the number of units that can be achieved and the lack of opportunities within the boundary of the scheme to undertake further habitat creation measures.

In order to address the shortfall in biodiversity units resulting from the scheme, Cheshire East Highways proposed the payment of a financial contribution to facilitate further off-site habitat creation. The contribution will likely be used towards the creation of species rich grassland in partnership with Cheshire Wildlife Trust as part of the Trust's Pollinating Cheshire Project. A potential site for offsite habitat creation has already been identified.

The Council has a large infrastructure programme to support the delivery of the growth ambitions in the Local Plan Strategy. Schemes such as Congleton Link Road, Middlewich Eastern Bypass, Poynton Relief Road, and the North West Crewe highway package, which all facilitate housing and jobs growth, are either in preparation for delivery or are under construction. As promoter of these schemes, the Council will ensure that any environmental harm is effectively and proportionately mitigated in line with the appropriate planning policies; being mindful at all times of the need to balance the costs of such mitigation against the desire to ensure the schemes are affordable and deliver the desired benefits.

### **4.3 Building Control**

Since 1965 the Building Regulations have been the means by which we regulate for minimum energy efficiency standards in new build and extended homes. Essentially the Building Regulations set standards for how new buildings must be constructed and existing buildings altered to achieve a minimum level of acceptable performance through a

framework of nationally developed standards applied locally. Part 6 of the Building Regulations imposes specific requirements for energy efficiency. Schedule 1 Part L – “Conservation of Fuel and Power” provides guidance for the conservation of fuel and power by producing heat and gases and providing building services which are energy efficient and have effective controls.

Homes account for 20% of greenhouse gas emissions in the UK which have reduced by approximately 20% since 1990 through the continued application of the regulations.

In 2019 the Government consulted on the proposed Future Homes Standard<sup>15</sup> for new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency, including proposals to improve the energy efficiency of new homes from 2020 as a meaningful and achievable stepping stone to the Future Homes Standard. The Future Homes Standard will provide a consistent national standard, removing the ability of local planning authorities to be able to demand different energy efficiency standards. Implementation is planned for 2025 and will seek to improve carbon reduction emissions by up to 31%.

#### **CASE STUDY – HANDFORTH GARDEN VILLAGE**

The Council is planning to deliver an exemplar sustainable community through its strategic development site at Handforth Garden Village, one of the 14 garden villages selected by Government. A garden village is a development of between 1,500 – 10,000 homes, with an emphasis on high quality design and community benefits. The Strategic Planning Document for the site sets out our vision and aspirations, including:

- A village to meet every day needs for the village residents and minimise the need to travel by car, as well as a ‘car and cycle club’ environment to minimise use and dependence on the car, and walking, cycling and bus connectivity to Handforth railway station.
- A ‘smart village’ environment, embracing digital technology and providing shared workspace facilities, including the provision of electric charging vehicle infrastructure throughout the site.
- An integrated district heating network extending across the site to reduce dependency on non-renewable energy sources.
- Incorporation of water efficiency measures and sustainable drainage systems for the management of surface water.
- A net gain for biodiversity through a package of mitigation and enhancement measures on and off site, including green infrastructure that connects and extends existing and newly created habitats to facilitate the movement of species between them, with existing grassland, trees, hedgerows and ponds retained where possible, and new water features designed to maximise their biodiversity value
- Habitat creation by incorporating green roofs and green walls as a way of greening the village centre, residential and employment areas.
- A network of footpaths, cycleways, and green spaces to encourage healthy activity for people of all ages.



## 5. INCREASE SUSTAINABLE TRANSPORT AND TRAVEL

In Cheshire East our transport infrastructure and services are vital to meet our community needs for connectivity to employment, education, health care, shopping and leisure. However, on-road transport is the largest source of carbon emissions in Cheshire East and is a significant contributor to air pollution within Cheshire East is road transport. This impact is indicative of relatively high car ownership in Cheshire East with 40% of households having two or more cars against a UK average of 29%. Greater use of sustainable transport will help improve air quality and contribute to the decarbonisation of the borough. This means making adequate provision for a range of sustainable transport opportunities to enable travel on foot, by cycle or by public transport wherever possible, thereby reducing reliance on private cars – especially single-occupancy cars.

The Council's Local Transport Plan<sup>16</sup>, adopted in October 2019, considers all forms of transport and how transport will support wider policies to improve our economy, protect our environment and make attractive places to live, work and play. A series of Town Delivery Plans are now in development to focus on how the issues and opportunities identified in the Borough wide Local Transport Plan relate to specific areas, setting out schemes and interventions to improve the transport network and choices. The Town Delivery Plans will also consider the surrounding rural areas and smaller settlements which is vital given the Borough's rural population and economy.

### 5.1 Local Bus Services

As the predominant mode of public transport bus must be central to decarbonisation. A double decker bus can take 75 cars off the road. Even small changes in travel behaviour can make a big difference. If everyone switched just one car journey a month to bus it would mean one billion fewer car journeys on our roads and a saving of two million tonnes of CO<sub>2</sub> every year.

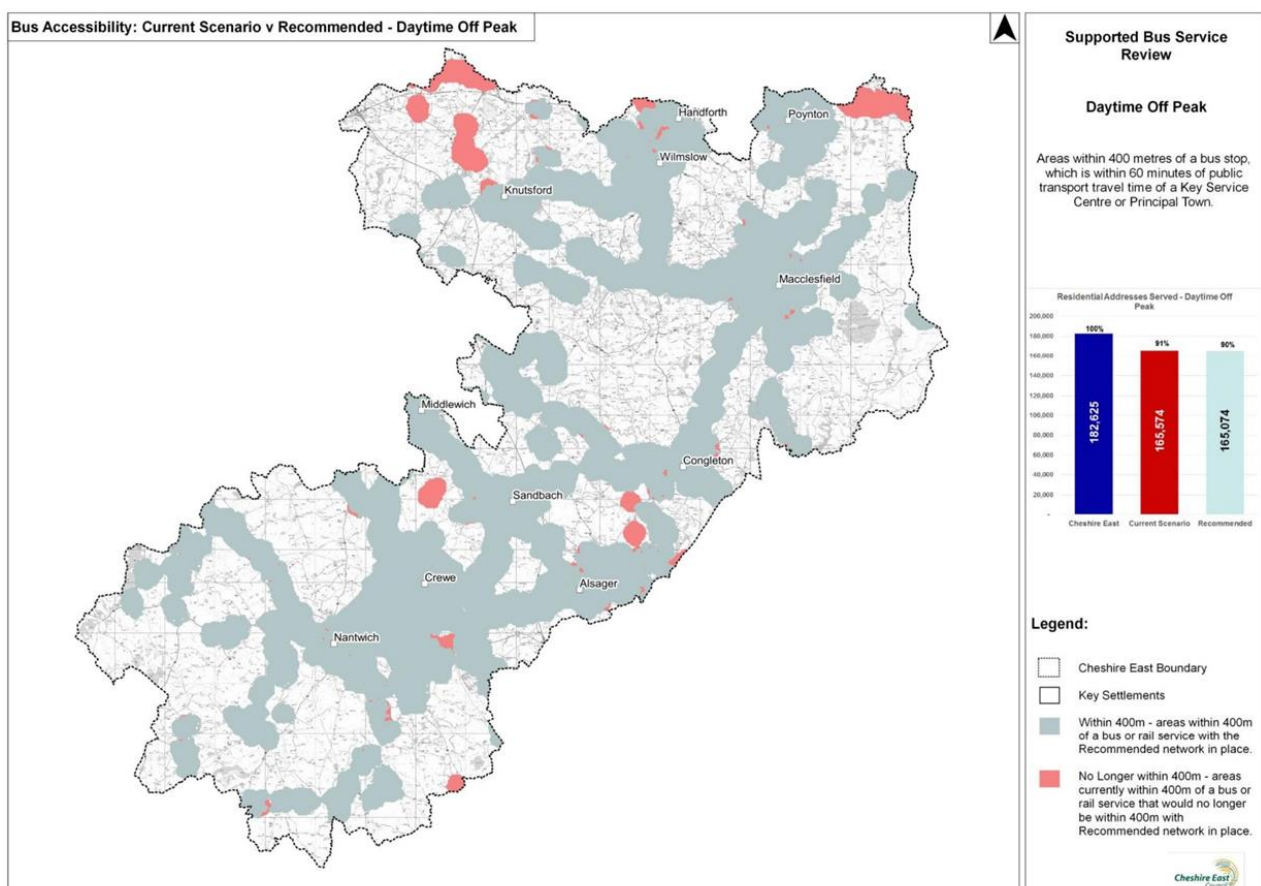
Cheshire East has one of the lowest levels of per capita bus use in England, with an average of only 10.6 trips annually per resident by bus. Bus patronage declined by 22% between 2009-16 in Cheshire East; a more significant decline than occurred nationally. Contributory factors to this decline include the geographical nature and demography of the borough, with high car ownership levels and a number of remote rural areas which are challenging to serve with conventional bus services. Congestion is also identified as one of the causes of reduced bus patronage, owing to adverse impacts on the reliability and attractiveness of bus travel. The trends in local bus patronage place considerable pressure on the viability of commercial bus services, whilst requirements for additional public subsidy place increasing pressures on scarce Council budgets.

The Cheshire East bus network comprises of a mix of commercial and supported (subsidised) services. Commercial bus services are operated by private sector companies in response to levels of travel demand that provide greater potential for revenue generation through bus fares. The Council has only limited opportunity to influence commercial services, since these are controlled by commercial private operators that

include national groups e.g. Arriva, larger regional companies e.g. D&G Buses, and a number of smaller independent bus and coach operators. The Council provides financial support (subsidy) to operate socially-necessary bus services in the Borough. These services enable residents to benefit from local bus services in areas where commercial services do not operate given ongoing Council budget pressures and the subsequent de-registration of commercial services

The coverage of our local bus network is a critical determinant of sustainable transport choices. Currently, accessibility by local bus across Cheshire East is sufficient to provide many of the essential linkages between towns across the Borough although there are a number of localities that do not meet even minimum standards for bus provision. The areas shaded grey on the below map represent those areas within 400 metres of a bus stop which is within 60 minutes public transport travel time of a Principal Town or Key Service Centre. The areas shaded red are not within 400 metres of a bus stop. Importantly, however, these minimum standards increasingly fail to meet passenger's expectations for frequency, duration and reliability of service. Hence, where people have a choice, they are more likely to choose alternatives to the bus network.

### Bus Accessibility Across Cheshire East



The quality of bus infrastructure is also a vital component in making bus services attractive to users. Stations and stops are an integral part of the bus-users experience, as these are the places that provide the waiting room for local bus. All too often the experience is



miserable, leaving passengers without adequate information, comfort or shelter during their wait for the bus. A significant uplift in the passenger waiting environment is necessary to ensure that local bus use is attractive for modern users. The Council is progressing with a town centre regeneration programme for Crewe that incorporates a new bus interchange.

#### **CASE STUDY – FLEXIBLE TRANSPORT SERVICE**

The Council recognises that traditional, scheduled bus services may not be feasible in all areas of the Borough or meet the needs of all residents and communities in Cheshire East. The Council has provided a flexible demand responsive transport service for a number of years. This service provides a safety net for isolated communities or passengers with particular mobility needs. The service is regularly used by a relatively small but important group of users, who consider it is critical to meeting their local travel needs. Those users typically comprise of vulnerable users across the borough, including the elderly and mobility impaired.

Development of Flexible Demand-responsive Transport offers interesting opportunities for the future of local bus. There is a need to test the commercial viability of various models of flexible transport, which potentially provide more bespoke services both to individual users or to specific user-groups e.g. corporate travel, or links to education or training.

A key drawback of local bus provision is the lack of integrated ticketing options for customers. Most commercial operators across Cheshire East provide a range of ticket options which are exclusive to their own services. Whilst these undoubtedly provide benefits to those users who can rely on only one operator, there are major price penalties for any trip requiring interchange between operators. Development of a system of integrated tickets is a key priority for Transport for the North. Cheshire East will benefit considerably from this outcome, which should enable local people to make cost-effective journeys that rely on more than one local bus company, or require both local bus and local rail services.

The government has recently pledged £5bn over the next five years to improve bus and cycling services in England. To ensure the Council is able to benefit from these funding opportunities, we will:

- Develop a Cheshire East Bus Strategy that defines a future vision for our local bus network;
- Develop Town Delivery Plans to identify the schemes and interventions required to improve the transport network and choices within each locality;
- Identify and prioritise local infrastructure improvements to support bus networks;
- Work in partnership with bus operators and neighbouring councils to enhance the quality, reliability and sustainability of local bus networks;
- Maximise investment in the local bus network through bids to national and regional funding streams.

## 5.2 Electric Vehicle Infrastructure

The Government has announced that a ban on selling new petrol, diesel or hybrid cars in the UK will be brought forward from 2040 to 2035, and could come even earlier if possible. Electric vehicles provide an opportunity to reduce carbon emissions and other vehicle emissions. Electric Vehicles will become ever more popular, with experts forecasting that the purchase price of electric vehicles will reach rough parity with fossil fuel cars by the middle of the decade. Therefore, it is important that there is the necessary infrastructure to cope with this.

The Council has already provided six 50kW rapid charging units in car parks in Congleton, Wilmslow and Nantwich. The sites have been chosen as they are close to destination points such as supermarkets and coffee shops, where drivers can pass 20 minutes or so while waiting for their vehicle to charge. As the Local Planning Authority, the Council is able to request charging points are installed where appropriate as part of the approval process for both domestic and commercial planning applications.

The Council will produce an Electric Vehicle Infrastructure Strategy which will outline the ambition to increase electric charging infrastructure provision, and seek funding opportunities and initiatives which encourage the uptake of electric vehicle usage. The Strategy will also determine the most appropriate locations across the borough depending on the need, land availability, power provision and types of charging points to be installed.

The annual National Travel Survey<sup>17</sup>, undertaken by the Department for Transport, will enable us to monitor the uptake of sustainable transport and travel, and compare with national trends.

## 6. PROTECT AND ENHANCE OUR NATURAL ENVIRONMENT

Our natural environment provides us with multiple benefits including improving air quality, conserving biodiversity, reducing flood risk and capturing carbon. It contributes to our 'Quality of Place' and enables people to enjoy the outdoors contributing to their physical and mental wellbeing and to our economy. However, we cannot take this for granted and if economic growth is to be sustainable, we must ensure a parallel increase in the quality of our natural environment.

Our Local Plan strategy sets a vision for growth, but one that is balanced in a sustainable way. It envisages a green infrastructure network that will increase the provision of accessible green spaces, supporting flora, fauna and improving general wellbeing. Cheshire East aspires to a comprehensive and connected green infrastructure that will meet the needs of people and nature in the 21<sup>st</sup> century. We aim to pass on a better environment to the next generation.

We aim to deliver a high quality and accessible network of green spaces for people to enjoy, providing a range of social, environmental, economic and health benefits. We will take a coordinated approach to the management of the green infrastructure the Council is responsible for (such as open space, countryside sites, public rights of way, parks, playing pitches, water bodies, highways and our farm estates) to protect, develop and enhance these green spaces for all. We will seek to protect the health of existing ecosystems, encourage the restoration of degraded ecosystems and enhance the biodiversity of the borough. In doing so we will improve people's health and wellbeing by encouraging people of all ages use and have access to green spaces.

The Council has published a Green Infrastructure Plan<sup>18</sup> for Cheshire East to 2030 as a road map for a more comprehensive and connected green infrastructure. The Plan provides an evidence base and framework to guide future decision-making, investment and action for like-minded organisations or individuals who share a vision for excellent green infrastructure. While it has been commissioned by Cheshire East Council, it will be delivered through collective contributions with the involvement of partners, communities, landowners and developers. The Plan identifies key activities that can be aligned to projects and particular interest groups:

- **Urban greening** – creating and maintaining vibrant, healthy and inspiring places where people want to live and work.
- **Getting outdoors easily** – engaging people and improving community access to, and enjoyment of, green infrastructure for health and wellbeing.
- **Rivers and valleys** – catchment-wide activity to improve water quality, natural flood management, re-naturalisation and tranquil enjoyment of watercourses and waterways.
- **Thriving nature** – creating and safeguarding well-connected networks of habitats.

- **Working alongside major infrastructure** – integrating green infrastructure into major new infrastructure projects and retrofitting green infrastructure alongside existing infrastructure.
- **A distinctive place for culture, heritage and tourism** - enhancing the setting of and access to heritage, landscape and outdoor recreational assets.
- **Environments for business** – creating an attractive and accessible setting for centres of employment and economic activity, both in towns and the countryside.
- **Farmland and soils** – enabling land management which conserves and restores soil productivity and improves carbon sequestration.

The Plan applies these activities at both a landscape scale in urban fringe and rural areas, and to urban projects in the principal towns and key service centres.

While the Council will maintain a commitment to leadership of the Green Infrastructure Plan, it cannot deliver the plan on its own and will require collective contributions from like-minded partners. A key priority for the Council is to develop a range of partnerships at both a landscape and community level to deliver the opportunities and benefits outlined in the plan.

The South West Peak Landscape Partnership is an example of a successful place-based collaborative approach. Utilising Heritage Lottery Funding combined with contributions from a range of delivery partners, the partnership is delivering initiatives across a defined rural landscape area, engaging communities, enhancing habitats and species, generating wider environmental benefits and building stronger connections with the landscape to encourage stewardship.

The Cheshire Local Nature Partnership is another example of collaborative working that has a key role to play in helping Cheshire and Warrington to thrive by championing natural capital benefits for business, people and biodiversity. It brings together a range of organisations involved in improving the local natural environment. The Green Infrastructure Plan identifies that the Local Nature Partnership offers an existing mechanism that presents an opportunity to support partnership working in Cheshire East and more widely across the area.

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11. [Cheshire East Air Quality Action Plan](#)
12. [2019 Air Quality Annual Status Report](#)
13. [Cheshire East Local Plan Strategy](#)
14. [National Planning Policy Framework](#)
15. [Future Home Standard Consultation](#)
16. [Cheshire East Local Transport Plan](#)
17. [National Travel Survey](#)
18. [Cheshire East Green Infrastructure Plan](#)

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# Cheshire East Council's Environmental Strategy Consultation

## Summary report



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## Conclusions

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### A passionate response

The Environment Strategy consultation received a high number of responses, from a wide range of stakeholders. Responses received were extremely lengthy, detailed and covered a wide scope.

Respondents seemed particularly passionate on the topic, and as such it may be in the council's long term best interests to ensure it listens to, and acts on, this response.

On the whole, Cheshire East Council's draft Environment Strategy was well received, with very large proportions of respondents agreeing the Strategic Goals were relevant (89%) – this suggests the strategy focuses on the right areas.

### More detail needed

However, lower proportions of respondents felt the Strategic Goals were comprehensive (64%). This point was repeatedly emphasised throughout written consultation feedback, with respondents feeling that much more detail will be needed for the strategy to be effective.



## Greater urgency needed

Similarly, respondents felt the strategy required a much greater sense of urgency. If this council truly believes there is a climate emergency, fundamental policy changes, and council transformation, may be required to meet the challenge – potentially leading to fundamental change in the way we live, and in the way our communities function.

## Key challenges

Throughout the consultation respondents highlighted some of the key challenges the council will need to meet to face the climate emergency:

**Economic growth** – Respondents felt that economic growth has in many ways only been possible at the expense of the environment – on a “throw away” economy, increasing populations and constant development. They questioned how the council will balance economic growth with environmental sustainability, and whether there needs to be a move towards a [circular economy](#).

**Development** – Respondents are extremely agitated at current and planned levels of new housing and development within the borough – they felt there has been too much and want it to stop. They fail to see how this development, and associated increases in traffic and loss of green space, is environmentally friendly, and urge a full and comprehensive review of the Local Plan in light of the climate emergency. They questioned how the council will balance demands for new housing, and new roads, with environmental sustainability.

**Reliance on cars** – Respondents are clearly aware of their reliance on cars, even for short journeys, but feel that there is currently no practical, viable alternative. The challenge of moving people out of cars, and onto more sustainable forms of transport is formidable – significant infrastructure investment may be required. Current development is not supportive of this aim – it is “out of town” and therefore car dependent, little green infrastructure is being built, and cuts to bus service subsidies lessen the sustainable transport options available. Electric cars are presented as a solution, but there is doubt that these are environmentally friendly enough to provide a long term viable alternative.

**Reducing waste** – Reduction of the amount of waste produced by residents was seen as a high priority – achieving this with an affluent population will be a challenge, particularly in a consumer economy, as will reducing use of packaging and single use plastic by manufacturers and retailers.

Further to these key challenges, respondents highlighted many other challenges and suggestions, which will need consideration in the fight against climate change.

## **The council's role**

Respondents called for the council to be clearer in the strategy about what its role would be in tackling the climate emergency. Some called for the council to lead on this issue, and felt that its strategy should not be solely internal facing, but that the council should lead on a process of change throughout the whole borough. They felt that unless it does, efforts will not do much for Cheshire East unless the council brings the whole population with it.

Some suggested a sub-regional Carbon Strategy which “clearly identifies the role all partners, residents, businesses and policy can play in achieving carbon zero, with clear targets and measurables that can be reported against”.

## **Future engagement**

Fighting the climate emergency is a global, national and local issue. Cheshire West and Chester Council recently declared a climate emergency, stating [“radical change”](#) will be need to meet the challenge, committing [£16 million towards this aim](#).

For Cheshire East Council, this consultation will be the beginning of an ongoing engagement process on a challenging and emotive issue, which will need to be well resourced and carefully managed to be successful.

# Introduction

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During October and November 2019 Cheshire East Council consulted on its first draft of an Environment Strategy for 2019 – 2024.

The consultation was widely promoted and received a significant response, including 384 survey responses, 32 formal written responses, and 54 social media comments.

Responses were received from a wide range of stakeholders, including CEC Environmental Health Team, Cheshire CCG, Cheshire East Climate Alliance, Cheshire East Countryside Access Forum, Cheshire Local Nature Partnership, Congleton Cycling Campaign, Congleton Sustainability Group, Councillor Akers-Smith, Goostrey Parish Council, Holmes Chapel Parish Council, Holmes Chapel Village Volunteers, National Trust, Natural England, NFU North West, Pickmere Parish Council, Poynton Town Council, Sandbach Town Council, Scotwood Nursery Shavington-cum-Gresty Parish Council, The Environment Agency, The Tatton Group, Transition Wilmslow, Walkers Strings Limited, and Weston & Basford Parish Council.

The 3 reports being released as part of this consultation are:

1. This summary report
2. A full report
3. All formal responses.

# Delivering the strategy

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Throughout consultation feedback, respondents highlighted the following aspects they felt would be important for the delivery of a successful Environmental Strategy.

## Greater urgency needed

Respondents emphasised a sense of urgency which they felt was not reflected within the strategy – “The [IPCC \(Intergovernmental Panel on Climate Change\)](#) gave us a decade to turn things around, and we are already two years into this period. We cannot waste time. Every action counts”.

Some felt the strategy appears cursory, is “all talk no action”, and thought more passion is needed. They stated that:

- The strategy is not in-line with the UK’s overall commitment to the [Paris Agreement](#)
- The strategy doesn’t reflect the level of pressure the environment is under, as set out in the [State of Nature report 2019](#)
- The scale of the challenge being faced is more clearly set out in the [Greater Manchester 5-year Environment plan](#).

Ultimately respondents felt that “whilst the council wants to be carbon neutral by 2025, it seems unlikely to be able to meet that without much bolder policies”. They were also disappointed that the strategy “gives no indication of the level of ambition” being aimed for.

## More detail needed

Respondents felt the Strategic Goals were “non-specific”, contained “broad brush wordy phrases”, and as such required significant, more detailed targets adding, alongside target dates and estimated costings, in order to be effective.

They suggested the strategy should set clear and quantifiable targets for residents, businesses, and other organisations within the borough to aim for, and, at the very

least, should “establish a current emissions baseline to (define) the trajectory required to reach net zero by 2025”. Respondents stressed that target dates for the achievement of actions were either missing or unrealistic.

## **The council’s role in delivering change**

Respondents also wondered what role the council should play in facing the climate emergency, and felt this needed to be made clearer within the strategy.

On the one hand some felt the council is “best placed and indeed the only actor with the authority to lead and facilitate a process of change”, and should act as a leader on this agenda. They felt the council should impel stakeholders rather than just encourage them to become more environmentally friendly, perhaps through enforcement or monetary penalty.

On the other hand some felt it was a good “lead by example strategy”, with suggestions that the council should act as a “fast follower” (e.g. an organisation that quickly imitates the innovations of its competitors), rather than being a leader in this area.

## **Engage more widely to develop and deliver the strategy**

Respondents felt the strategy should involve, refer to and engage a wider range of stakeholders – they felt all stakeholders in Cheshire East must play their part, rather than just the council, to reduce energy consumption and carbon footprints.

Potential stakeholders included residents, businesses, Councillors, Town and Parish Councils, neighbouring Local Authorities, Central Government, developers, charities, local schools, health organisations, police and fire, local environmental groups, environment agencies, volunteer groups, wildlife conservationists and experts, Local Enterprise Partnerships, and local land owners.

Respondents also suggested ways this engagement could take place, including through community information hubs, public update reports, consultation and engagement events, public meetings, People’s Assemblies, Natural Capital Audits, and community environment audits.

## **Produce a sub-regional carbon strategy**

Respondents suggested having “an overarching Carbon Strategy, which clearly identifies the role all partners, residents, businesses and policy can play in achieving carbon zero, with clear targets and measurables that can be reported against”. Others called for a sub-regional Carbon Strategy, to galvanise collective activity, and to be monitored and reported on.

# Contradictions between current policy, and Environmental Strategy aims

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Respondents highlighted the following contradictions between current council policy, and Environmental Strategy aims – they felt there is a disconnect between what the council says it will do, and what it is actually doing:

## 1. Economic growth Vs Environmental sustainability

Respondents felt economic growth has only been possible at the expense of the environment, and wondered how the council will balance economic activity with environmental sustainability in future.

They wondered at what point the cost of economic growth becomes environmentally unacceptable, and felt that to meet this balance significant behaviour change will be required. They wondered how the borough will move towards a [circular economy](#), and felt that the council's Environmental Strategy contradicts the council's Economic Strategy.

## 2. Housing completions Vs Environmental sustainability

Respondents were strongly aggrieved by what they saw as too much development in Cheshire East, feeling that there appears to be “no control on new developments”. Some simply wanted the council to “stop building”, while others strongly opposed development on greenfield sites, wondering how loss of green space and natural habitat for development was environmentally sustainable.

Some urged a “full, urgent and comprehensive review of the Local Plan in response to the climate change emergency motion”, feeling the “number of new homes required in the Local Plan has been vastly overstated, and does not comply with more recent Government requirements and ONS data”. They felt that some of the current Local Plan sites would simply not be accepted against the current Environmental Strategy.

### **3. Housing build quality Vs Environmental sustainability**

Respondents felt recent and planned housing was not as environmentally friendly as it must be to meet the challenge of the climate emergency. They felt new development must be built to much higher environmental standards, such as the Passivhaus standard, to help tackle the emergency effectively.

### **4. Green infrastructure Vs Environmental sustainability**

Respondents felt that the council's current planning policy contradicts its aims to increase sustainable transport and travel. They felt current development was "out of town", and therefore car dependent, and that housing, services and employment centres were not close enough together, or well enough linked, to enable sustainable travel.

They felt new housing developments include "token" cycling and walking provision, and "does nothing to link the new development to adjacent shopping, primary and secondary schools". Respondents felt sustainable transport is not taken into account in planning applications.

### **5. Reliance on cars Vs Environmental sustainability**

Respondents were concerned that a reliance on cars is not environmentally sustainable, and felt changing this reliance would be difficult in an affluent and rural borough, where personal car ownership is high. They felt cars are too convenient for people, and that unless travellers have the assurance of efficient, hassle free trips, devoid of danger, they will continue to use their own vehicles.

Some simply wanted the council to stop building new roads, despairing at "the number of extra highways being built to accommodate the increased use of cars and other vehicles". They wondered how this policy could address the issue of sustainable transport.

Others felt the Local Plan aim for increased road capacity appears to contradict the Environmental Strategy aim for sustainable transport and less reliance on cars.



## **6. Electric cars Vs Environmental sustainability**

Respondents felt electric vehicles provide “only part of the answer” for environmental sustainability. Electric vehicles were felt to be unaffordable for the majority, while some suggested it is a “myth” that electric cars are more environmentally friendly than petrol / diesel cars.

They were concerned that promotion of electric cars would proliferate the use of private transport, when they felt public transport, cycling, and walking were better for environmental sustainability.

## **7. Bus service cuts Vs Environmental sustainability**

Respondents felt that current bus services are “absolutely dire”, or are “sparse, erratic, finish early, doesn't exist at weekends, or just doesn't exist (at all)”. They felt bus services needed to be more frequent, more reliable, better quality, cleaner, and more affordable.

Respondents questioned why the council has cut bus services in recent years, and felt proposals in the Environment Strategy “will be met with hollow laughter by residents who have had bus service funding withdrawn”. Some wondered whether this strategy represents a U-turn on the policy of bus service cuts, or whether this strategy is just paying “lip service to this concept”.

## **8. High levels of waste Vs Environmental sustainability**

Respondents felt there should be an emphasis on reducing waste in the first instance, rather than on increasing recycling levels. They felt an emphasis on recycling encourages people to be wasteful, and that people must change their “throw away lifestyles” instead.

Some suggested the level of affluence in the borough meant people could afford to be wasteful, as one respondent suggested “I have noticed that the wealthier my friends, the more the throw out”. They felt “zero waste” should be the aim.

## Rating the strategic goals

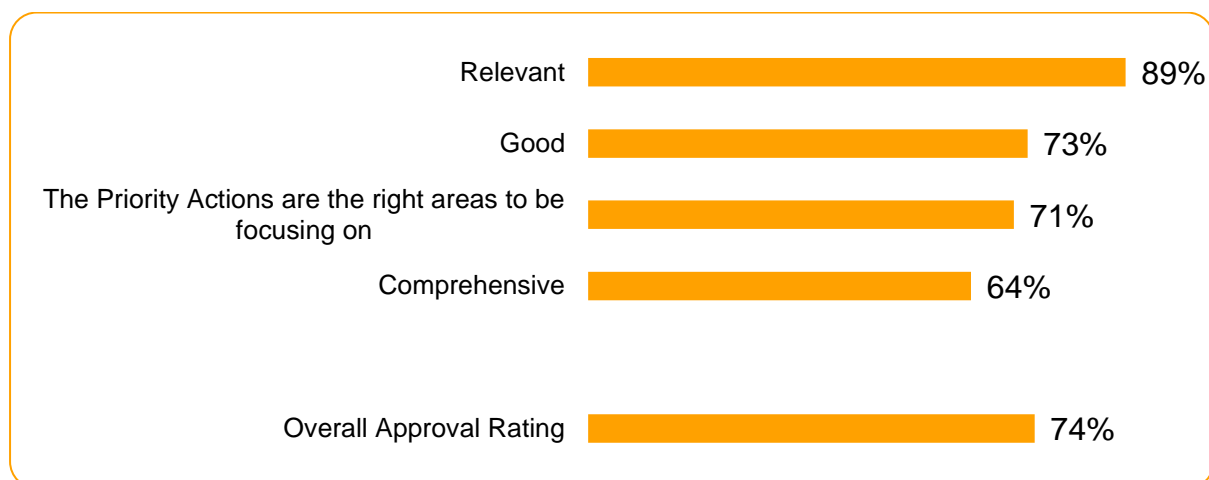
In total, 384 respondents submitted their consultation response via an online survey. The following section summarises all responses to the quantitative questions in this survey.

### Overall Approval Ratings

Respondents to the survey, conducted as part of the consultation, were asked to state whether they thought each of the Strategic Goals were relevant, good, comprehensive, and whether they felt the priority actions were the right areas to be focusing on.

Overall, respondents were most likely to agree the Strategic Goals were relevant (89% agreed overall), but least likely to agree they were comprehensive (64%).

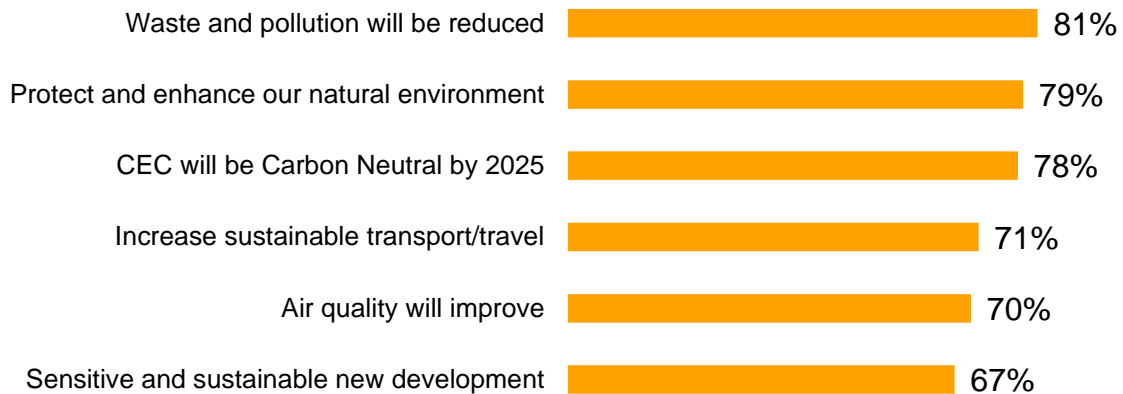
Overall Approval Ratings are calculated as averages of these ratings.



### Overall Approval Ratings for the Strategic Goals

Strategic Goal 2 (Waste and pollution will be reduced) received the highest Overall Approval Rating of 81%, with Strategic Goal 5 (Sensitive and sustainable new development) receiving the lowest Overall Approval Rating of 67%.

### Overall Approval ratings for each of the Strategic Goals:



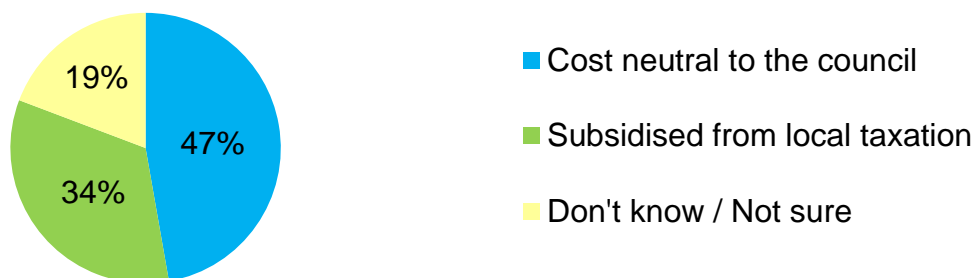
*Number of respondents between 326 and 360*

## Delivering the Environment Strategy

Respondents favoured delivery of the strategy being cost neutral to the council – though opinion was fairly split on this.

47% felt delivery of the strategy should be cost neutral to the council, 34% felt it should be subsidised from local taxation, while the remaining 19% were unsure.

Do you think that delivery of the Environment Strategy should be subsidised from local taxation, or cost neutral to the council e.g. by relying on government grants and other external funding?



*Number of valid responses = 343*

# Comments on the strategic goals

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The following section presents a summary of respondent comments on each of the Strategic Goals in the Environmental Strategy. Full summaries can be found in the main report.

## Waste and pollution will be reduced

The main aim here should be to reduce the amount of waste being produced as far as possible, the borough should be aiming for zero waste, and there is over-emphasis on recycling and recycling rates. Some felt that:

- The level of affluence in the borough meant people could afford to be wasteful
- Behaviour change is needed – consumer and eating habits need to alter to help reduce waste
- Retailers must be encouraged to reduce the amount of packaging
- Single use plastic must be eliminated as far as possible
- Clear targets should be set in the pursuit of zero waste.

Respondents wanted the number of items that can be recycled to be expanded, to include items such as all plastics, household items, shoes, clothes, and other fabric goods. They wanted clearer guidance about what can and cannot be recycled, particularly with regard plastics and food waste, and wanted improved transparency on what actually happens to their recyclable waste once collected.

Respondents suggested a number of recycling schemes they felt should be embraced/embraced further within the strategy, including [Recycling On The Go](#), [Terracycle](#), [Freecycle](#), smart bins, composting, water collection, [reverse vending machines](#), paper recycling, and business waste collection / recycling.

Finally, some felt that “pollution” is not given any attention within this Strategic Goal, and that it either needs removing from the Strategic Goal heading and tackling separately, or given more attention within this Strategic Goal.

## **Protect and enhance our natural environment**

Respondents emphasised the importance of green space to for people's health and wellbeing, and felt that safe, accessible green space should be available to as large a proportion of the population as possible, within a short walking distance. They felt investment was needed in green space, PROW, and green corridors, and that more green space is needed. They suggested the council should:

- Plant more trees – Set targets for the percentage of tree cover to aim for e.g. Friends of the Earth propose 20%
- Create “wildlife corridors” throughout the borough – To improve biodiversity, increase insects, wildlife, and native wildflowers/pollinators. Some suggested rewilding of hedges and verges.
- Encourage farmers to be more environmentally responsible
- Take environmental and wildlife considerations in all new planning and development
- Have better flooding management
- Restrict chemical use.

Some felt that constant population increases were not compatible with protecting the natural environment, and that the council's planning policy contradicts this Strategic Goal.

## **CEC will be Carbon Neutral by 2025**

Suggestions for the council in becoming carbon neutral:

- Increase the amount of homeworking and shared offices for staff, have fewer face to face meetings
- Encourage staff to use more public transport, have more cycle to work schemes, encourage more staff to walk to work
- Cancel car parking subsidies, sell the car parks, increase car sharing

- Embed carbon reduction into procurement processes
- Use alternative fuels in its whole fleet
- Use renewable energy in all council buildings
- Ensure carbon reduction targets apply to arms length companies and contractors e.g. ANSA, Orbitas, bus companies
- Bulk buy electricity
- Become 100% paperless.

Suggestions for residents in becoming carbon neutral:

- Change behaviour through education and financial incentive
- Reduce car use – Cheshire East should aim for 40% of commuter journeys being made by public transport, cycling and walking, up from the 19% currently (Friends of the Earth Climate Check calculator)
- Improve public transport – Public transport is not a viable alternative to car use and needs improving, expanding and promoting. Reverse bus cuts
- Increase walking and cycling – Walking and cycling as an alternative to car use was not a viable option as it is unsafe, there are not enough cycle paths, and roads in Cheshire are too narrow to cycle on
- Increase EV use – Increase EV use, install more electric car charging points, change the fleet to EVs
- Plant more trees and hedges, ban fires, go plastic free, cut down on waste
- [Gravitricity](#) – Store renewable energy down mine shafts, or down the Salt Mines
- Carbon offsetting – By 2025 the process of grid decarbonisation will be far from complete, so a high level of offsetting of the residual emissions will still be needed post-2025 – this challenge merits specific treatment in the strategy

## **Increase sustainable transport / travel**

Respondents felt that reducing car use, and a reliance on cars, was a high priority. They felt cars are too convenient for people, particularly for more affluent residents, or those living in rural areas, and that people need to be actively discouraged from using them. Unless people have the assurance of efficient, hassle free travel on sustainable transport, devoid of danger, they will continue to use their own vehicles.

Suggested ways of reducing car use included:

- Have congestion charges, ban petrol and diesel cars / have car free days in town centres
- Reduce and slow traffic down to reduce emissions
- Deter people from making short trips by car, including to and from school
- Encourage ride sharing, and shared vehicle ownership
- Develop co-working spaces closer to where people live, consider whether centralised education facilities are needed in the 21st Century
- Introduce workplace parking levies
- Change all council vehicles to electric, have council cycle to work weeks.

Some felt the council's current planning policy contradicts sustainable transport – they felt development was “out of town”, car dependent, only includes “token” cycling and walking provision, and that the council should stop building new roads.

Better public transport, particularly bus services, are needed. Some felt current bus services are “absolutely dire”, or are “sparse, erratic, finish early, doesn't exist at weekends, or just doesn't exist (at all)”. They wanted more frequent, more reliable, better quality, cleaner, and more affordable services. They wondered why the council has cut bus services in recent years, if it wishes to increase travel by public transport.

Investment in cycling and walking infrastructure is also needed, perhaps with a

commitment to invest a certain % of the highways budget on cycling and walking provision. People will only cycle or walk more if it becomes safe, easier, and quicker than driving.

Electric vehicles are “only part of the answer” – Some felt EVs are not affordable, and lack sufficient charging infrastructure to be practical. Others felt it is a myth that electric cars are more environmentally friendly than petrol/diesel cars, feeling that over their whole lifetime their carbon footprint is still very significant, with carbon released during their manufacture and recycling.

## **Air quality will improve**

Respondents cited traffic congestion, and increased levels of development as the main causes of air pollution.

They felt congestion, especially during rush hour, leads to increased air pollution, exacerbated by idling vehicles and “dirty” diesel buses. They felt that new housing, new roads, and the continued development of Manchester Airport would lead to worse air quality.

They felt air pollution could be tackled by promoting green travel, planting more trees, reducing pollution at source, educating people to be greener e.g. on driving habits, focusing on the worst areas, and extending air quality measurements.

Some felt the council has a lot to do to regain trust on the issue of air quality, given the past issues around air quality data falsification.

## **Sensitive and sustainable new development**

Many respondents simply wanted new housing / development in the borough to stop – respondents felt the borough was too populated, that there had been too much development recently, and that there appears to be “no control on new developments”. They implored the council not to build on greenbelt, or greenfield sites.

Some felt that “the whole planning system needs overhauling”, that they do not trust the council with planning applications and development.



Others felt developers must be held more to account, and made more responsible for development in Cheshire East. They felt they should be discouraged from putting profit first, and prioritising development over the environment.

They felt new development should:

- Comply with the council's environmental and carbon strategies
- Adhere to the highest building regulations and standards (which some felt current development does not) e.g. Passivhaus standards
- Be carbon neutral (both when lived in, and when being built), or be Net Zero Carbon Buildings (as defined by the UK Green Building Council)
- Integrate with green infrastructure including roads, cycle lanes and facilities
- Have access to good public transport networks
- Be close to, or well linked to, local services such as shops, schools and GPs etc.
- Be eco-friendly and sustainable e.g. incorporating solar panels, triple glazing or thermal insulation, smart meters, EV charging points, ground source heat pumps or district heating, green walls / roofs
- Be eco-friendly and sustainable e.g. incorporating water collections tanks for rainwater harvesting, built-in wildlife habitat such as swift boxes, bat boxes and bee bricks, gardens that have compost bins, ponds, trees, good quality soil, small trees and wildlife friendly hedges, roads that have amphibian friendly crossings and kerbs
- Be affordable, and built by local firms using local materials.

Respondents also felt that the council's key policy documents need updating in light of the declared "climate emergency", that they were written and consulted on at a different time, and that in light of the climate emergency, are not fit for purpose and require re-writing. They felt:

- The “number of new homes required in The Local Plan has been vastly overstated, and does not comply with more recent Government requirements and ONS data”, and urged “a full, urgent and comprehensive review of the Local Plan in response to the climate change emergency motion”
- The SADPD does not reflect the Climate Emergency strongly enough, that it continues to propose developments on green belt “with no real justification”, that “urban sprawl” across CEC continues, and that the time period for adoption of the SADPD seemed ambitious
- The Minerals and Waste Plan this plan should commit to keeping coal, gas and shale in the ground.

## Measuring progress

Respondents suggested that metrics used to measure progress should be: realistic, measurable (e.g. [SMART](#)), accurate, joined-up, and benchmarked (e.g. [SCATTER](#)).

They also felt they should be transparent (e.g. [RAG](#), trend, or hotspot data), reviewed regularly, and well publicised.

A number of metrics were suggested, including: car ownership levels, numbers of vehicles on the roads by type (e.g. EV, petrol, diesel), the length (km) of new or improved “routeways” for cycling and walking, the numbers of people cycling, bus and train annual passenger numbers, public transport reliability figures, public transport passenger satisfaction surveys, congestion levels, the number of events where emissions exceeded acceptable levels, the type of waste being processed and where it originates from, the amount of waste produced per person, the amount of packaging, the number of houses being built, the ratio of green space to built environment in CEC at local and overall levels, wildlife levels, species diversity, amount of habitat created, biodiversity net gain, tree and hedgerow coverage, numbers of trees planted each year, energy consumption of buildings, overall council emissions, and the proportion of petrol / diesel council vehicles vs proportion of electric council vehicles.







*Working for a brighter future together*

Key Decision: Y
Date First
Published:
17/10/2019

## Cabinet

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**Date of Meeting:** 05 May 2020

**Report Title:** Cheshire East Carbon Action Plan

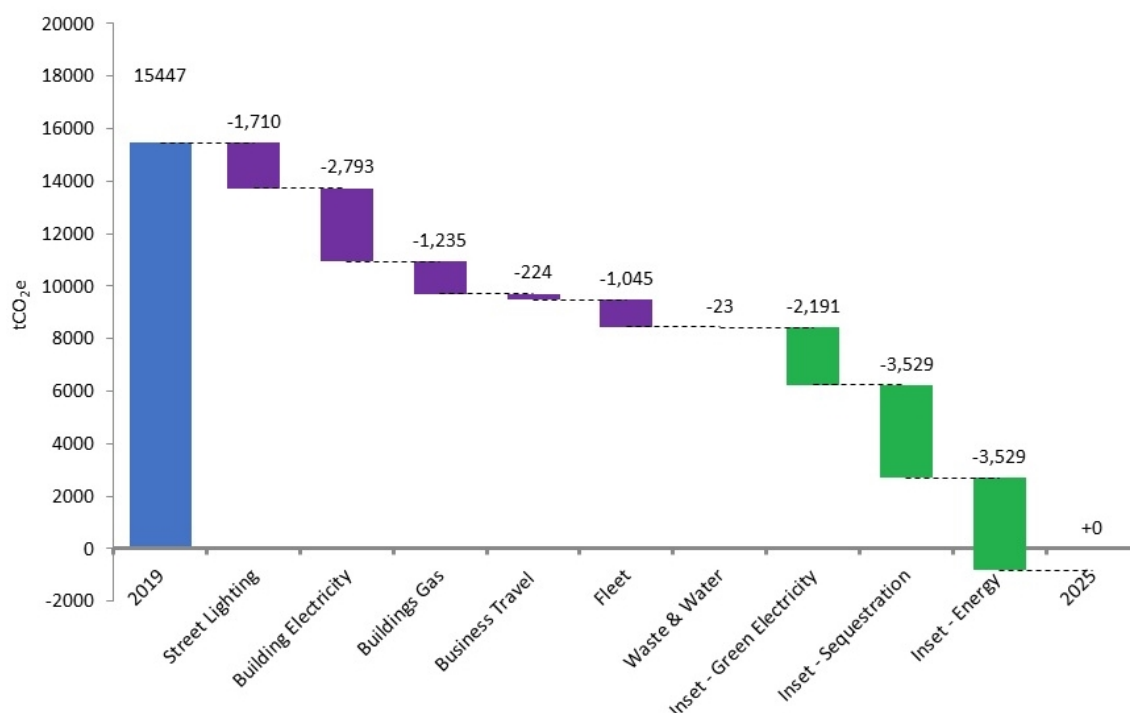
**Portfolio Holder:** Cllr Nick Mannion - Environment and Regeneration

**Senior Officer:** Frank Jordan, Executive Director Place

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### 1. Report Summary

- 1.1. The Council has committed to be carbon neutral by 2025 and to work to encourage businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumption and promoting healthy lifestyles.
- 1.2. The Carbon Action Plan sets out how the Council will achieve carbon neutrality by 2025 and influence emission reduction across the Borough.
- 1.3. Since 2010 the Council has reduced its carbon emissions by 55% but recognises there is still much work to do to achieve carbon neutrality. The current carbon footprint of the Council has been assessed to be 15,447 t/CO<sub>2</sub>e (tonnes of carbon dioxide equivalent).
- 1.4. The Council commits to address its remaining carbon footprint through further carbon emission reduction measures, sustainable energy production and carbon offset through local environmental schemes such as large-scale tree planting sequestration (long term removal of carbon from the atmosphere).
- 1.5. The diagram below outlines the relative contribution of all activity that will be required to achieve carbon neutrality by 2025, including a 10% contingency. The Council will also develop communication resources and toolkits to assist town and parish councils and communities in calculating, reducing and offsetting Carbon.



## 2. Recommendations

### 2.1. That Cabinet:

2.1.1. Approves the Carbon Action Plan as outlined at Appendix One.

2.1.2. Delegates authority to the Head of Environmental Services to take all necessary actions to implement the Carbon Action Plan, including:

2.1.2.1. Embedding carbon accounting into the business planning and investment processes;

2.1.2.2. Reducing carbon from buildings by adopting the Building Research Establishment Environmental Assessment Method (BREEAM) 'Excellent' or equivalent standard for new buildings and aiming for the highest BREEAM standard achievable for refurbished Council buildings;

2.1.2.3. Reducing carbon from council vehicles through the use of ultra-low carbon vehicles wherever possible;

2.1.2.4. Continuing to seek opportunities to develop sustainable energy production across the borough;

2.1.2.5. Focusing on environmental carbon offsetting within the borough through sequestration and reduction schemes, such as tree planting, with communities and partners from across the borough;

2.1.2.6. Seeking to become a full partner of the Northern Forest scheme and offset carbon through tree / hedgerow planting and peat moss restoration on Council owned land and farming estate;

2.1.2.7. To approve receiving £700,000 of external funding for the Crewe Heat Network from the Local Enterprise Partnership's Local Growth Fund, and bringing forward the associated supplemental revenue estimate in the MTFS to 2020/21.

### **3. Reasons for Recommendations**

3.1. On the 22 May 2019, Cheshire East Council approved the following Notice of Motion relating to Climate Change.

*“This Council notes that on 1 May Parliament declared an environment and climate emergency and*

*a) Requests that a Cheshire East Environmental Strategy is brought forward as a matter of urgency;*

*b) Commits to the target of Cheshire East Council being carbon neutral by 2025 and asks that details of how to meet this commitment are included in the Environmental Strategy;*

*c) Will work to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumptions and promoting healthy lifestyles.”*

3.2. The Council has developed its Environment Strategy with the following strategic goals:

- Cheshire East Council will be carbon neutral by 2025
- Reduce waste
- Improve air quality
- Ensure new development is sustainable
- Increase sustainable transport and travel
- Protect and enhance our natural environment

3.3. The Environment Strategy will be delivered through a suite of action-oriented strategies and plans. The Carbon Action Plan is the delivery plan that sets out how the Council will be carbon neutral by 2025.

### **4. Other Options Considered**

4.1. The action plan sets out the council's approach to achieve carbon neutrality. An alternative approach could have prioritised delivery of accreditation through existing carbon neutrality standards (PAS2060). This would require the procurement of carbon credits to offset residual emissions in 2025 which

is considered inappropriate given these credits are not currently available for projects within the borough.

- 4.2. Green investment opportunities could also be explored by the Council to provide additional offsetting. Prioritising offsetting through local carbon reduction and sequestration projects will support all businesses, residents and organisations in Cheshire East to reduce their carbon footprint.
- 4.3. The action plan seeks to balance the options available to become carbon neutral, with the input of Services from across the Council. It sets the overall strategic approach with actions based upon the available knowledge and current best practice. However, it does not preclude other actions being incorporated through to 2025, especially as new and innovative solutions emerge.
- 4.4. The Council cannot 'do nothing' and continue with existing reduction measures in a business as usual approach but will need to make significant changes to its approach to achieve carbon neutrality by 2025.

## **5. Background**

### The Council's Carbon Emissions

- 5.1. In achieving carbon neutrality, the Council has a range of influences on carbon emissions depending upon the amount of control it has. The scope of the carbon neutrality ambition for 2025 are those emissions which the Council has direct operational control. These have reduced by 55% since 2010 from 34,1033 t/CO<sub>2</sub>e and currently total 15,447 t/CO<sub>2</sub>e, as of 2019. These include the nationally recognised scope 1 (direct fuel/gas use) and scope 2 (direct electricity use) below:
  - Owned Building Gas.
  - Council owned Fleet vehicles.
  - Owned Building Electricity.
  - Street Lighting Electricity.
- 5.2. Some elements of Scope 3 (indirect) have been included, where the council has a high level of control even when procured/commissioned and are consistent with the wider environmental messaging around sustainable travel, waste and water use. These are:
  - Non-Council Highways and Waste Fleet.
  - Business Travel.
  - Owned Building Waste.
  - Owned Building Water.



- 5.3. The scope does not include emissions from schools and commuting given the council does not have the ability to directly influence. Most schools are separately controlled; and the council cannot mandate the type of vehicle officers and members own. These are placed into the 'Stronger Influence' scope and will still be the subject of action to reduce emissions.
- 5.4. The scope also does not include the remainder of Scope 3 emissions concerned with emissions from the wider array of goods and services procured or commissioned, given that the council does not directly control and they are impossible to measure accurately. This footprint is ten times larger than the operational footprint at around 155,000 t/CO<sub>2</sub>e. The council's approach to procurement, working with suppliers and using best practice in specifications, can influence these emissions and these actions are included in the action plan.
- 5.5. The Council's carbon neutral commitment also sought to influence carbon reduction across the borough. Currently carbon for the borough is estimated to be 2,518,000 t/CO<sub>2</sub>e of which 38% is On-Road Non-Electric (transport fuels), 35% is Stationary Energy Non-electric (heating and process gas), and 24% is Stationary Energy Electric (electricity use). The residual are small amounts of landfill and rail emissions.
- 5.6. Going forward the emissions in the Borough should decrease in line with the UK Government's 2050 zero carbon objective; however, there is a significant amount of influence the council will bring locally to facilitate this, and it is worth noting that decarbonising transport and heating will be the most difficult areas.

#### Carbon Neutrality

- 5.7. It is believed that currently no local authorities have been certified as carbon neutral. There are 'carbon neutral' standards, such as PAS2060, which have been developed and these have been used by the private sector to demonstrate their environmental credentials. PAS2060 requires a demonstration of the actual carbon reduction in its scope of emissions, and then allows for offsetting of residual emissions given that it is not currently practical to become zero-carbon for most companies.
- 5.8. The offsetting follows very strict guidelines and there are only a few mechanisms available at the present which meet these. There is only one domestic scheme, the Woodland Carbon Code, but there are currently no projects in Cheshire East, which means that in order to be 'certified' the council would need to invest in schemes outside of the borough to offset its residual annual emissions. This is not considered appropriate for local

authorities given that this investment would come from local taxation with no direct benefit to the local area.

- 5.9. Cheshire East's approach to carbon neutrality will therefore mimic the PAS2060 approach through prioritising actual carbon reduction before then offsetting the residual emissions, except this will be done through investing in projects locally. Through the development of the action plan, this local offsetting approach has been refined to be termed 'Authority Based Insets'. These would be investments into permanent, additional and verified carbon reduction or sequestration projects within the boundary of Cheshire East. Examples of this would be local tree planting, peat restoration, or energy generation projects. It is hoped to work with other authorities to develop this approach further, including seeking a new accreditation scheme so that the council can look to become certified by 2025.
- 5.10. There is still the option to become 'certified carbon neutral' through purchasing accredited offsets outside of the borough in 2025 (unless projects emerge in Cheshire East). This would require an ongoing commitment of resources.

#### Action Plan

- 5.11. The Action plan to reduce emissions is broken down into 5 areas which can be mapped onto the spheres of influence:
- 5.11.1. Behaviour Change and Internal Policy - Actions that focus on internal policy, culture and behaviour of the council (e.g. decision-making and procurement process). Changes in this category are generally the least financially intensive and can be initiated quickly. It is also important to drive actions in this area as an enabler and stimulus of further action in the wider borough.
  - 5.11.2. Energy Demand Reduction - Focused on council operations and assets (e.g. council buildings, fleet), but unlike the above, relates to more tangible, capital investment related actions that the council can take to use less energy and fuel, and improve efficiency.
  - 5.11.3. Increase Low Carbon Energy Supply - Alongside a reduction in energy demand, it is necessary to improve the supply of energy from renewable sources. This includes both a council and borough-wide focus for action, as measures will commonly deliver benefits at scale that can provide opportunity for stakeholders beyond just the council.
  - 5.11.4. Natural Capital - Similar to energy supply – the council has the opportunity to progress action both on its own land estate and within the borough more widely.

5.11.5. Reduce Borough-wide Emissions/External Policy - Although these emissions may be under the least influence from the council, in-borough emissions must also reach net zero to keep the UK on track with the national target. The council's role becomes one of a partner or facilitator amongst the community and local businesses, but there is the potential to offset direct council emissions through this work. The Council will develop communication resources and toolkits to assist parish town councils and communities in calculating, reducing and offsetting Carbon.

5.12. It is anticipated that these actions, alongside decarbonisation of the electricity grid, will save 6,095 t/CO<sub>2</sub>e, across all relevant services, a 39% reduction on 2019.

#### Carbon Budgets

5.13. Once the actions to reduce emissions are taken into account, the council is still expected to produce 9,352 t/CO<sub>2</sub>e.

5.14. To ensure this level of emissions is reached, each service area will be allocated a carbon budget and will be required to develop a costed implementation plan to deliver this. These budgets will be based upon 90% of the expected carbon emissions and so will total 8,417 t/CO<sub>2</sub>e to allow for a contingency in meeting the 2025 target.

5.15. These carbon budgets will be reviewed annually by the Programme Board and progress will be reported through the Council's KPI monitoring system. The initial carbon budgets for the council will be based on a ramping up of activity towards 2025 to take into account mobilisation:

Area	2019/20 t/CO <sub>2</sub> e	2020/21 t/CO <sub>2</sub> e	2021/22 t/CO <sub>2</sub> e	2022/23 t/CO <sub>2</sub> e	2023/24 t/CO <sub>2</sub> e	2024/25 t/CO <sub>2</sub> e	% Reduction
<b>Buildings Gas</b>	4,410	4,366	4,210	3,964	3,593	3,175	28%
<b>Building Electricity</b>	3,911	3,771	3,492	2,933	2,095	1,117	71%
<b>Business Travel</b>	884	873	850	806	738	660	25%
<b>Street lighting</b>	2,556	2,470	2,299	1,957	1,444	846	67%
<b>Fleet</b>	3,543	3,490	3,386	3,177	2,864	2,498	29%
<b>Waste</b>	53	52	51	49	46	43	19%
<b>Water</b>	91	91	89	87	83	78	15%
<b>Total</b>	15,447	15,113	14,378	12,972	10,863	8,417	46%

- 5.16. This budget takes into account the expected carbon reduction in electricity (Building Electricity and Street lighting) from the decarbonisation of the grid, hence the smaller budgets for these areas.

Residual Offsetting

- 5.17. The Council will therefore need to plan to offset a minimum of 9,352 t/CO<sub>2</sub>e, though this number has yet to be risk adjusted. This will be done through two mechanisms:

5.17.1. Green Electricity – the residual carbon from electricity can be offset with purchase of green electricity, this includes an allowance of 10% electrification of heat and fleet emissions. The Council will prioritise purchase from local energy generating projects where available. This is expected to save 2,191 t/CO<sub>2</sub>e.

5.17.2. Authority Based Insets – the remaining 7,058 t/CO<sub>2</sub>e will be offset through local offsetting projects. These local offsets being described as 'insets' because they are within the scope of the council's control, in this instance the borough. It is anticipated that this will be a 50/50 split between carbon sequestration and reduction projects, but this will be reviewed following the development of detailed implementation plans.

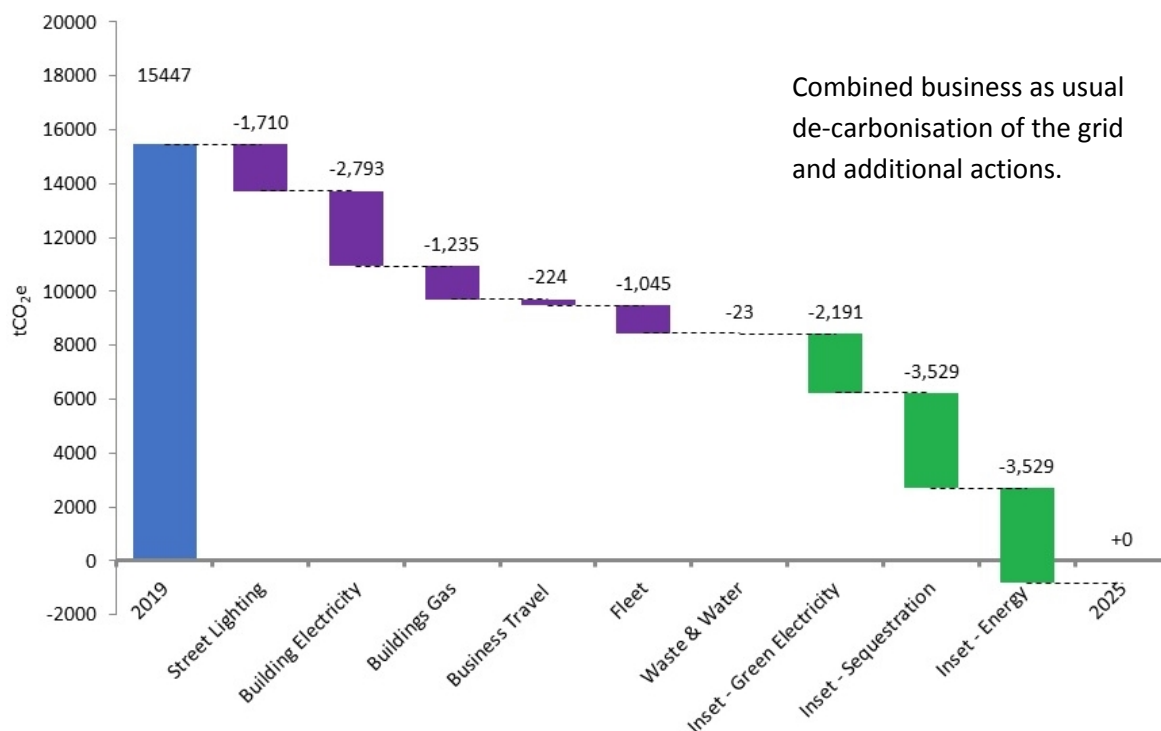
- 5.18. In order to ensure permanence of offsetting, the carbon sequestration required will be based upon offsetting the cumulative residual emissions expected between 2025 and 2050, when the UK economy will be decarbonised and therefore no further offsetting will be required. This assumes the achievement of UK ambitions and an approximately flat rate reduction to 2050.

- 5.19. This would equate to approximately 40,000 t/CO<sub>2</sub>e requiring offsetting locally which at 300 t/CO<sub>2</sub>e per hectare would require approximately 130 hectares of tree planting or equivalent sequestration being planted by 2025. Given that this rate of sequestration is based on the average over the lifetime of a tree, this will mean that the Council will not have sequestered 50% of the residual carbon by 2025 but would have 'baked in' this offsetting through to when the UK is planned to be carbon neutral.

- 5.20. Energy generation projects are permanent in that they avoid carbon being generated so to offset the other 50% of the residual emissions the Council will need to have only completed projects to the value of 3,529 t/CO<sub>2</sub>e by 2025. At current carbon factors this would equate to approximately 10MW of photovoltaics covering approximately 20 hectares. It could equally be achieved through new connections to heat networks, smaller renewable

projects, and carbon reduction projects across the borough. These projects could deliver an income or cost saving for the council.

- 5.21. One of these key projects is a proposed Heat Network for Crewe Town Centre. The Local Enterprise Partnership has offered a contribution towards the cost of the Crewe Heat Network in 2020/21 through the Local Growth Fund, this is to support innovation linked to their Clean Growth and Energy Strategy in promoting the use of heat networks and potentially connecting to the geothermal resource in Crewe in the long term. It also supports the Growth of Crewe linked to HS2.
- 5.22. This offsetting is based upon a rate of decarbonisation which is slower than the level some scientists believe is required to meet the Paris Accord, so the level and balance of offsetting required should be continually reviewed against national and international progress so the Council may need to revisit this approach.
- 5.23. The diagram below outlines the relative contribution of all activity to achieve carbon neutrality by 2025, including an additional 10% target on emission reductions, acting as the contingency.



### Delivery

- 5.24. It is proposed that the current Carbon Neutrality Programme Board will continue to oversee the approach to carbon neutrality, as part of the Brighter Future Transformation Programme.

- 5.25. In addition, working groups will be established to lead on the individual implementation plans based upon the areas of emissions reduction needed.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The Government's 25 Year Environment Strategy sets out how the UK will honour its commitments through the Paris Climate Accord to limit average temperature rise to below 2°C. Building on the Climate Change Act 2008, which introduced legally binding carbon budgets, as amended in June 2019, to enshrine into law that the UK will be carbon neutral by 2050.
- 6.1.2. The Council has the opportunity to indirectly influence carbon emissions when tendering contracts. The Council can ask for carbon reduction measures as part of the social value requirements of a bid and provide training to officers on the scope to do so when commissioning goods and services.

### **6.2. Finance Implications**

- 6.2.1. Initial carbon neutral revenue and capital budget requirements are included in the Council's Medium Term Financial Strategy 2020-24, this also includes a contribution from retained business rates income (from renewable energy assessments) likely to increase as the Council influences greater sustainability in business property.
- 6.2.2. The action plan however lists significant additional capital and revenue requirements; these will need to be incorporated into the Council's Medium Term Financial Strategy process, as projects complete initial feasibility and business case planning stages.
- 6.2.3. The Council's Medium Term Financial Strategy 2020-24 also identifies the expected external grant funding for the Crewe Heat Network in 2021/22, this includes the £700,000 from the Local Enterprise Partnership's Local Growth Fund for which the supplementary revenue estimate will need to be brought forward into 2020/21.

### **6.3. Policy Implications**

- 6.3.1. The action plan supports the Council's vision and strategic outcomes and will require wide spread policy implications across the council, in order to introduce carbon budgets and targets and assess projects on a carbon benefit, in addition to cost benefit.

**6.4. Equality Implications**

- 6.4.1. An Equality Impact Assessment has been undertaken. Further work will be needed to assess individual measures proposed in the action plan on a case-by-case basis.

**6.5. Human Resources Implications**

- 6.5.1. All newly created projects, including the costed implementation plans for key service areas, will assess the specific HR implications through the business case process.

**6.6. Risk Management Implications**

- 6.6.1. The key risk to the delivery of the action plan will be competing priorities within the council that prevent or delay the delivery of the action plan.
- 6.6.2. The carbon action plan sets out the priorities and actions that will help contribute to the council and borough wide commitments. A key risk is therefore delivering the necessary change to the hierarchy of decision-making and sufficient HR and financial resources to ensure embedding across the council in the business planning and investment process.

**6.7. Rural Communities Implications**

- 6.7.1. There are no implications for rural communities.

**6.8. Implications for Children & Young People/Cared for Children**

- 6.8.1. There are no implications for children and young people.

**6.9. Public Health Implications**

- 6.9.1. Carbon reduction initiatives will have corresponding benefits for public health through encouraging active travel such as cycling or walking, and low carbon fuels and increased tree planting have the potential to improve air quality.

**6.10. Climate Change Implications**

- 6.10.1. The action plan will have a positive impact on climate change through delivering carbon neutrality for the Council's operations and promoting climate action mitigation measures across the Borough.

**7. Ward Members Affected**

- 7.1. All

## **8. Consultation & Engagement**

- 8.1. The Environment Strategy Consultation in 2019 included the topic of Carbon Neutrality, and therefore a dedicated consultation exercise is not required. Inputs from the consultation and engagement will therefore be incorporated accordingly into generation of projects.

## **9. Access to Information**

- 9.1. This paper is supported by the appended Carbon Neutrality Action Plan 2020-2025.

## **10. Contact Information**

- 10.1. Any questions relating to this report should be directed to the following officer:

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Job Title: Head of Environmental Services

Email: [ralph.kemp@cheshireeast.gov.uk](mailto:ralph.kemp@cheshireeast.gov.uk)





## Cheshire East Council

### Carbon Neutrality Action Plan 2020-2025 January 2020



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# Introduction and Context

## Introduction

At the Council meeting on 22 May 2019 the Elected Members of Cheshire East Council (CEC) approved the following Notice of Motion relating to Climate Change.

“This Council notes that on 1 May Parliament declared an environment and climate emergency and  
 a) Requests that a Cheshire East Environmental Strategy is brought forward as a matter of urgency;  
 b) Commits to the target of Cheshire East Council being carbon neutral by 2025 and asks that details of how to meet this commitment are included in the Environmental Strategy;  
 c) Will work to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumptions and promoting healthy lifestyles.”

This work is being commissioned by Cheshire East Council in response to this motion.

## Document purpose

This Carbon Neutral Action Plan is focused on actions that CEC should consider deploying directly in support of the carbon neutral 2025 target.

A separate Supplementary Annex document provides further detail, analysis and recommendations in respect of the following topics:

- CEC’s own carbon footprint from 2011 to present;
- Cheshire East borough’s carbon footprint from 1990 to present, including emissions from agriculture and land use;
- An indicative ‘route map’ to 2050 which seeks to define the nature and extent of emissions reduction measures to reach carbon neutrality, for both the Council itself and the wider borough; and
- Carbon Neutrality definitions, challenges and case studies

### The council will:

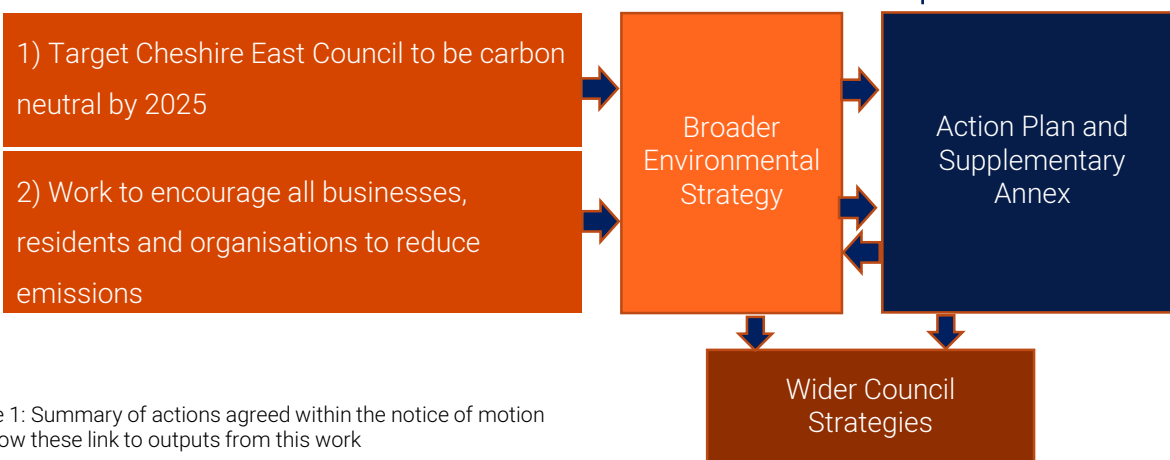


Figure 1: Summary of actions agreed within the notice of motion and how these link to outputs from this work



# Introduction and Context

## Global emissions performance

Intergovernmental Panel on Climate Change (IPCC) special report on the impacts of global warming of 1.5 °C above pre-industrial levels, was issued in October 2018, and serves as a stimulus of Local Authorities to act on the 'climate emergency'. This report stated that in order to remain within a 1.5 °C increase, governments must cut emissions of greenhouse gases (globally) by 45% by 2030.

The UN Environment Programme also recently published their 2019 Emissions Gap Report, which found that the Nationally Determined Contributions were insufficient to ensure that global temperature rises stays below 1.5°C, and that nations must triple their efforts in order to meet even a 2°C target. It also found that global emissions had increased in 2018 after a period of stability between 2014 and 2016.

A key finding of the report is that: '...non-state and subnational action plays an important role in delivering national pledges. Emission reduction potential from non-state and subnational action could ultimately be significant, allowing countries to raise ambition.'

Research by the Global Carbon Project issued in December 2018 reported that since 1990, there has been a 43% increase in total radiative forcing – the warming effect on the climate – by long-lived greenhouse gases.

In November 2019, the World Meteorological Organization reported that during 2018 concentrations of CO<sub>2</sub> peaked at 407.8 parts per million – a level last seen 3 million years ago when average global temperatures were 2-3 °C warmer.

The Climate Change Act 2008 introduced a legally binding target for the UK to reduce greenhouse gases by 80% by 2050 against a 1990 baseline. In June 2019 the UK Prime Minister announced a revised target - the UK will cut emissions to net zero by 2050 (relative to the 1990 baseline).

The above evidence makes clear that immediate and drastic action is required to avoid global warming to

dangerous levels, whilst encouraging sub-national policy measures and action as a necessary means of reducing emissions.

## Building the case for action

It is widely accepted that decarbonising will offer many co-benefits. These include:

**Health improvements** – Due to cleaner air, warmer homes, more exercise and better mental health.

**Quality of Place** – Less traffic congestion, job creation in the low-carbon sector, operational cost savings via increased energy efficiency and waste reduction

**Green Infrastructure**<sup>1</sup> – investments in natural solutions to climate change (i.e. tree planting, peatland management, etc)<sup>2</sup> can have a wide range of additional benefits including:

- **Biodiversity** – natural spaces in urban and rural settings create refuges for wildlife.
- **Water management** – regulation of water availability & quality and flooding.
- **Heat regulation** – vegetation provides cooling/ warming in the summer/ winter, respectively
- **Economic benefits** – e.g. increased productivity through greater wellbeing; new revenue streams.
- **Health & wellbeing** – e.g. increased recreation; reduced stress; spiritual connection to nature.

However, recent science indicates that decarbonisation needs to accelerate, and as a result, not only are we forgoing opportunities to live better, healthier lives, we are exposing ourselves to more frequent, extreme weather events, such as flooding and heat stress (among many other adverse impacts).

## References

- Council announcement
- IPCC 1.5 Report
- Emissions Gap Report
- Global Carbon Project research
- World Meteorological Organization publication

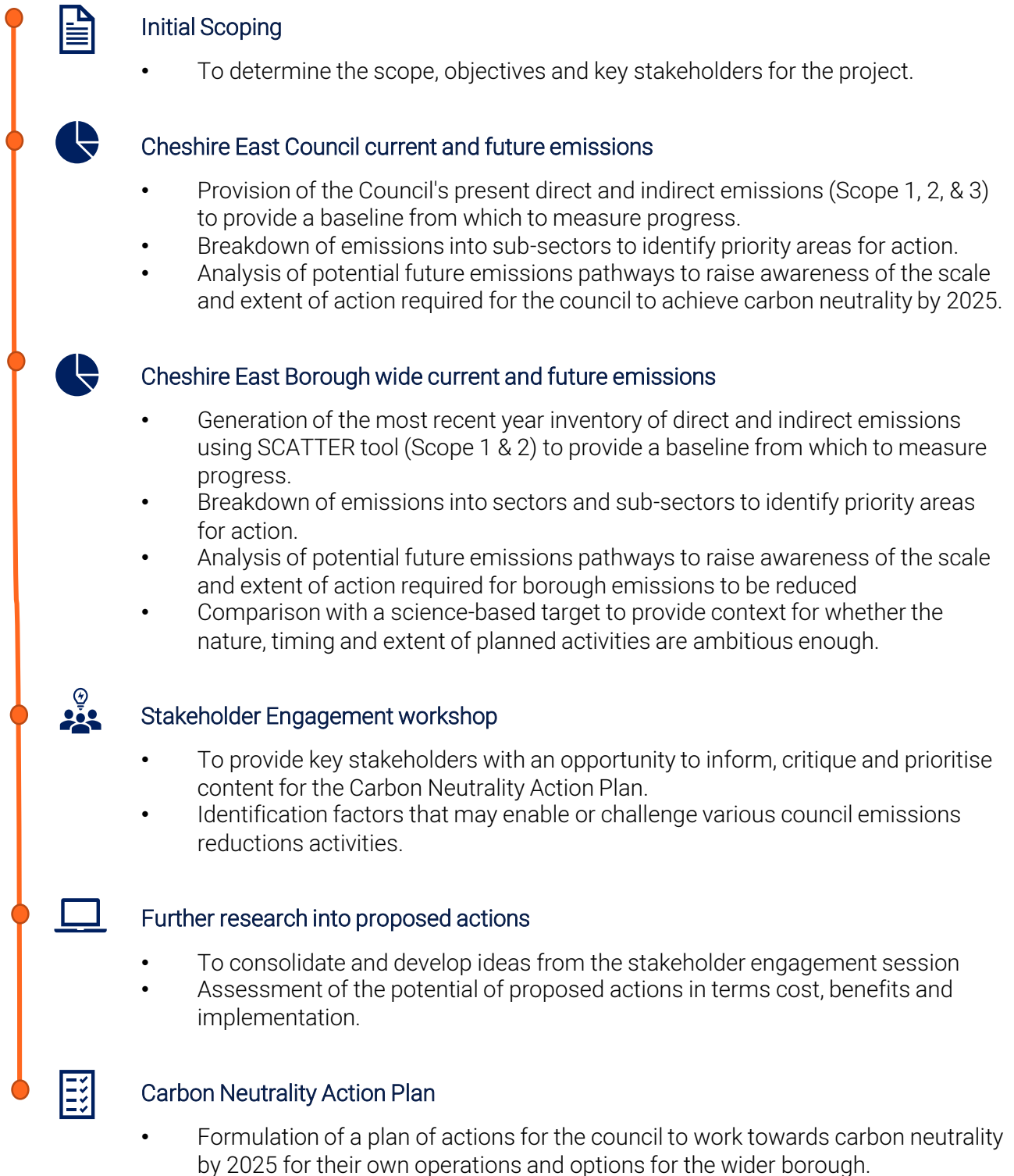
# Introduction and Context

## Key definitions:

- **Carbon Budget:** The allowed cumulative total of emissions over a period of years which ensures temperature change remains below dangerous levels. Defined by [The Tyndall Centre for Climate Change Research](#).
- **Carbon Neutral:** Refer to Section 3 of the Action Plan for a definition of carbon neutral as multiple definitions are available.
- **CO<sub>2</sub>e:** This stands for carbon dioxide equivalent. This allows the comparison and inclusion of other GHGs (e.g. nitrous oxide and methane) as well as carbon dioxide. It represents the corresponding amount of carbon dioxide that would be required to produce the same level of radiative forcing and thus warming as these other GHGs.
- **Co-benefit:** The positive effects that a policy or measure aimed at one objective might have on other objectives.<sup>1</sup>
- **Decarbonisation:** Reducing the carbon emissions from an energy system.
- **Ecosystem services:** These refer to the benefits that 'flow' from natural capital (such as fertility from soils, or fuel and fibre from forests).
- **GHG:** Greenhouse Gases.
- **Green Infrastructure:** This refers to the network of multi-functional green (and blue) space and other features, both urban and rural, which can deliver quality of life and environmental benefits for communities. It includes everything from nature reserves, woodlands and hedgerows to farmland, roadside verges, and green roofs.
- **Insetting:** A similar principle to offsetting, however the carbon saving occurs within an organisation's supply chain or local authority region.
- **Nature-based solutions:** These employ natural phenomena to help address problems such as climate change mitigation and adaptation. In terms of climate mitigation (as is the subject of this report), they focus on carbon sequestration. Examples include tree and hedgerow planting and restoration of ecosystems including wetlands, peatland, grasslands, pasture, and soils. Nature-based solutions are championed in the U K Government's draft Environment Bill.
- **Natural Capital:** This refers to the 'stocks' of renewable and non-renewable natural resources available to society. It refers to nature in the context of the five capitals model in economics (i.e. financial, manufactured, social, human and natural capital). It is associated with monetary or other valuation and accounting techniques. Examples include soil, water, and forests.
- **Offsetting:** Carbon offsetting refers to the purchase of a tradeable unit, representing emissions rights or emissions reductions, to balance the climate impact of an organisation, activity or individual. Although they can be stored and traded like a commodity, they are not material things; offset credits are not literally "tonnes of carbon" but stand in for them and are better regarded as intangible assets or financial instruments. To act as an offset, units must be cancelled to represent a reduction and prevent further trading.<sup>2</sup>
- **Residual emissions:** The estimated emissions remaining or left-over after reductions have been applied.
- **SCATTER:** Setting City Area Targets and Trajectories for Emissions Reduction. This is the tool used throughout the report to look at borough-wide emissions and future emission pathways.
- **Scope 1** (at the borough level): Direct GHG emissions from sources located within the local authority boundary.
- **Scope 2** (at the borough level): Indirect GHG emissions occurring as a consequence of the use of grid-supplied electricity, heat, steam and/or cooling within the local authority boundary.
- **Scope 3** (at the borough level): All other GHG emissions that occur outside the local authority boundary as a result of activities taking place within the local authority boundary.
- **Scope 1, 2 and 3** (at an organisational level): These differ from the definition at a borough level and are defined on page 8.
- **Sequestration:** The uptake of carbon-containing substances, in particular carbon dioxide from the atmosphere.<sup>1</sup>

# 1. Process

The following diagram represents the processes and exercises that have been carried out in collaboration with Cheshire East Council in order to inform the Action Plan. This has been delivered alongside the Council's own internal work including conversations around cabinet facilities, engagement of Brighter Future Champions and officer competitions for ideas.



## 2. Cheshire East Council Influence

### Linking the motion to influence

Cheshire East Council’s motion covers two key areas of action:

- i) **the council’s own emissions;** and
- ii) **other emissions that occur within the borough.**

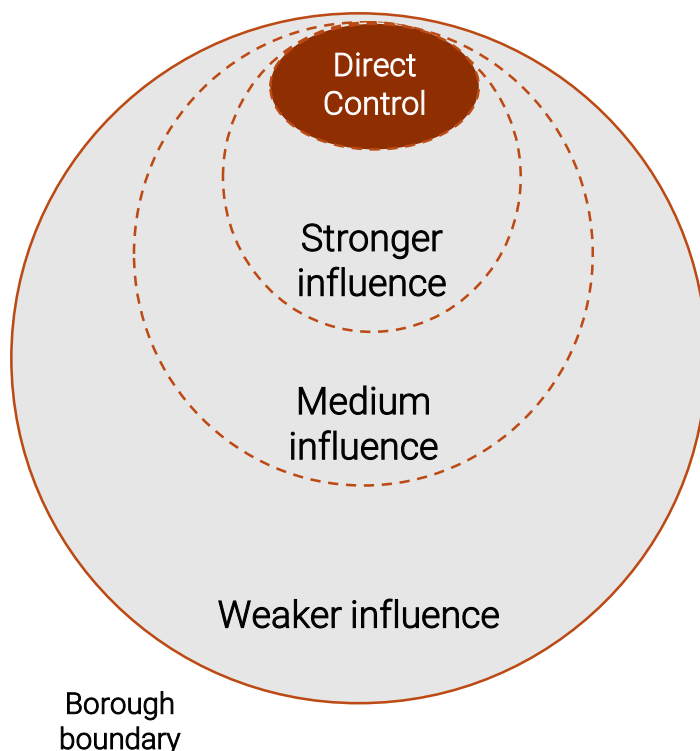
The difference between these two areas is the level of influence the council has over the emissions sources. In theory, CEC has the ability to directly control their own emissions whereas they can influence and encourage reductions in the borough emissions. The Direct Control emissions are the focus of the Council’s carbon neutrality commitment by 2025, however, it is important that the Council seeks to minimise emissions in other areas of influence to fulfil its climate change motion and support national and international ambitions.

Therefore, the first stage of this Action Plan is to determine those emissions within direct control of the council. Following this, the level of influence over other emissions has been defined in terms of stronger, medium and weaker influence.

Table 1: Council motion and the associated level of influence.

CEC Motion	Emissions Source
i) Target Cheshire East Council to be carbon neutral by 2025 and asks that details of how to meet this commitment are included in the Environmental Strategy.	Direct Control
ii) Encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumptions and promoting healthy lifestyles.	Stronger, Medium and Weaker influence

Figure 2: CEC Spheres of influence within the borough



The chart opposite illustrates the varied and complex influence of CEC across the different activities that occur within their own operations and across the borough. This crude comparison made in Figures 2 is intended to facilitate easier comparisons of emissions impact magnitude. These bandings are also not necessarily mutually exclusive of each other.

[Chart is illustrative only and not to scale]



## 2. Cheshire East Council Influence

### Council influence is varied

Influence bandings are based on Anthesis' judgment following discussion with officers, and are by no means definitive. The examples that relate to each banding may highlight opportunities for CEC to apply their influence in areas or ways previously not fully explored (e.g. by using 'convening power' and/or policy), as opposed to representing any form of current statutory duty.

[redacted] influence does extend beyond the borough boundary, whereby their demand (and supply) of goods and services drive emissions in supply chains around the world. Such emissions are also referred to as consumption based emissions<sup>1</sup>, or 'Scope 3' emissions. Please note that:

- The borough's consumption based emissions have not been estimated within the scope of this commission, however;
- Procurement related emissions (which would constitute part of the borough's consumption and production based emissions) are all assumed to occur within the Cheshire East borough. In reality, a significant proportion of these emissions will occur outside of the borough, and even outside of the UK.

Table 2: Footprint by influence banding

Influence Banding	Footprint	Description
Direct Control	15 ktCO <sub>2</sub> e	Emissions sources are directly owned or operationally controlled by the Council. Includes all Scope 1 & 2
Stronger influence	40 ktCO <sub>2</sub> e	Owners and operators of emissions sources are clearly defined but are not directly owned or operated by the Council. Emissions include specific council procurement activities and school buildings.
Medium influence	155 ktCO <sub>2</sub> e	Emissions sources do not relate to council owned or operated assets, but relate to residual procurement activities not deemed 'stronger'. This may be larger if influence via 'convening power' were to be included. Note this assumes all procurement emissions occur within the district boundary.
Weaker Influence	2,518 ktCO <sub>2</sub> e	Owners and operators of emissions sources are not clearly defined, influence limited to lobbying central government or trade associations.

### Aligning influence to recognised accounting methodologies

Cheshire East have adopted an operational control approach on the basis that it was felt to better represent their influence (or potential to influence), than other approaches available (i.e. financial or equity share). However, there were certain instances, where the accounting rules didn't offer complete clarity, so some judgement has been applied and documented below.

The Greenhouse Gas Protocol (2019) states that operational control exists where the organisation has the "authority to introduce and implement its operating policies at the operation". If the entity or asset is deemed to fall within CEC's operational control, associated emissions should be accounted for under Scope 1 or 2. If not, it is likely that the source will still be accounted for, but within Scope 3. For example, if council fleet may not been owned, but if held on an operating lease and used exclusively on council terms, it would fall under Scope 1. A financial control approach would account for this in Scope 3. Our presentation of 'influence' (overleaf) further adds to the transparency given by the accounting standards.

92% of CEC related emissions are defined as Scope 3 (142,574tCO<sub>2</sub>e), with 3% in Scope 2 (5,115 tCO<sub>2</sub>e) and 5% in Scope 1 (7,414 tCO<sub>2</sub>e).

**Definitions:** "Scope 1/2/3" are accounting terms taken from the GHG Protocol accounting standard. Scope 1 emissions primarily relate to natural gas for heating and fuel used by owned or controlled vehicles. Scope 2 relates to purchased electricity, Scope 3 emissions include schools, waste, procurement activities and employee commuting. Commercial estate has not been accounted for within Scope 3 due to limitations in data availability.



## 2. Cheshire East Council Influence

The table below provides further detail of the operational control approach that has been applied and the rationale behind the inclusion/exclusion of key entities.

Table 3: Matrix showing level of Council control

Entity	Asset	Entity level		Asset Level		Comments
		Operational Control	Financial Control	Operational Control	Financial Control	
Schools	Buildings	x	x	x	x	With the exception of Academy Trusts (where no influence exists) CEC has some involvement with utility contracts and has some visibility over consumption. However CEC does not have the authority to operate the heating or electricity consumption at Schools. CEC are therefore deemed to have 'stronger influence' only. Schools to be included within Scope 3.
ASDVs	Fleet (Inc. Ansa Waste Collection)			✓	✓	All Alternative Service Delivery Vehicles (ASDVs), including waste management organisation, ANSA, are wholly owned by CEC however commission all services via 'arms length' procurement contracts. The use of the Ansa waste collection vehicles is directly influenced by CEC, as is the energy operations of building that Ansa and other ASDVs occupy. Both fleet and the CEC buildings used by ASDVs to be included within Scope 1 & 2.
	CEC Buildings Used (Inc. Environmental Hub)	x	✓	✓	✓	
Jacobs	Fleet			✓	x	Jacobs are a national company with their own policies and operations. Two specific asset categories controlled by Cheshire East are the highways/maintenance fleet, and the building within which the Cheshire East team are based. Both asset categories to be included within Scope 1 & 2
	CEC Building (Delamere House)	x	x	✓	✓	

## 3. Carbon Neutrality

### Context

Cheshire East Council passed a motion on 22<sup>nd</sup> May 2019 that committed the council to becoming **'Carbon Neutral'** by 2025. Additionally the draft Cheshire East Environment Strategy 2019-24 acknowledged Parliament's legally binding **Net Zero** by 2050 target.

No Local Authority (LA) has yet achieved certified Carbon Neutral status. This work seeks to explore what Carbon Neutral and Net Zero could mean and how this might be achieved by Cheshire East Council.

### Introducing the term Carbon Neutral

Generally speaking, 'carbon neutral' or 'net zero' typically mean the same thing: that some carbon/GHG emissions remain but are then 'netted off' or 'offset' through carbon dioxide removal. Such removal may occur due to Negative Emissions Technologies (NETs) such as geo-sequestration or biomass energy with carbon capture and storage, or, natural sequestration via means such as afforestation. The boundary of the carbon neutrality target is important as this defines what activities and greenhouse gases are in scope for reduction and/or off-setting, if such a claim is to be made.

For example, the UK's Net Zero by 2050 target includes all Greenhouse Gases emitted by the UK i.e. methane emissions from agriculture are included as well as just carbon dioxide from fossil fuel combustion within the energy system. Consumption based (supply chain) emissions from outside of the UK are not included within this target.

### Defining Carbon Neutrality for Cheshire East Council

In order to establish a robust definition of Carbon Neutrality for Cheshire East, a few points have been considered:

- i. **Likelihood of requiring offsets to achieve the 2025 target** – It is highly likely offsets will be required unless radical, unprecedented levels change occur. Some of this change is outside of CEC's control and influence.
- ii. **The scope and boundary of neutrality** – All of Direct Control Scope 1, 2 emissions plus Scope 3 and waste treatment only.
- iii. **The scope and boundary of offsetting** – Local (in-borough) voluntary standards may exist such as the UK's Woodland Carbon Code, however there are none in CE at present and the current nature, extent, cost of offsets needs to be determined.
- iv. **The cost of offsetting vs other low carbon investments** – Very diverse range of cost and 'quality' of offsets, whereby the additionality and permanence of carbon saving may vary.
- v. **The value that certified 'Carbon Neutral' status offers the public** – CEC may wish to define Carbon Neutral in their own way or not use the term at all if attaining such certification requires diverting savings and benefits out of the region.

We have then presented a number of recommendations and options available for Cheshire East. A summary of these is provided below.

### Summary of recommendations

Cheshire East Council should:

- Understand the timing, availability and cost of using accepted, **local** offsets to achieve Carbon Neutral status under PAS 2060 (or equivalent). No previously established options exist.
- If existing, accepted, local offsetting schemes are not available or suitable due to cost and/or emissions impact, then consider forgoing **certified** 'Carbon Neutral' status to avoid financial investment and co-benefits being diverted outside of the borough and/or the UK on international offsetting projects.
- Prioritise investment in the Cheshire East Borough as opposed to investment in Offsetting schemes 'out of borough'. However this does not preclude investment in appropriate offset schemes outside of the borough.
- Develop a standard with other authorities enable more transparent, reliable and consistent reporting of council led actions against such neutrality targets and claims.
- Review 'traditional' certified offsets/carbon neutrality standards again closer to 2025 – the option to go down the international offset and certification route will still remain then, however standards and offset types may have changed during this interim period.

## 4. Current Emissions Profile and Pathways

### CEC Carbon Neutrality (Council Motion part i)

#### Direct Control

The following chart sets out the direct control footprint of Cheshire East Council 2018-2019. This total is the focus of the 2025 carbon neutral target. Further details on boundary assumptions and methodologies are included within the Supplementary Annex.

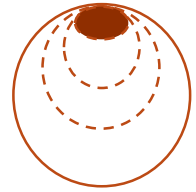
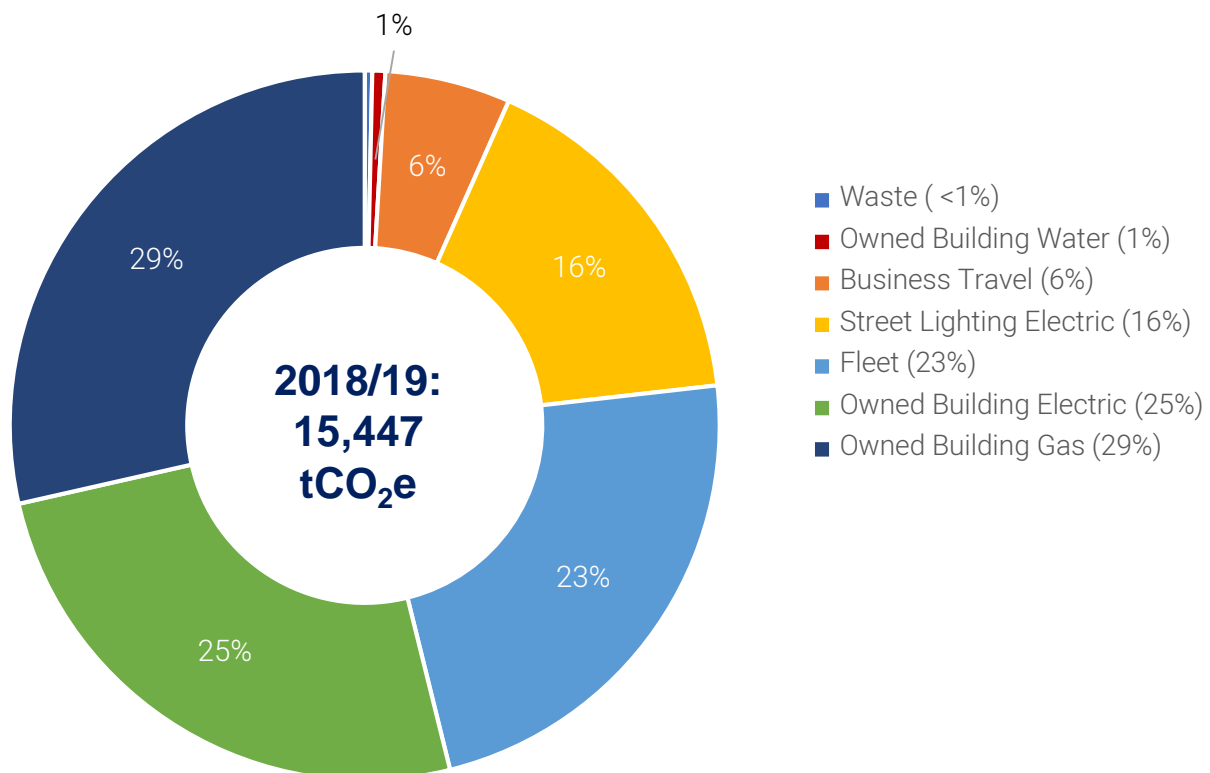


Figure 3: tCO<sub>2</sub>e of 'Direct Control' activities only



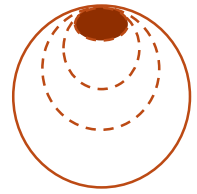
The elements classed under 'direct control' will relate to the core emission sources that the Council considers 'in scope'. This covers all Scope 1 & 2 emissions (definitions on page 8) sources having applied an operational control boundary. It also includes Scope 3 waste treatment. This would form the basis of any such future 'carbon neutrality' claim that the council is looking to make (see also Section 3).

## 4. Current Emissions Profile and Pathways

### CEC Carbon Neutrality (Council Motion part i)

#### Direct Control Scenario Analysis to 2050

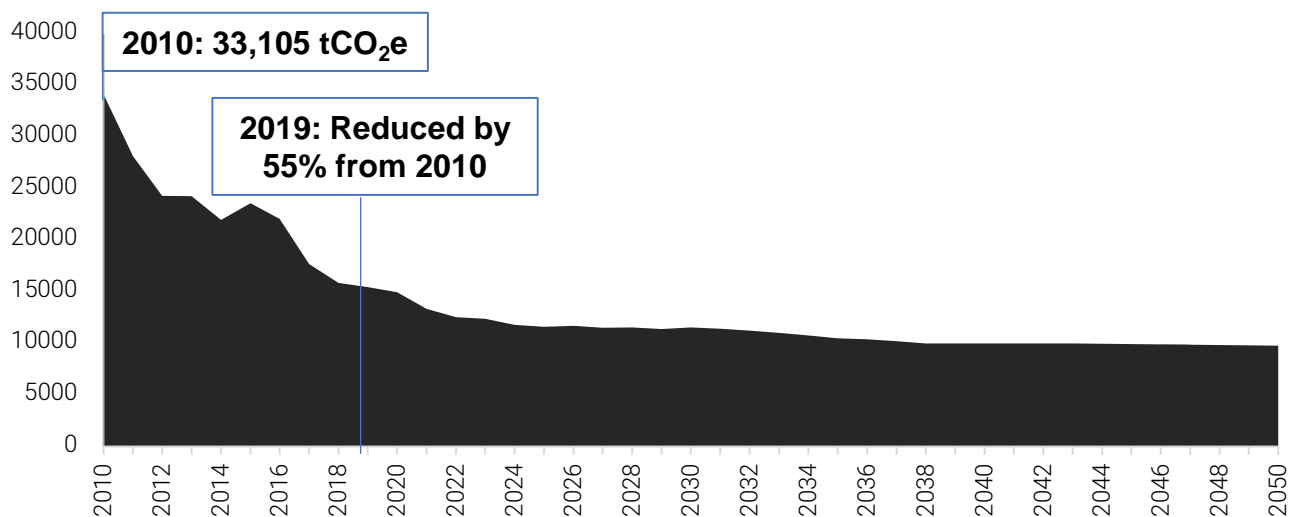
The below analysis shows an emissions scenario for the emissions classified as 'Direct Control'. The only variable changed is the electricity grid carbon intensity. This tracks the [BEIS Energy and Emissions Projections](#).



This analysis shows 2 key things:

- Emissions reductions 2010 to 2019 have benefited from the decarbonisation of the national grid and asset management.
- Significant increases in efficiency and application of demand reduction measures will be required to get anywhere near carbon neutral, without investing a significant amount in carbon offsets (which presents various challenges, as explored in Section 3).

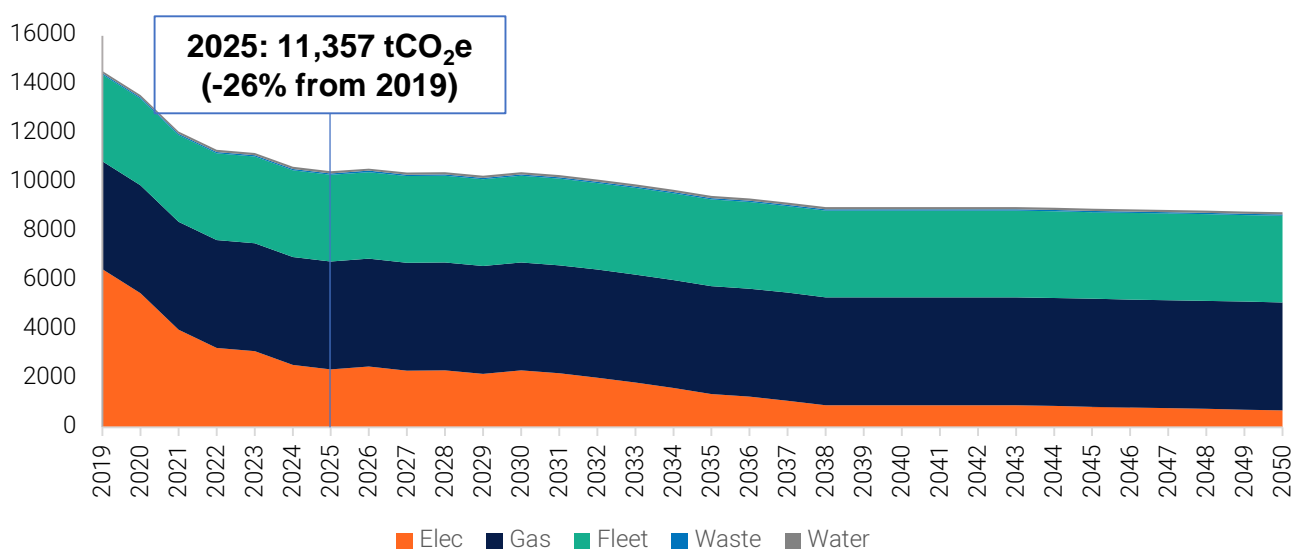
Figure 4: Direct Control CEC Emissions past performance + BAU 2010-2050 (tCO<sub>2</sub>e), Waste and Water excluded



Note:

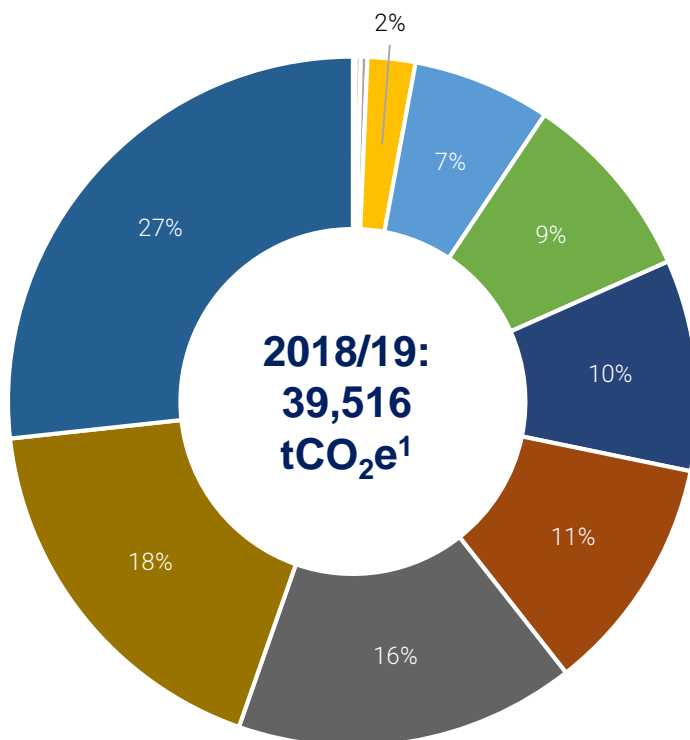
- Pre-2019 emissions may not be comparable like for like due to the completeness, classification or methodological differences.
- Water and waste have been excluded post 2019 (inclusive) to enable greater comparability.

Figure 5: Direct Control 'Business as Usual' (BAU) – All 'Direct Control' categories (tCO<sub>2</sub>e)



## 4. Current Emissions Profile and Pathways

### Borough-wide action (Council motion part ii)

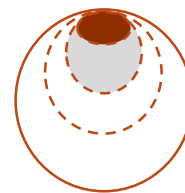
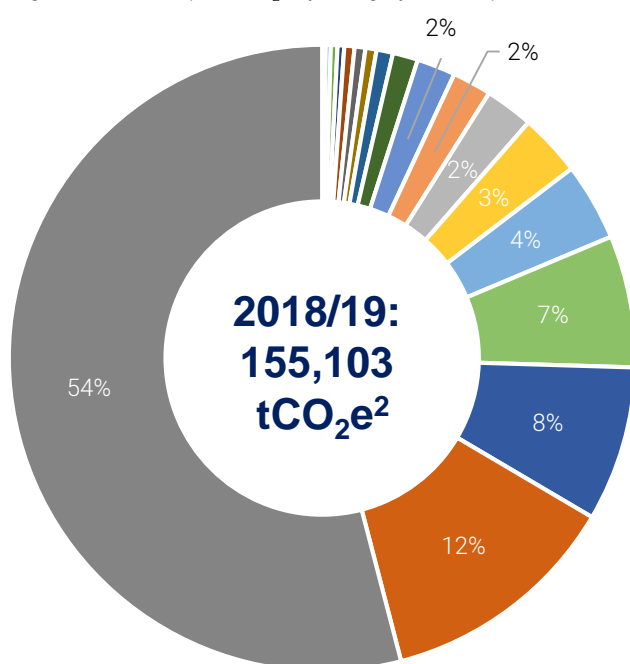
Figure 6: tCO<sub>2</sub>e of 'Stronger Influence' activities only

1- The footprint associated with each sphere of influence is cumulative and so this figure also includes the emissions associated with Direct Control activities.

#### Stronger Influence

With the exception of Academy Trusts, schools were viewed by the council to be within a stronger influence boundary. CEC have strong relationships in place across the borough. Additionally, council staff commuting was deemed to represent opportunities for stronger influence.

- Waste (<1%)
- Owned Building Water (<1%)
- Schools Water (<1%)
- Business Travel (2%)
- Street Lighting Electric (7%)
- Fleet (9%)
- Owned Building Electric (10%)
- Owned Building Gas (11%)
- Schools Electric (16%)
- Schools Gas (18%)
- Commuting (27%)

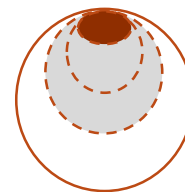
Figure 7: Total footprint tCO<sub>2</sub>e by Category and Scope

#### Medium influence

This is the most complete account of the CEC, including all Scope 1, 2 and 3 categories. The vast majority (82%) of the total is made up by procurement spend.

- Fleet (Other) (<1%)
- Waste (<1%)
- Water (<1%)
- Schools Water (<1%)
- Fleet (CEC) (<1%)
- UMS Elec WTT + T&D (<1%)
- Owned Building WTT (Gas) (<1%)
- Owned Building WTT + T&D (Elec) (1%)
- Schools WTT (Gas) (1%)
- Business Travel (1%)
- Schools WTT + T&D (Elec) (1%)
- UMS Electric (1%)
- Owned Building Elec (2%)
- Fleet (ANSA) (2%)
- Owned Building Gas (2%)
- Schools Electric (3%)
- Schools Gas (4%)
- Commuting (7%)
- Procurement (Ansa) (8%)
- Procurement (Jacobs) (12%)
- Procurement (54%)

2- The footprint associated with each sphere of influence is cumulative and so this figure also includes the emissions associated with Direct Control and Strong Influence activities.



## 4. Current Emissions Profile and Pathways

### Borough-wide action (Council motion part ii)

#### Weaker Influence

The council's own emissions represent around 3% of the total borough's emissions. The figure below displays the current district emissions relating to the area administered by Cheshire East Council. It shows the subsector inventory for direct and indirect emissions calculated using SCATTER (excluding agriculture, forestry and land-use).

Note that key authority-level data sets are published 2 years in arrears. Full method available at <https://scattercities.com/>

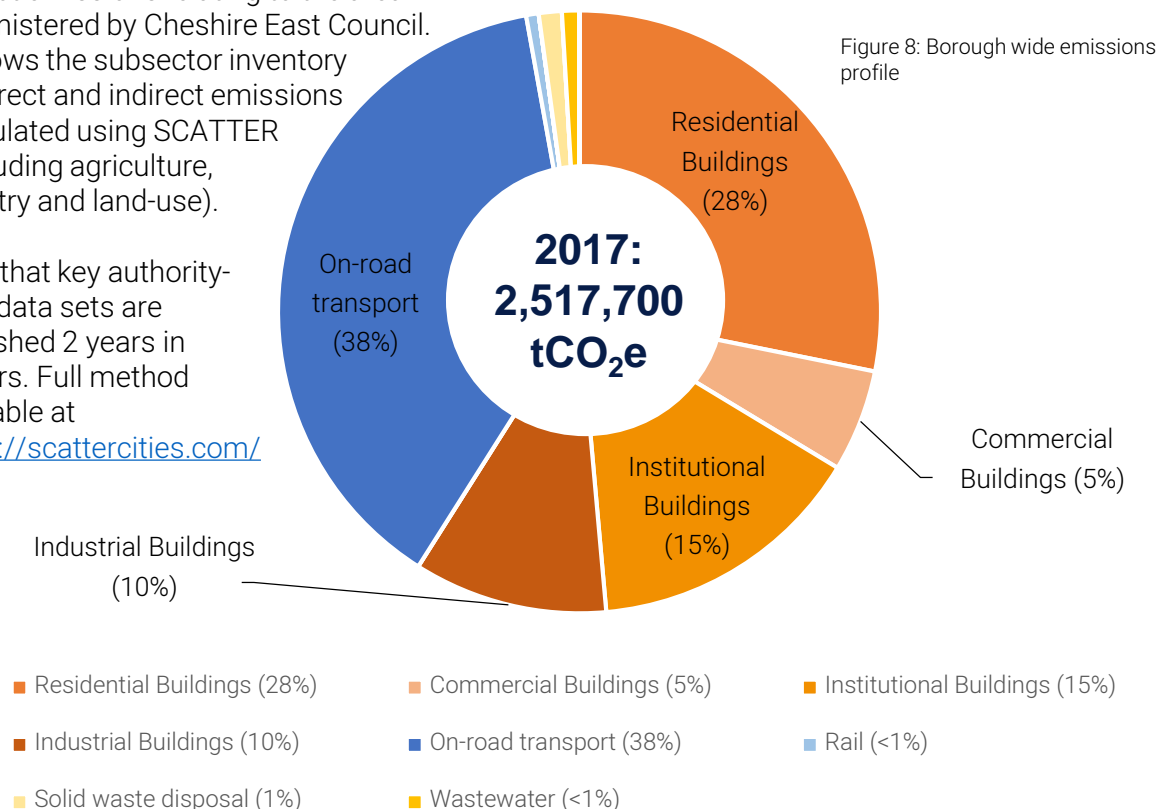
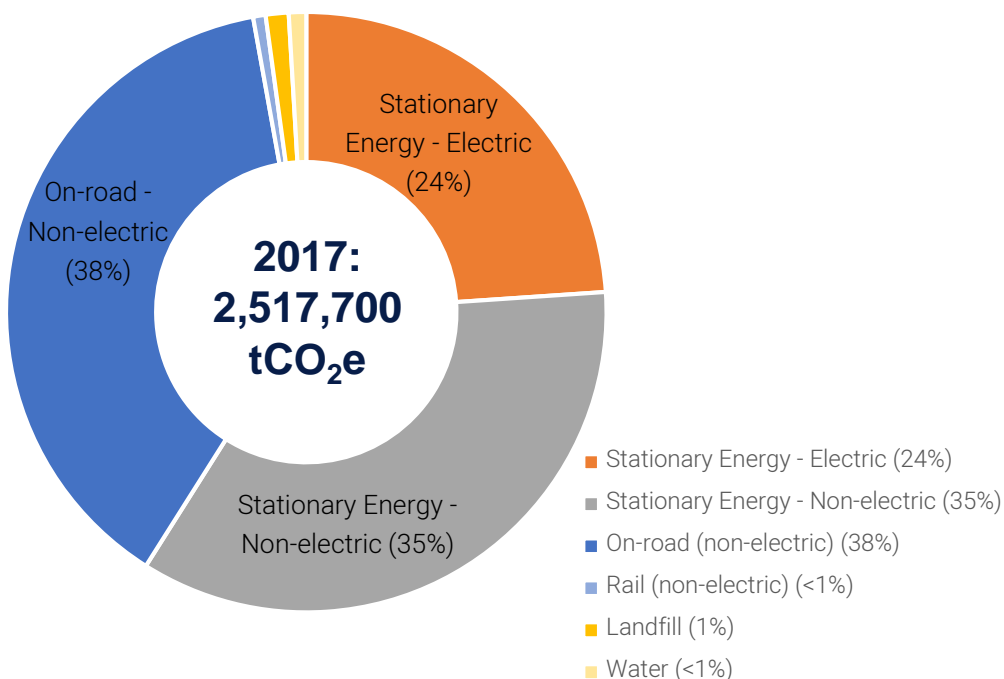


Figure 9: Borough wide electric vs non-electric consumption

The figure opposite shows the proportion of electric vs non-electric energy consumption. Stationary energy describes all emissions arising from buildings.

For a more granular breakdown of the types of 'non-electric' fuel used by each sub-sector, please see the Supplementary Annex Appendices.

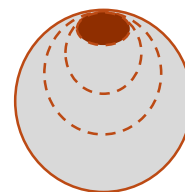


## 4. Current Emissions Profile and Pathways

### Borough-wide action (Council motion part ii)

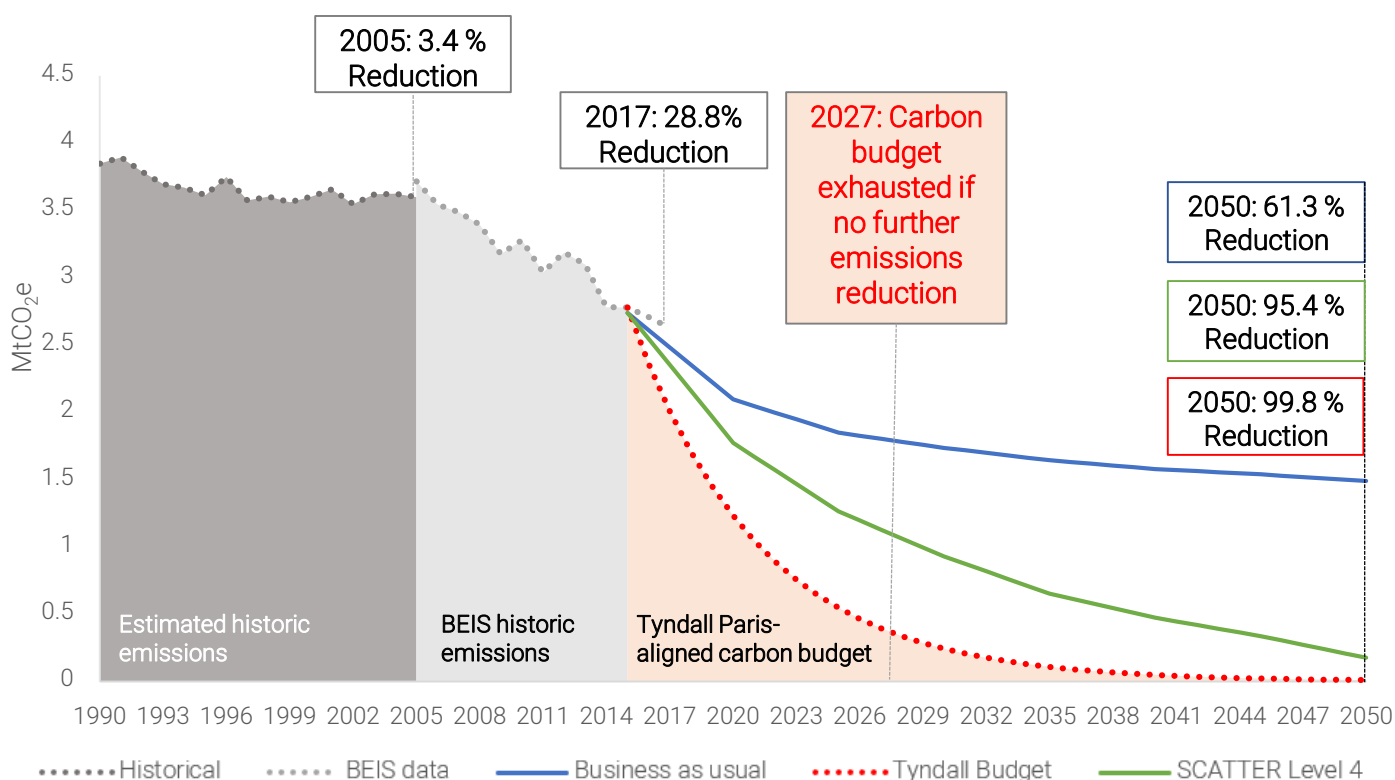
#### Borough-wide Emissions Future Pathways

The graph below shows two possible future emissions pathways up to 2050, as modelled by the SCATTER pathways tool.<sup>1</sup>



- **Business as usual (BAU)** assumes minimal action beyond current, national policy (where sufficiently defined by sector or measure) and nationally led decarbonisation of the electricity grid. This still requires a significant level of effort locally.
- **Science based budget** is based on climate science rather than tangible energy supply and demand measures used in SCATTER. This pathway is one way of allocating a finite carbon budget (the area underneath). Alternatively the same budget would last 7 years at current emission levels. This is beyond the current, statutory duties of local councils. Please refer to the [work](#) performed by the Tyndall Centre for Climate Change Research for further details.

Figure 10: Borough-wide emissions scenarios to 1990 to 2050



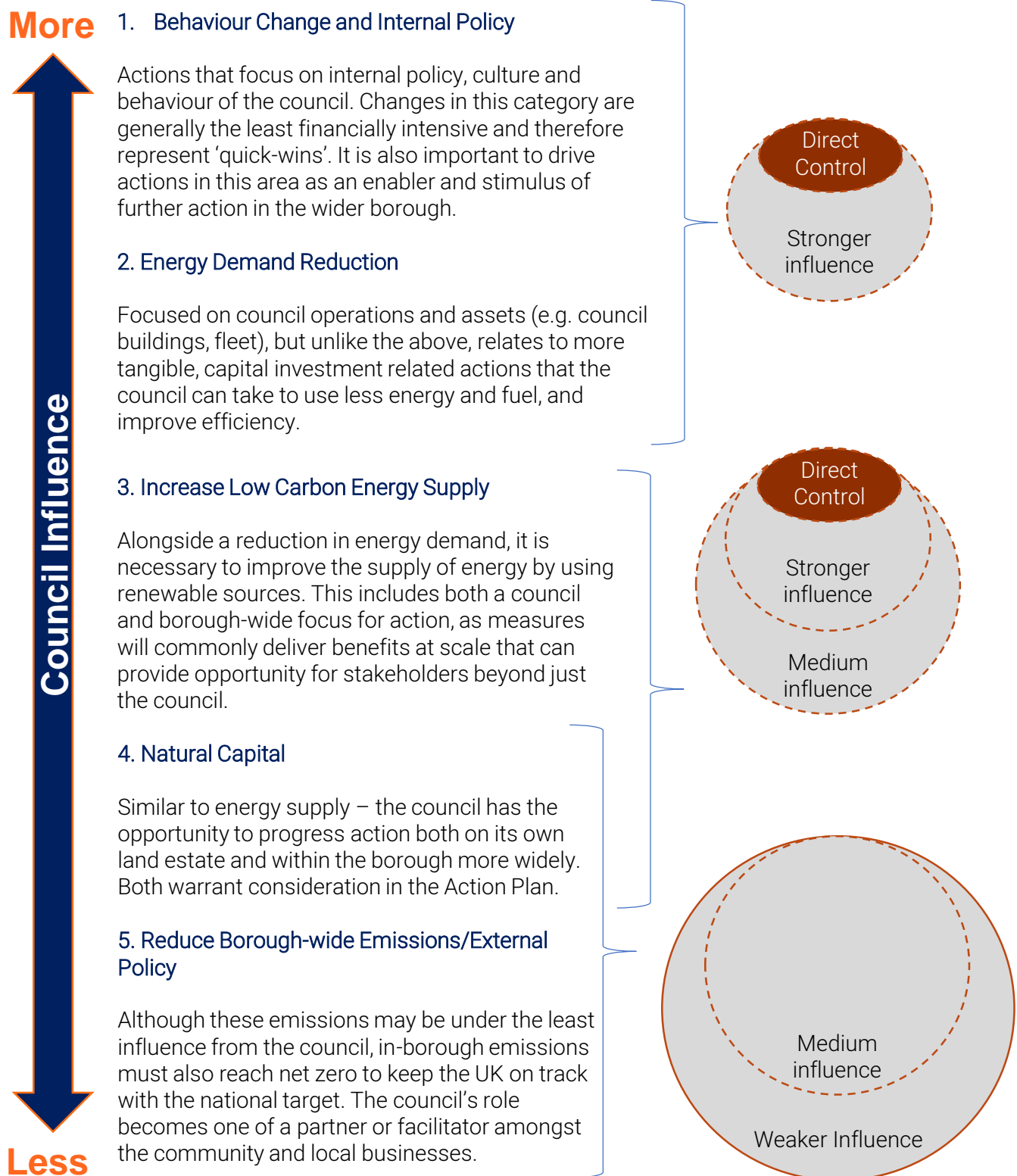
An estimation of CE emissions from 1990-2005, along with the BEIS local authority emissions data 2005-2017, shows that the emissions reductions will have to increase at a greater rate compared to that previously seen, if they are to get anywhere near the science based budget.



## 5. The Action Plan

### Introducing the actions

Given the varying influence of CEC across council and borough wide emissions, the type of action must be tailored to the level of influence. As a result, the Action Plan is formatted to firstly address topics directly under the council's control and then expands the scope to address areas of medium and weaker influence in the borough. Some actions relate to the 2025 target whereas others relate to the broader borough-wide ambition





## 5. The Action Plan

### Structure of the Action Plan

#### Action and Target

An overall action for what the council need to achieve and specific target have been included. This is based on reductions achieved elsewhere in the UK or using the SCATTER pathways tool (see Supplementary Annex).

#### Measures

This outlines the method for 'how' each action can be achieved

#### Estimated Costs

Indicative **potential** costs of each measure have been provided where possible. Due to limitations of budget and scope, this is not comprehensive cost analysis but provides an indication of relevant financial costs based on publicly available data. As such, we advise:

- Associated assumptions are reviewed and fully understood by the Council
- No reliance by the council (or any other party) should be placed on these figures due to the inherent limitations in assumptions – these are simply intended to help inform relative priority of actions and how more robust estimates could be performed.

#### Implementation

This outlines the first next steps to be taken for each measure and the council stakeholders needed to deliver them.

#### Benefits

An estimation of the **magnitude** of carbon savings that could be achieved by the action is included. Note this is an indication that should only be used to provide an idea of the scale of savings. It does not directly correspond to the achievement of the overall target. Potential co-benefits of the measures are also listed. Similar to Estimated Costs:

- Associated assumptions are reviewed and fully understood by the Council
- No reliance by the council (or any other party) should be placed on these figures due to the inherent limitations in assumptions – these are simply intended to help inform relative priority of actions and how more robust estimates could be performed.

#### Monitoring indicators

This outlines how the council may review and track performance against each suggested action. The indicators should be interpreted as what should be achieved during the initial phase of delivery. A specific time-frame for the indicator has not been provided and should be confirmed by CEC on an action-by-action basis.

#### Scope

The council-led actions and measures are not limited to those in the table and CE should continually look for further ways to reduce emissions as new practices and innovative solutions emerge.



# Topic 1: Behaviour Change and Internal Policy

## 1. Behaviour Change and Internal Policy

### Action 1.1: Increase engagement and awareness of staff

Target: All staff will be carbon literate and have a carbon-related goal formalised into the appraisal process, leading to a reduction in energy consumption and waste.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Design a new communication campaign, different to previous approaches, to inform people of the facts/urgency of the situation and motivate staff to proactively act and support activities.	£5,000 per annum (within existing budgets). <sup>1</sup>	<p>Promote previous successes and 'champions' who have made positive changes or who have learnt from mistakes</p> <p>Review the previous communication strategy and design a campaign that takes a new, refreshed approach</p> <p>Ensure all members of staff and departments are involved and emphasise the need for involvement from everyone.</p> <p>Lead Authority: Communications</p>	<p>Carbon Literate citizens have typical realised carbon savings of 5-15% per person.<sup>3</sup></p> <p>Raising awareness amongst staff of energy efficiency measures at Islington borough council saved 196 tCO<sub>2</sub> per year.<sup>4</sup></p> <p>Staff can take lessons learnt beyond the office and into their communities.</p>
b. Training for all relevant staff to become certified as carbon literate and understand climate impacts on their services.	Less than £5,000 for training and certification. <sup>2</sup>	<p>Decide whether to run training externally or internally.</p> <p>Prioritise training of senior management team.</p> <p>Deliver a training session to all members of staff.</p> <p>Embed carbon literacy training into new starter process.</p> <p>Lead Authority: Communications</p>	<p>Staff may be more likely to support more ambitious policies to reduce carbon.</p>

#### Monitoring indicators

- Staff feedback on campaign (embed a hit counter, or include some sort of 'sign up' or 'pledge to support' response)
- Maintain a log of staff that have received carbon literacy training

#### Case study: HOME Manchester<sup>5</sup>

The arts and cultural venue is recognised as a platinum carbon literate organisation. 100% of staff are trained in carbon literacy and all new starters are trained within 6 months of joining.

#### Carbon Literacy Project



## 1. Behaviour Change and Internal Policy

### Action 1.2: Incorporate carbon impact into decision making and procurement.

Target: Demonstrate that the carbon neutral ambition has been considered in every major investment and policy decision.<sup>6</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Allocation of carbon budgets to each department enable periodic comparison of performance	£10,000 (Within existing budgets). <sup>1</sup>	Calculate total carbon budget for council per year using Tyndall carbon budget tool. <sup>8</sup>  Develop framework for designating budgets per department or project based on previous year emissions contribution.  Lead Authority: Finance	Along with preventing emissions increases, Cheshire East Council estimate that identifying carbon impacts/benefits in decisions may achieve a 2% reduction in emissions per annum, which is equivalent to 1,500 tCO <sub>2</sub> e. <sup>7</sup>  Staff may be more likely to support more ambitious policies and investment decisions to reduce carbon. Reduces the risk that lower carbon attributes are 'value engineered' out solely on cost, if carbon is more formally embedded within appraisal criteria.  For example, the absence of a robust carbon assessment criteria led to the value engineering out of low carbon investment (EV charging) at Tatton Park.
b. Introduce carbon pricing or more rigorous carbon consideration into capital investment decisions	£20,000 cost to develop and then an additional £5,000 <sup>3</sup> per annum.	Review current investment appraisal processes, and identify where better 'carbon impact' control could be introduced.  Review best practice from other councils or organisations in the field of carbon pricing.  Lead Authority: Finance	
c. On a rolling basis pass all policies being reviewed through the Carbon Neutral Team to ensure that they include measures and aspirations for carbon reduction.	£84,000 for additional staff within business case. <sup>1</sup>	Designate members that to provide carbon neutral scrutiny.  Establish a monitoring framework to be put in place, including mid programme reviews.  Lead Authority: Environment Team	
d. Develop a full carbon trajectory for borough-wide emissions.	£20,000 consultancy costs. <sup>1</sup>	Develop a strategy for 'carbon neutrality' for the borough based on SCATTER tool projections (See Supplementary Annex for the borough-wide carbon budget).  Lead Authority: Environment Team	

#### Case Study: Stockport Borough Council.<sup>9</sup>

The council are currently undertaking work on developing a mechanism for incorporating carbon pricing into financial appraisals.





## 1. Behaviour Change and Internal Policy

### Action 1.2: Incorporate carbon impact into decision making and procurement

Target: Demonstrate that the carbon neutral ambition has been considered in every major investment and policy decision.<sup>1</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
d. Change in Procurement Policy to incorporate carbon neutral consideration including through social value and increased weighting.	Within existing budgets. <sup>1</sup>	Review current policy and use of social value section  Define the carbon performance indicators to be included and how they will be assessed  Lead Authority: Procurement.	It is estimated that a 5% reduction in emissions from procurement could save 5,779 tCO <sub>2</sub> e over a fiscal year. <sup>10</sup>
e. Work with all commissioned services and major procurements to ensure they have carbon reduction policies and procedures in place.	Within business case. <sup>1</sup>	Continue work to establish baseline of top 50 suppliers.  Develop criteria and guidance for service providers and major procurements.  Lead Authority: Environment Team	Opportunity to influence suppliers and contractors to reduce their emissions.
f. Continue to explore divesting from fossil fuel investments in the council pension fund.	Within existing resources <sup>1</sup>	Currently awaiting a revised draft of the Cheshire Pension Fund's Responsible Investment Policy.  Lead Authority: Environment Team	Not possible to estimate carbon savings without current data.  Opportunity to look at wider environmental, social and governance criteria.  Risk management: avoids 'stranded asset' risk to portfolio values from climate change.

Monitoring indicators:

- Confirm if carbon budgets have been allocated & whether effective
- Confirm if carbon pricing or more rigorous carbon considerations are embedded in investment decision making process.
- Confirm carbon budget and target for borough-wide emissions.
- Review all new policies to understand if carbon aspirations were included
- Confirm if the carbon/environmental elements within scoring and social value assessment have been updated.
- Confirm the process of reviewing pension investments has begun.

#### Case study: Metropolitan City of Rome Capital.<sup>11</sup>

The inclusion of green criteria in procurement resulted in a saving of 749 tCO<sub>2</sub> from 2011-2014. They have now integrated the monitoring system with accounting systems.



## 1. Behaviour Change and Internal Policy

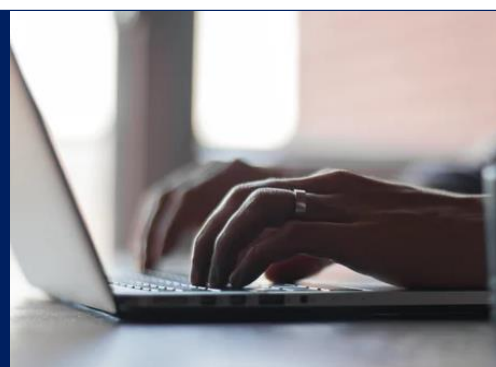
### Action 1.3: Reducing emissions from business travel.

Target: Travel reduced by 17% in 2025 relative to 2015 levels.<sup>12</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Invest in better communications technology to promote more remote meetings	Technology costings: <sup>13</sup> Software licence: Under £50 per user per month. <sup>14</sup> Headphones: approximately £20-£30. <sup>15</sup> Spider phone: £90. <sup>16</sup>  TBC nominal costs of £100,000 allocated. <sup>1</sup>	Assess type and quantity of IT packages and equipment required.  Aiming for every member of staff and meeting room to be better equipped.  Produce full order costings, install packages, buy equipment and distribute.  Lead Authority: IT	It is estimated that the IT-enabled carbon abatement potential of e-work in the UK is 12 MtCO <sub>2</sub> by 2030. This is equivalent to reducing the UK's current carbon emissions by 2.36% in 2030. <sup>17</sup> Applying this reduction to the CE fleet would equal 20.8 tCO <sub>2</sub> per year. <sup>18</sup>  Lower fuel costs and greater productivity. e.g. reducing the mileage of a driver covering 12,000 business miles a year by 10% would save around £150 on fuel costs and release around 30 hours for productive work. <sup>19</sup>
b. Provide training in use of technology to ensure maximum use	Time cost for staff attending half a day of training	Identify key knowledge and understanding gaps by consulting staff.  Design comprehensive training session for all abilities.  Run training for every member of staff.  Lead Authority: IT	
c. Produce a business travel plan and framework	£50,000 budget for travel co-ordination officer and promotion per year. <sup>1</sup>	Review the current distances travelled for meetings  Produce a document outlining policies for business travel and a decision flow chart for business travel  Lead Authority: Highways	

#### Case study: PwC<sup>20</sup>

PwC reduced their emissions from business travel by 4% from 2007 to 2017. This included reducing unnecessary journeys by encouraging the use of technology e.g. in 2012 they launched a campaign to increase online meetings and trained over 5000 staff.<sup>8</sup>



## 1. Behaviour Change and Internal Policy

### Action 1.3: Reducing emissions from business travel

Target: Travel reduced by 17% in 2025 relative to 2015 levels.<sup>12</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
d. Driver training: Equip any drivers of council vehicles with the necessary knowledge to more appropriately plan journeys in order to minimise disruption and maximise carbon saving.	<p>The Energy Saving Trust currently offer subsidised driver training programmes.<sup>21</sup></p> <p>If data is not available, then investment in telematics may be required to monitor mileage.</p> <p>One telematics platform Appy Fleet estimates £48 per vehicle (based on £4 per driver, per month)<sup>22</sup></p>	<p>Introduce a fleet management system and telematics to monitor pool car usage and mileage.</p> <p>Establish who should benefit from driver training and organise training sessions.</p> <p>Lead Authority: Facilities.</p>	<p>If CE were to achieve a similar reduction in mileage to West Yorkshire Police (2.6 million miles over 4 years), it could save approximately 565 tCO<sub>2</sub>e.<sup>23</sup></p> <p>Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.</p> <p>Encourages safer driving practices.</p> <p>Research suggests that the introduction of a mileage management system produces a saving of £281 per driver.<sup>24</sup></p>

Monitoring indicators:

- Report capital investment in communication technology, and compare against the prior year(s).
- Record any specialist training sessions that take place.
- Confirm if a business travel plan and framework as been produced
- Confirm if investment has been made in telematics technology and report any associated trends (i.e. diversity in carbon intense vs low carbon driving behaviour).

#### Case study: West Yorkshire Police<sup>25</sup>

West Yorkshire Police introduced telematics into 700 operational vehicles which led to the defleeting of 120 vehicles. This reduced the total mileage between 2012/13 and 2016/17 by 2.6 million miles.



#### Case Study: Oxford City Council<sup>26</sup>

All registered drivers at the council were required to complete the EST smarter driving course. This achieved a 17% reduction in fuel use in the first year. This level of reduction could save the council an estimated £69,000 and 150tCO<sub>2</sub> per year.

## 1. Behaviour Change and Internal Policy

### Action 1.4: Reduce staff commutes

Target: Travel reduced by 17% in 2025 relative to 2015 levels.<sup>12</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Update HR policy to encourage working from home	Within existing budgets. <sup>1</sup>	<p>Assess the suitability of each department for staff to increase home working.</p> <p>Develop a policy to encourage home working where possible.</p> <p>Publicise option for home working.</p> <p>Lead Authority: HR</p>	<p>By working from home two days a week for a year, an average UK employee can save 390 kgCO<sub>2</sub>e. It is estimated that if 10% of council staff worked from home it could save 199 tCO<sub>2</sub>e.<sup>27</sup></p> <p>This could save the average UK employee 50 hours commuting time and £450 including travel costs. It could also reduce energy and water consumption in council offices.<sup>27</sup></p>
b. Provide training in use of technology to enable remote working	Within existing budgets. <sup>1</sup>	<p>Provide training to all departments suitable for home working and emphasise benefits.</p> <p>Lead Authority: IT</p>	

Monitoring indicators:

- Confirm if any updates to HR policy in respect of low-carbon, flexible homeworking have been made
- Record any specialist training sessions that take place.

#### Case Study: BT<sup>27 28</sup>

A roll-out of homeworking at BT saved 14 ktCO<sub>2</sub>e over a period of 12 months. This equates to approximately 2% of emissions.





## 1. Behaviour Change and Internal Policy

### Action 1.5: Reduce emissions from staff commuting by encouraging alternative transport and green vehicles

Target: Less than 62% of staff commuting is by car.<sup>29</sup>

64% of cars are EV, PHEV or FCV.<sup>30</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Conduct a review of current staff travel to establish a baseline	Within current budgets. <sup>1</sup>	Produce a staff survey on commuting, including information of barriers to more sustainable transport.  Present results showing baseline, comparison with national statistics and areas for improvement.  Produce a plan on how to address key barriers.  Conduct a follow up survey  Lead Authority: Highways	Potential carbon savings: not possible to quantify.  Potential to improve staff engagement and awareness.  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.
b. Develop communications programme to encourage alternative transport	Within Travel Co-ordinator budget. <sup>1</sup>	Using results from staff survey to Identify areas for improvements.  Develop a sustainable travel plan.  Provide guidance documents on alternative transport options.  Lead Authority: Highways	

#### Case Study: Lancaster University<sup>31</sup>

Lancaster University implemented a travel plan in 2005, achievements include a 24% reduction in carbon emissions from staff and student commuting and the proportion of staff commuting by car alone has reduced from 58% to 43%. Initiatives included a smartphone app for buses and dedicated parking facilities for bicycles across the campus.



## 1. Behaviour Change and Internal Policy

### Action 1.5: Reduce emissions from staff commuting by encouraging alternative transport and green vehicles

Target: Less than 62% of staff commuting is by car.<sup>29</sup>

64% of cars are EV, PHEV or FCV.<sup>30</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
c. Further promote cycling incentives, including cycle to work scheme and cycle mileage.	Administrative time plus £10,000 marketing and promotion budget. <sup>1</sup> Actual savings for staff are borne out of tax benefits, not gifted by the Council.	Liaise with HR, Finance and other relevant departments to further promote a Cycle to Work scheme and then publicise to staff.  Lead Authority: Highways	If 9% of staff commute a 5 mile journey by bike instead of car it could save around 65 tCO <sub>2</sub> . <sup>33</sup>  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.  Increasing cycling also has health benefits. Cycling 5 miles to work burns, on average, over 2,000 calories in a week. <sup>34</sup>
d. Develop a programme to incentivise staff who drive low emission vehicles	TBC nominal cost of £5,000 allocated. <sup>2</sup> Dependent on chosen incentive. <sup>32</sup>	Assess potential incentives to provide for those who invest in lower emission cars.  Promote amongst staff and assess impact and uptake of project.  Lead Authority: Highways/HR	Potential carbon saving of 2,617 tCO <sub>2</sub> per year if 64% staff drive electric vehicles. <sup>35</sup>  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.

#### Monitoring indicators

- Confirm if travel survey has taken place
- Confirm if communications campaign includes any transport specific programme
- Monitor uptake of Cycle to Work scheme updates via HR
- Confirm if any new incentives have been introduced.

# 1. Behaviour Change and Internal Policy – Sources

## 1.1

- 1 – Based on Cheshire East Council estimates as documented within the internal document “Action Plan” 24/12/2019. Such information has not been subject to Anthesis’ review or verification.
- 2 – Based on email correspondence with the Carbon Literacy Project (05/12/19). Estimate includes cost for training and certification: £10 per applicant certification and £500-£750 for criteria checking. Option 1: Hire consultant for approximately £600/day to deliver training. Option 2: Cheshire East deliver training. Carbon Literacy Project are in the process of developing a Local Authorities toolkit to help with the design of training.
- 3 – The [Carbon Literacy Project](#) allows citizens to acquire the knowledge and skills to lower their carbon footprint, with typical realised carbon savings of 5-15% per person (Jacobs 2018).
- 4 – [Case Study Islington Borough Council](#)
- 5 – [HOME Manchester](#)

## 1.2

- 6 – Option for council to determine what constitutes a major investment or policy decision.
- 7 – Based on Cheshire East Council estimates as documented within the internal document “191122 CEC Carbon Neutrality Projects 22/11/2019”. Such information has not been subject to Anthesis’ review or verification.
- 8 – [Tyndall Carbon Budget](#) is based on translating the “well below 2°C and pursuing 1.5°C” global target and equity principles in the Paris Agreement to a national carbon budget which is then split between sub-national areas.
- 9 – Based on current Anthesis project with Stockport Council. Contact details for Stockport officers leading this project available upon request.
- 10 – Method in Supplementary Annex. Note that 5% is arbitrary and intended as indicative only, rather than a suggested target.
- 11 – [European Sustainable Procurement Network: Developing a monitoring system for GPP in Rome](#)

## 1.3

- 12 – Based on SCATTER Level 4 pathway for the wider borough (as council want to be exemplar). SCATTER estimates in 2025 that travel demand should have reduced by 17% from 2015 levels (See Supplementary Annex).
- 13 – TBC by CEC nominal costs allocated:
- 14 – Based on Anthesis’ own commercial experiences with Microsoft Office 365 (includes, user licences, conferencing features, PSTN/DID)
- 15 – Based on Amazon search for Plantronics audio headset
- 16 – Based on Jabra Speak model
- 17 – In the absence of data on the breakdown of CEC business travel, National level predictions have been used to estimate the magnitude of savings. [The Role of ICT in Reducing Carbon Emissions in the UK](#) estimates that ICT-enabled carbon abatement could help to shrink the UK’s identified emissions gap of 187 Mt CO<sub>2</sub>e by 121.7 Mt CO<sub>2</sub>e. This 122 Mt CO<sub>2</sub>e reduction is equivalent to reducing the UK’s current carbon emissions by 24% in 2030. It is estimated that the IT-enabled carbon abatement potential of e-work in the UK is 12 MtCO<sub>2</sub> by 2030. So 122MT=24% reduction. E-working is 9.83% of the 122MT reduction. This means that e-working is responsible for a 2.36% reduction in UK emissions.
- 18 – Previous estimate applied to the estimated emissions from CEC fleet (for method see Supplementary Annex). 2.36% of 884 tCO<sub>2</sub>.
- 19 – [Energy Saving Trust Manage Mileage](#) Information on typical business miles from staff not available at time of writing, therefore the number of miles is not scaled to CE.
- 20 – [PwC Case Study](#) We acknowledge that PwC are a very different organisation and this case study is not intended to provide a direct estimate of savings for CEC.
- 21 – [Subsidised Eco driving Training](#)
- 22 – [Appy Fleet](#) When estimating total carbon savings, Appy Fleet uses £48 per vehicle per year from the savings (£4 per driver, per month). Data on number of vehicles and typical mileage not available at the time of writing.
- 23 – In the absence of data on the breakdown of CEC business travel and fleet management data, savings are based on West Yorkshire Police Case Study: reduction of 4,184,294 km over 4 years, emissions factor for a petrol car taken from [Ashden](#): 0.135 kgCO<sub>2</sub>e/km, giving 0.14 ktCO<sub>2</sub>e p.a. This aims to show the emissions savings associated with a distance reduction. CEC should determine the potential distance for business travel to be reduced.
- 24 – [Energy Saving Trust: Mileage management guide](#) Vertivia analysis looked at the trends in recorded mileage following the implementation of mileage management system.
- 25 – [West Yorkshire Police Case Study](#)
- 26 – [Oxford City Council Case Study](#)

## 1.4

- 27 – [Carbon Trust](#): Carbon savings estimated from: modelling based on DECC/Defra emission factors and travel survey data. Reduction in emissions per person assumes the total emissions per person in the UK are approximately 10 tCO<sub>2</sub>e p.a.. Assumption based on 10% of staff working from home (c. 408), who each save 390 kgCO<sub>2</sub>e per year. Note 10% is arbitrary and intended as indicative only, rather than a suggested target.
- It is also important to consider the carbon usage of an employee working from home. This is mainly dependent on the level of heating required, however there is limited evidence on the change in energy consumption of home workers. The effectiveness is also dependent on the avoided emissions associated with each commute e.g. distance, vehicle, number of passengers, age of vehicle, however this data is not available for CEC. Using averages from the Carbon Trust, a commuter would have to travel 4 miles to work (one-way) to balance the average increase in home energy consumption 180 kg CO<sub>2</sub>e. The CEC staff survey of commuting suggests that over 60% of staff commutes are over 5 miles.
- 28 – [BT Carbon emissions statement 2012](#). Using the most recent available data, the 2008 estimate of BT’s total footprint is used to provide a % change: 14 ktCO<sub>2</sub>/687 ktCO<sub>2</sub>

# 1. Behaviour Change and Internal Policy – Sources

## 1.5

29 – Based on SCATTER Level 4 pathways tool (See Supplementary Annex)- there will be a modal shift away from cars- Using the value for 2050 as staff survey suggests the council are almost at the 2025 level.

30 – Based on SCATTER Level 4 pathways tool (See Supplementary Annex)- 64% of cars are EV, PHEV or FCV.

31 – [Lancaster University Travel Plan](#)

## 1.6

32 – TBC by CEC, nominal cost allocated. Dependent on chosen incentive provided e.g. car parking space.

33 – Based on SCATTER Level 4 pathway where 9% of journeys should be by bike (See Supplementary Annex). 4,082 staff so 367 should cycle. The most common journey distance at the council was 5-10 miles. Taking the lower distance- cycling 5 miles instead of driving saving 178 kgCO<sub>2</sub> per year per person according to [Cyclescheme](#) 178 \* 367 = 97,989kgCO<sub>2</sub>.

34 – [Cycling Calorie & CO<sub>2</sub> Calculator](#): Calories burned per week calculated in line with the Harvard University study and are based on a 155lb person cycling at a pace of 12-13.9 kmph.

35 – Emissions from 2019 staff commute non-sharing cars was estimated to be 7,745 tCO<sub>2</sub> (see Supplementary Annex). In line with SCATTER predictions for the wider borough on the percentage of EV, PHEV or FCV needed: 64% of which 80% are electric. Each switch to electric vehicles saves approximately 66% of emissions.



## Topic 2: Energy Demand Reduction



## 2. Energy Demand Reduction

### Action 2.1: Reduce emissions from council fleet by switching to low-emission vehicles

Target: 100% of van and car fleet electrified by 2025 and 15% reduction in emissions from HGV fleet by 2025.<sup>1</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Review and update fleet management plan: Specify that for certain categories of vehicle, only Ultra-Low-Emission Vehicles (ULEV) are permitted	The Energy Saving Trust offer a free Ultra-Low Emissions Vehicle review. <sup>2</sup> Strategy development: £25,000 plus £5,000 per annum. <sup>3</sup>	Conduct a review of a vehicles in council fleet.  Assess the vehicles suitable for a switch to ULEVs.  Update policy to include ULEV and electric vehicles as the default and define the criteria for non-compliance.  Lead Authority: Environment Team	If 100% of CEC fleet transitioned to electric it could save 261 tCO <sub>2</sub> e per annum. Note that savings will increase as grid electricity becomes lower carbon. <sup>8</sup>  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.  Case study: Leeds City Council.
b. Review opportunities for the installation of EV charging points	Included in role of travel co-ordination officer (accounted for elsewhere).  £50,000 capital allocation. <sup>3</sup>	Strategic plan of the installation of new charging points in line with fleet changes.  Lead Authority: Facilities Management	
c. Allocation of funding (capital or operational) for investment in low emission vehicles and implementation of more EV charging points	EV: One estimate suggests a cost of £4.6m per annum. <sup>4</sup>  However, other sources indicate a lower whole life costing for EVs e.g. Comparing an EV and ICE pool car over 5 years saves around £3,300. Comparing an EV and ICE van over 3 years saves around £3,100. <sup>5</sup>  Electric charging points: Private: 50kW charging point: £17,000-£33,000. <sup>6</sup> Residential: £2,500 per charge point (in line with funding available for residential charging points) <sup>7</sup>  Nominal cost allocated: £100,000 per annum. <sup>3</sup>	Allocate funding in the next annual budget.  Trial sample vehicles in the next procurement cycle.  Lead Authority: Facilities Management	

## 2. Energy Demand Reduction

### Action 2.1: Reduce emissions from council fleet by switching to low-emission vehicles

Target: 100% of van and car fleet electrified by 2025 and 15% reduction in emissions from HGV fleet by 2025.<sup>1</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
d. Introduce hydrogen into the HGV fleet, including a demonstration for the Refuse Collection Vehicles (RCV's).	Within existing budgets: <sup>3</sup> £50,000 cost for conversion of an RCV with potential savings of £15,000 <sup>9</sup> per annum.	Cledford Lane project: Deliver the Local Enterprise Grant to demonstrate two RCV's and associated hydrogen generation and storage.  Record data to analyse success and opportunity for further roll-out.  Lead Authority: Environment Team with ANSA and StorEngy.	Cledford Lane project could save 26 tCO <sub>2</sub> over 2 year project. <sup>10</sup> Potential 5,982 tCO <sub>2</sub> savings over 7 year replacement cycle from introducing low emission vehicles into fleet. <sup>10</sup>
e. Implement strategic plan to introduce low emission vehicles into the fleet (including waste and highways).	£1,800,000 total capital expenditure. But potential annual savings of £420,000. <sup>10</sup>  TBC nominal cost of £100,000 per annum allocated. <sup>3</sup>	Review Hydrogen RCV trial success.  Assess the potential for further improvements in efficiency and the application of CNG and Electric Vehicles.  Explore the potential of trialling other alternative fuels.  Lead Authority: Environment Team	Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.  Case Study: Glasgow City Council

#### Monitoring indicators

- Confirm if the asset management plan has been updated and includes ULEV investment
- Confirm if EV charging point assessment has taken place
- Confirm if additional sources of finance for EV investment have been secured
- Confirm if RCV Hydrogen pilot is being successfully delivered and strategic plan to expand developed.

#### Case study: Leeds City Council<sup>11</sup>

Leeds City Council have electrified 16% of their total van fleet. It is estimated that these vehicles will travel 450,000 miles per year leading to fuel savings of £13,500 per year and savings of 52 tCO<sub>2</sub> to 2020.



#### Case study: Glasgow City Council<sup>12</sup>

Glasgow City Council are aiming for all of their fleet vehicles to be emission free by 2029. This includes the conversion of 23 gritters to dual fuel hydrogen.

## 2. Energy Demand Reduction

### Action 2.2: Reduce emissions from council fleet by introducing low emission pool cars and pool bikes.

Target: All pool cars are 100% electric by 2025 and 6% of business travel should be by active transport in 2025.<sup>13</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Strategic assessment of current fleet to operate optimal number of pool cars	Energy Saving Trust offer free green fleet reviews. <sup>14</sup> Strategy development cost of £55,000. <sup>3</sup>	Conduct fleet review and establish a number of pool cars to procure.  Assess the options for the storage, operation and management of pool cars. Research other council's or similar institutions' approach to pool car management.  Lead Authority: Facilities Management	Employee owned vehicles are typically older. 50 company cars travelling 2,000 miles a year would save around 4 tCO <sub>2</sub> . (Not including savings for low emission vehicle). <sup>16</sup>
b. Provision of Cheshire East pool bikes and bike library.	Feasibility assessment and an engagement campaign at £10,000-£20,000 depending on scale. <sup>15</sup>  £5,000 for bike library (within current budgets). <sup>3</sup>	Assess the level of demand for pool bikes and enquire about the potential costs of buying pool bikes.  Develop platform for hire or checking out pool bikes.  Lead Authority: Environment Team	Cycling 6 miles instead of driving saves 214 kgCO <sub>2</sub> per year per person. <sup>17</sup>  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.
c. Communication plan to encourage usage of pool cars and bikes amongst staff	Within existing budgets. <sup>3</sup>	Establish relevant staff to share communications with  Plan a communication campaign and implement  Lead Authority: Communications	Increasing cycling also provides health benefits for staff.

#### Monitoring indicators:

- Confirm if a strategic assessment of current fleet/pool car operation has been performed
- Confirm if feasibility study and/or investment into pool bikes has occurred
- Confirm if communications campaign includes any transport specific programme (including pool cars)

#### Case study: West Yorkshire Police <sup>18</sup>

West Yorkshire Police introduced 6 low emission pool cars, which saved them over £34,000 on private mileage claims in the first year.



#### Case Study: PwC <sup>19</sup>

Alongside their cycle to work scheme, PwC have been delivering improvements to buildings including double tier bike racks, extra showers, lockers and a bike repair station. The scheme has had over 2000 participants since it was introduced. They have also launched a scheme which allows staff to borrow Brompton bikes.





## 2. Energy Demand Reduction

### Action 2.3: Reduce emissions from staff commuting by encouraging alternative transport and car sharing

Target: 73% reduction in emissions from road transport by 2025.<sup>20</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Allocate funding to improve cycle-friendly facilities	<p>Cycle Parking: Bike stands: £30-£40 Covered parking: £1,800 plus stands Lockers: £620+ per locker.<sup>21</sup></p> <p>Shower Facilities: dependent on chosen method of provision<sup>22</sup></p> <p>Allocation for facilities: £30,000 per annum.<sup>3</sup></p>	<p>Assess level of demand for facilities as part of staff survey.</p> <p>Assess different options for providing shower and changing facilities.</p> <p>Lead Authority: Facilities Management</p>	<p>If 9% of staff commute a 5 mile journey by bike instead of by car it could save approximately 65 tCO<sub>2</sub>.<sup>23</sup></p> <p>Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.</p> <p>Increasing cycling also has health benefits. Cycling 5 miles to work burns, on average, over 2,000 calories in a week.<sup>23</sup></p>
b. Invest in a communication platform to facilitate car sharing	Dependent on chosen platform: paper form, online, app.	<p>Research different potential platforms for car sharing which could expand to whole borough.</p> <p>Carry out cost-benefit analysis for potential platforms.</p> <p>Roll out car sharing scheme.</p> <p>Lead Authority: Communications</p>	<p>For every sharing commuter, there is a saving of 1 tCO<sub>2</sub> per year. If 10% of CE staff who drive were to share it would save 153 tCO<sub>2</sub>.<sup>24</sup></p> <p>Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.</p>

Monitoring indicators:

- Confirm if cycle-friendly facilities have been improved or allocated funding for improvement
- Confirm if CEC have access to a car sharing platform.

#### Case Study: Ocado <sup>25</sup>

Ocado has registered 3,700 members onto its Liftshare scheme, and offers staff incentives such as free breakfasts, parking spaces, competitions and a guaranteed ride home. This has led to a saving of 852 tCO<sub>2</sub>.



## 2. Energy Demand Reduction

### Action 2.4: Reduce energy demand from new & existing council influenced buildings

Target: All new buildings and retrofits built to highest grade of LEED/BREEAM standards (or equivalent) to ensure carbon emissions from operations and materials are minimised.  
By 2025, 16% reduction in existing commercial heating and cooling demand from 2015.<sup>26</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Embed carbon reduction into Asset Management strategy.	Within existing budgets. <sup>3</sup>	Review Asset Management strategy and incorporate a carbon target and a way of assessing and monitoring the carbon impact of actions.  Lead Authority: Assets	Not possible to estimate a carbon saving but this acts as an enabler to the subsequent measures.
b. Policy to ensure all new buildings are built to a much higher sustainable buildings standard e.g. BREEAM Excellent or Outstanding	New buildings to LEED Gold standard estimated to be c. 10% additional on capital costs although operational cost savings should more than compensate this premium over the lifetime of the building. <sup>27</sup>  The difference between a BREEAM 'pass' and an 'excellent' rating for offices is shown to incur an increase in capital cost of 0.8%. However, it is estimated that savings in operational costs produce a 2% higher capital cost can be paid back within 5 years. <sup>28</sup>	Identify sources of finance of programme funding  Liaise with LEED/BREEAM and the carbon neutral team to agree a strategy for implementation.  Undertake a specific costing and feasibility study to understand cost vs. benefit.  Define key elements of a standard based on current industry best practice. Note the scope may also extend to embodied carbon of construction materials as well as buildings in use.  Lead Authority: Assets	The average CO <sub>2</sub> saving for a BREEAM assessed building is 22% and a BREEAM Excellent rated building is expected to reduce carbon emissions by 33%. <sup>28</sup>  Lower operational costs- Energy efficiency and water saving technology has a forecast payback is typically less than 5 years for energy and less than 2 years for water. <sup>29</sup>  It also benefits those who work within these offices through factors such as better air quality and lighting. <sup>29</sup>

#### Case Study: Welsh Government<sup>30</sup>

In a move towards more sustainable and zero carbon buildings the Welsh Government (WG) Planning Policy now requires projects with a floor area greater than 1000m<sup>2</sup> to achieve a BREEAM Very Good rating. In addition, WG require an Excellent rating to be achieved for projects where they provide core funding.



## 2. Energy Demand Reduction

### Action 2.4: Reduce energy demand from new & existing council influenced buildings

Target: All new buildings and retrofits built to highest grade of LEED/BREEAM standards (or equivalent) to ensure carbon emissions from operations and materials are minimised.  
By 2025, 16% reduction in existing commercial heating and cooling demand from 2015.<sup>24</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
c. Assess suitability of retrofit options for each category of council influenced buildings, including leisure centres and schools. This includes efficiency and ventilation measures only (heating supply is covered within Low carbon supply).	<p>Dependent on the size, complexity, age, operations, conditions of the existing building stock and its assets.</p> <p>Investment grade audits can be commissioned per building ranging £2,000-£5,000.<sup>31</sup></p> <p>TBC nominal additional cost of £200,000 per annum allocated.<sup>3</sup></p>	<p>Carry out an assessment of the stock to identify potential programmes:</p> <ul style="list-style-type: none"> <li>- desktop assessment based on available information</li> <li>- data gap in-fills through site visit</li> <li>- building performance modelling on key areas for improvements</li> <li>- investment grade audits to identify opportunities to gain returns</li> </ul> <p>There is no 'one size fits all' for retrofit so would include assessment of:</p> <ul style="list-style-type: none"> <li>- All Building Management Systems (BMS) are optimised, HVAC systems are well maintained</li> <li>- All lighting converted to LED either through planned replacement or proactive retrofit programme.</li> <li>- Insulation to the building fabric to ensure heat is kept on the correct side of the barrier (various measures within this category including walls, floors, ceilings and windows).</li> </ul> <p>Explore and research alternative options for retrofit and improvements to listed buildings given the constraints.</p> <p>Lead Authority: Facilities Management.</p>	<p>A 20% reduction in energy used for heating would produce a saving of around 2,945 tCO<sub>2</sub><sup>32</sup></p> <p>Lower operational costs achieved through greater energy efficiency.</p>

Monitoring indicators:

- Confirm if new build and retrofit policies have been updated to reflect a higher carbon performance
- Confirm how many investment grade audits have taken place

#### Case Study: Cambridgeshire County Council<sup>33</sup>

Cambridgeshire County Council adopted the Re:fit framework to increase energy efficiency, reduce CO<sub>2</sub> emissions and improve the condition of its buildings. The estimated potential of this scheme is to deliver 1.2 million tCO<sub>2</sub> savings over the lifetime of the project. The project is available to schools and public sector buildings across the county.



## 2. Energy Demand Reduction - Sources

### 2.1

- 1 – [The European Commission](#) proposed an interim CO<sub>2</sub> reduction target of 15% by 2025 for all large trucks compared to 2019 levels. Improvements beyond the European Commission target of 15% reduction achieved by scaling up existing low emission HGV pilots and piloting new technologies.
- 2 – Energy saving trust Ultra-low emission vehicle review- identifies where plug-in or alternatively-fuelled vehicles could be appropriate and cost effective. This review is available at no cost for most private and public sector organisations in England.
- 3 – Based on Cheshire East Council estimates as documented within the internal document "Action Plan" 24/12/2019. Such information has not been subject to Anthesis' review or verification. Nominal costs allocated are TBC.
- 4 – Actual number of Council vehicles not available at time of writing. Therefore, using [Ashden 31 Climate Actions](#) method of estimation: Leeds has 1,133 vehicles for a population of 474,000. Applying this ratio of fleet to the population of CE (380,790) would mean there are approx. 910 vehicles. The annual additional whole life costing of EV is around £5k.
- 5 – [Energy Savings Trust](#) compare EV and ICE pool car.

3 years 45,000 miles*	Citroen Berlingo	Nissan eNV200 Acenta
<b>Life cost (excl. fuel)</b>	<b>£15,786</b>	<b>£14,661</b>
<b>Life fuel cost</b>	<b>£3,444</b>	<b>£1,446</b>
<b>Life total cost</b>	<b>£19,230</b>	<b>£16,107</b>
<b>Pence per mile cost</b>	<b>43</b>	<b>36</b>
*Includes lease and service rental costs provided by Alphabet and Fleet News.		

- 6 – CNEX low emission van guide – 50 kW charging point can charge an electric van in <1 hour. Hardware costs of a triple outlet 43-50kW, Type 2, CHAdeMO and CCS – £16,000-30,000
- Approximate connection costs – of 1-3 Fast (22kW charge van in 1.5-2 hrs) or 1 rapid (50kW charge in <1 hr) – £1,000-£3,000
- 7 – Based on [Ashden](#): Local Authorities are able to receive funding for 75% of the cost of residential charge points- up to £7.5k per charging point which means Local Authorities must fund the remaining £2.5k.
- 8 – Based on [Ashden](#): who estimate that the average reduction from switch to EV is 66% (when charged from the grid). For total CEC fleet emissions see Supplementary Annex.
- 9 & 10 – Based on CEC estimates as documented within the internal document "191122 CEC Carbon Neutrality Projects 22/11/2019". Such information has not been subject to Anthesis' review or verification.
- Cledford Lane Cost: Based on fixed and high costs for conversions, refuelling, electrolyser and additional PV/Grey water. Conversions, refueller and PV will remain assets after two years. Costed annual benefits: Estimated fuel and RTFO. Does not include the residual value of the equipment – estimated at £150k – and long term electricity generation beyond the project lifetime.
- Cost: Based on additional investment which may be required to convert and increase specification – based on £30k per vehicle. Cost annual benefits: Based on £7k saving per vehicle – half vanguard due to no RTFO and purchase of hydrogen. Estimated 10,000 litres of diesel saved. 13 tCO<sub>2</sub>e estimated saving per year for a 2 year Cledford Lane project. Strategic plan savings based upon an average 30% saving given 7 year replacement cycle.
- 11 – [Energy Savings Trust case study](#)
- 12 – [Glasgow City Council On Road To Zero Emissions Vehicle Fleet](#)

### 2.2

- 13- Based on SCATTER Level 4 pathway (See Supplementary Annex)- modal shift in transport away from cars, where active transport represents 6% of all travel.
- 14 – Energy Saving Trust Green Fleet Review evaluates how sustainable a fleet operation is and identifies opportunities to reduce emissions, fuel costs and expenditure. There is no charge for public sector organisations. Note that the cost is for the review only and does not include an estimate for the cost of pool cars.
- 15 – Based on Anthesis judgement and experience.
- 16 – [Energy Saving Trust: A guide to managing and reducing grey fleet mileage](#). Company cars on average are 2.5 years old (132g/km) versus under 7 years old (158 g/km) for employee owned. Based on a fleet of 50 cars travelling 2000 miles per year. This does not include the additional saving that would be achieved by making these vehicles low emission.
- 17 – [Cycling Calorie & CO2 Calculator](#)
- The distance between Cheshire East Council Headquarters and Crewe Station is approximately 6 miles according to google maps. Cycling 6 miles instead of driving saves 214 kgCO<sub>2</sub> per year per person according to the CO<sub>2</sub> calculator. CO<sub>2</sub> emission saved per year is calculated based on factors from Transport Direct
- 18 – [West Yorkshire Police case study](#)
- 19 – [PwC Support for Cycling](#)

### 2.3

- 20 – Based on SCATTER assumption that there will be a modal shift away from cars – the share of transport by car should be 62% by 2050. The 2050 estimate is used as CE are already at 2025 target.
- 21 – Transport for London Workplace Cycle Parking Guide
- 22 – TBD by council. Options include: Converting current space, purpose built portable building or a partnership with a local leisure centre.
- 23 – [Cycling Calorie & CO2 Calculator](#)
- Based on SCATTER Level 4 pathway 9% of journeys should be by bike. There are 4082 staff so 367 should cycle.
- The most common journey distance at the council was 5-10 miles. Taking the lower distance- cycling 5 miles instead of driving saves 178 kgCO<sub>2</sub> per year per person according to the CO<sub>2</sub> calculator. CO<sub>2</sub> emission saved per year is calculated based on factors from Transport Direct -Calories burned per week calculated in line with the Harvard University study and are based on a 155lb person cycling at a pace of 12-13.9kmph
- 24 – Based on [Ashden](#) using data from LiftShare it is estimated that 1 tCO<sub>2</sub> p.a. is saved for every 'sharing commuter'. Based on 75% of staff commuting by car alone and if then if 10% of staff share (note this is arbitrary and intended as indicative only, rather than a suggested target), it equates to 153 individuals becoming a passenger in a car instead of driving.
- 25 – [Ocado Case Study](#)

## 2. Energy Demand Reduction - Sources

### 2.4

26 – Based on SCATTER pathways tool for high ambition pathway in 2025 (See Supplementary Annex)- 16% reduction in commercial heating and cooling demand from 2015.

27 – [The Cost of LEED—An Analysis of the Construction Costs of LEED and Non-LEED Banks](#)

28 – [BREEAM carbon savings and estimated costs](#)

29 – [BREEAM co-benefits](#)

30 – [BREEAM Carmarthenshire](#)

31 – Based on Anthesis industry experience and judgement.

32 – Based on [Ashden 31 Climate Actions](#) method where they estimate that 67% of energy is used for heating and that Interest free loans available to upgrade heating and controls can cut the energy used for heating by about 20%.

Total emissions from council and council owned buildings = 21,977 tCO<sub>2</sub> (See Supplementary Annex).

33 – [Cambridgeshire County Council case study](#)





## Topic 3: Increase Low Carbon Energy Supply

### 3. Increase Low Carbon Energy Supply

#### Action 3.1: Increase supply from district heating

Target: Use Council Assets to support the development of more heat and power networks in the Borough to reduce our carbon emissions from heat and support regeneration and the Local Plan:

i. Large and mixed use developments of over 100 dwellings or non residential development of 10,000 square metres gross floor space should install a site-wide district heating network.

ii. Smaller developments of 10 or more dwellings or non residential development of 1,000 square metres gross floor space should connect to any available district heating network<sup>1</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Continue to progress district heating at: - Crewe Town Centre - Handforth Garden village - Alderley park	Revenue from ELENA and capital allocation. <sup>2</sup>	Crewe – use feasibility assessment outcomes to focus on the most cost effective technical and financial solutions for operation from 2023/24 to significantly decarbonise heat. <sup>2</sup>	Potential carbon savings of approximately 11.4 ktCO <sub>2</sub> e by 2025. <sup>8</sup>  National capital cost projections for district heating are widely estimating 30-40% of capital cost reduction in the coming years. <sup>3</sup>
	Crewe Town Centre heat network capital cost £2.95m + £2.65m grant funding <sup>3</sup>	Handforth Garden Village – use the feasibility assessment outcomes to select a likely route to delivery including technology and financing solutions, to help agree an operational year for key stakeholders to decarbonise heat. <sup>4</sup>	
	Handforth Garden Village heat network integration capital cost £10.6m + £6.4m grant funding <sup>4</sup>	Alderley Park – once complete use feasibility assessment agreed approach to secure grant funding, confirming the completion date of 2024/25 and payback period, ultimately as leverage to drive down costs whilst optimising low carbon heat supply. <sup>5</sup>	
	Alderley Park ambient loop heat network, capital cost not specified. <sup>5</sup>	Lead Authority: ELENA	
b. Review further opportunities to develop heat networks elsewhere in the Borough where heat demand is high, especially linked to asset investment and regeneration.	An assessment of this type typically costs in the region of £10,000-£30,000, but is highly variable depending on the number of new opportunities and or reprioritisation sites/projects identified. <sup>6</sup>	Develop an energy prioritisation masterplan for specific decentralised energy opportunities which identify: - major heat loads including anchor heat loads, with particular reference to existing known sites; - additional major heat supply plant; - possible opportunities to utilise energy from waste; and - cooling network routes.  Lead Authority: ELENA	

### 3. Increase Low Carbon Energy Supply

#### Action 3.1: Increase supply from district heating

Target: Use Council Assets to support the development of more heat and power networks in the Borough to reduce our carbon emissions from heat and support regeneration and the Local Plan:

- i. Large and mixed use developments of over 100 dwellings or non residential development of 10,000 square metres gross floor space should install a site-wide district heating network.
- ii. Smaller developments of 10 or more dwellings or non residential development of 1,000 square metres gross floor space should connect to any available district heating network<sup>1</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
c. Review planning policy to encourage heat network opportunities	Cost of officer time to review policy.	<p>Encourage policies to promote district heating projects, including providing a requirement for whole life costs to ensure economic connection for future users.<sup>9</sup></p> <p>Lead Authority: Planning</p>	See above.

Monitoring indicators:

- Report on the progress of current heat network projects.
- Confirm review of policy and reallocation of budgeting.

#### Case study: Southampton District Energy <sup>10</sup>

Southampton district heating started in 1980, saving 12 ktCO<sub>2</sub> per year with 26 MW of heat, 9MW of cooling and 7 MW of electricity from geothermal, tri-generation and CHP. Capital cost investment in 2014 of £13m saving consumers £0.6m in energy per year.





### 3. Increase Low Carbon Energy Supply

#### Action 3.2: Increase supply from photovoltaics (PV)

Target: To maximise the potential for PV on land, domestic and non-domestic buildings.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Implement a community energy schemes to encourage the take-up of PV and renewable energy by communities, schools and businesses.	<p>No additional cost beyond council resourcing time to facilitate initiative.</p> <p>Council can invest where there is a financial return.</p>	<p>Delegate responsibility to council team to develop the initiative to open collaboration with other land / asset owners and public.</p> <p>Lead Authority: Communities Team</p>	<p>Community financing mechanisms emerging as attractive return of investment. The major co-benefit being where community is engaged their day-to-day decarbonisation behaviours improve significantly.</p>
b. Secure funding to invest in PV on both council land and council buildings extending any opportunities to wider stakeholders	<p>Council land – capital cost c. £8m, annual payback £700,000 with 6% site yield at present council land only scale. No government tariffs.<sup>11</sup></p> <p>Council buildings – capital cost £1.5m, annual payback £150,000 over 10 years and 50% capacity. No government tariffs.<sup>11</sup></p>	<p>Council land – use present feasibility outputs to engage stakeholder's interest in PV community financing to extend feasible opportunities.</p> <p>Council buildings – use present feasibility outputs to take to investors.</p> <p>Using experiences as a method by which to increase uptake of PV to potential private roofs (if successful).</p> <p>Lead Authority: ELENA</p>	<p>PV installed on council buildings (1.2 MW capacity) and on council land (10 MW capacity) could save approximately 21,640 tCO<sub>2</sub>e by 2025.<sup>13</sup></p> <p>Post subsidy solar is becoming increasingly viable at scale, price of PV dramatically decreasing, energy efficiency increasing, especially when combined with wider renewables systems.</p> <p>Potential to generate income as well as carbon benefits.</p>
c. Work in partnership with key stakeholders for PV to encourage the uptake of battery storage.	<p>No additional cost beyond council resourcing time to facilitate uptake.</p>	<p>Off the back of PV engagement, facilitate battery storage opportunities where both technically and financially feasible through stakeholder and community finance initiative collaboration.<sup>12</sup></p> <p>Lead Authority: ELENA</p>	<p>Increasingly battery storage solutions at scale can reduce (per kWh) lifecycle costs through improved pay back.</p> <p>Offers protection from future fossil fuel price increases.</p>

#### Case study: Swindon Council <sup>14</sup>

Swindon developed a wholly owned subsidiary of the council, delivering the first renewable energy community Individual Savings Account (ISA) attracting local investment of £2.4m, a widely praised project.



### 3. Increase Low Carbon Energy Supply

#### Action 3.2: Increase supply from photovoltaics (PV)

Target: To maximise the potential for PV on land, domestic and non-domestic buildings.

Initial Measure	Estimated Cost	Implementation	Benefits
d. Work with DNOs locally to understand and overcome constraints on the electricity grid to facilitate regeneration and decentralised energy	No additional cost beyond council resourcing time to facilitate partnership.	<p>It is important to develop communication channels early with the DNO to ensure the electricity grid can accommodate the design and connection to the grid.<sup>15</sup></p> <p>Lead Authority: Economic Development with Environment Team</p>	<p>See above.</p> <p>We acknowledge that this measure may be relevant to other forms of renewable energy supply.</p>

Monitoring indicators:

- Confirm budget initiatives and uptake scheme development.

### 3. Increase Low Carbon Energy Supply

#### Action 3.3: Increase supply of renewable energy through the procurement of green energy

Target: 100% renewable energy procurement by 2025.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Update energy policy to ensure remaining supply, after the council's own generation, is from 100% renewable sources.	Estimated costs of switching supplier £10,000-£20,000. <sup>16</sup>	Undertake a cost comparison for 100% renewable energy providers, e.g. Good Energy, Ecotricity, etc., and switch to the package that best suits the council. <sup>17</sup>  Lead Authority: Facilities Management	Based on replacing the whole of the Council's Scope 2 emissions would save 5,115 tCO <sub>2</sub> per year. <sup>19</sup>  100% renewable firms can also connect pre-existing or prospective independent energy storage products and trade through artificial intelligence passing savings directly back to energy supply.  Investment in renewable energies delivers operational cost reductions over the short-to long-term with additional incomes available in PPA and export payments
b. Challenge the quality/ nature of green energy provided and ensure it provides necessary benefits	Within existing budgets. <sup>2</sup>	Explore pairing with disruptive energy providers that offer more tailored and holistic solutions for energy supply, usage, storage and generation e.g. Social Energy. <sup>18</sup>  Lead Authority: Facilities Management	
c. Explore the potential for a Power Purchase Agreement (PPA) with other local organisations, or other commercial partners.	Council resourcing time to facilitate PPA (within existing budgets). <sup>2</sup>	PPA for renewables by combining resources with other local organisations, will not only increase the chances of financial saving, but also provide increased opportunity to contribute greater 'additionality' at generation source (renewable energy generation that is truly new).  The extent of revenue generation/saving will depend on the nature of arrangement, whereby CEC could simply be one 'off-taker' or they could be a supplier to others fulfilling the role of an 'Energy Company'.  Lead Authority: Facilities Management.	

Monitoring indicators:

- Confirm policy review.
- Review potential partnerships with local key partners for a PPA.

#### Case study: Onshore wind PPA<sup>20</sup>

In 2019, 20 members of The Energy Consortium (TEC), agreed a deal for an aggregated PPA to deliver renewable energy directly from British windfarms to their institutions. The estimated saving based on forward market estimates is £6m.



### 3. Increase Low Carbon Energy Supply

#### Action 3.4: Explore the potential for hydrogen energy

Target: To better understand the technical potential in the district for hydrogen energy

Initial Measure	Estimated Cost	Implementation	Benefits
a. Support the trialling and adoption of hydrogen heat technology.	<p>No additional cost beyond council resourcing time to facilitate investigation into credibility of hydrogen injection into gas network.</p> <p>Collaboration with the gas distributor and local university groups might be a cost effective way to gain expert insight.</p>	<p>The potential for hydrogen injection into the natural gas network is currently being explored through trials at a national level, with large opportunity for decarbonisation whilst being mindful of its slow implementation and needs for carbon capture and storage in its production.</p> <p>Exploration of hydrogen energy implementation in Cheshire East are still warranted. Key factors to consider include: 1) safety 2) hydrogen supply 3) costs and finance 4) timing 5) availability.</p> <p>This may also include exploration of heating technologies that replace conventional gas boiler technology (i.e. consistent with <a href="#">Leeds H21 City Gate</a> project).</p> <p>Lead Authority: ELENA</p>	<p>Based on a 20% hydrogen injection/ natural gas mix (as is currently being trialled in the UK) and the total footprint for natural gas usage in CE accordingly being reduced by 20%. This would be equivalent to a reduction of approximately 36 ktCO<sub>2</sub>e per year<sup>21</sup> if produced using low carbon method.</p>

#### Monitoring indicators

- Review progress of Northern Gas Network and Cadent pilot projects.

#### Case study: HyDeploy<sup>22</sup>

HyDeploy 2 is a four-year programme designed to test the viability of hydrogen-blend networks before assessing for wider deployment. If used nationwide, potential carbon savings are equivalent to removing 2.5m cars off the road, whilst minimising disruption to customers through use of existing infrastructure. Two test regions have been identified following backing from two gas distribution networks (Cadent in the North West and Northern Gas in Yorkshire and the North East).

### 3. Increase Low Carbon Energy Supply

#### Action 3.5: Explore the potential of alternative renewable sources

Target: To better understand the technical potential in the district for all other generation technologies.

Initial Measure	Estimated Cost	Implementation	Benefits
<p>a. Explore the application of sustainable biomass by engaging with industry and formulating a list of opportunities, including:</p> <ul style="list-style-type: none"> <li>- Wood biomass</li> <li>- Slurry</li> </ul>	£200,000 (additional staff member plus operating costs). <sup>2</sup>	<p>A high level review of the application of biomass in reducing fossil fuel emissions from key emission sources to small emission sources in the context of the councils environment policies, e.g. air quality.<sup>23</sup></p> <p>Wood Biomass: Assess the potential for energy from waste wood. This must include a consideration of the potential sources (e.g. highways planting) and the transport of materials.</p> <p>Slurry: Given the rurality of CE and the high intensity of dairy farms, there may be an opportunity to work with the CE farms estate to generate energy from slurry. This requires a full feasibility and impact assessment. Research from the Cholmondeley Farm Estate<sup>24</sup> raised the following issues, which CEC should work to find solutions towards:</p> <ul style="list-style-type: none"> <li>- The transportation of slurry</li> <li>- The treatment of food waste impacting the financial feasibility.</li> </ul> <p>Lead Authority: Rural and Cultural Economy.</p>	<p>Potential carbon savings: not possible to estimate, dependent on the generation technology and feasibility.</p> <p>There are opportunities for the private sector to work with councils (and other entities procuring waste facilities or services) to achieve the necessary scale to ensure the alternative renewable source benefits strong commerciality and long term decarbonisation in line with existing council policies.</p> <p>Wood biomass: this could support the management of neglected forests. There is also an opportunity to tie this work to the natural capital enhancement.</p>
<p>b. Explore the potential for micro-hydro schemes by engaging with industry and formulating a list of opportunities.</p>	Within existing resources. Capital TBC. <sup>2</sup>	<p>A high level review of the application of micro-hydro schemes as an alternative low carbon energy source on council owned land or whether the council could partner on non council land.<sup>25</sup></p> <p>Further explore the potential and feasibility of micro-hydro on the River Dane and River Bollin.</p> <p>Provide planning guidance and advice for developers wishing to install micro-hydro systems.<sup>26</sup></p> <p>Lead Authority: ELENA</p>	<p>Slurry: Potential to alleviate the pollution caused by slurry, protecting waterways and wildlife.</p> <p>Opportunities for business, inward investment and job creation.<sup>24</sup></p>

### 3. Increase Low Carbon Energy Supply

#### Action 3.5: Explore the potential of alternative renewable sources

Target: To better understand the technical potential in the district for all other generation technologies.

Initial Measure	Estimated Cost	Implementation	Benefits
c. Explore potential for on-shore wind on council-owned land.	Within existing resources. Capital TBC. <sup>2</sup>	<p>This type of feasibility study typically involves:</p> <ul style="list-style-type: none"> <li>- Screening of council-owned land for potential sites.</li> <li>- Initial assessment of on-site wind resource at shortlisted sites</li> <li>- Technical assessment of physical and planning constraints and initial technical issues</li> <li>- Initial assessment of project costs, payment and return on investment</li> <li>- Risk assessment</li> </ul> <p>Carry out lobbying activities, public consultation and engagement to understand and address the opposition to onshore wind.</p> <p>Lead Authority: ELENA</p>	See above.
d. Support heating efficiency through electrification of heat in less densely populated areas.	Publicising the campaign and providing advice on funding schemes and applications would require two members of staff at a cost of £30,000 per year for five years. The total cost would therefore be £300,000. This does not include capital costs. <sup>6</sup>	<p>Develop programme for retrofit heat pump roll-out to existing homes/ commercial properties under LA control not connecting to heat networks.</p> <p>While this would be financed privately and/ or with use of government funding sources, the council would have a key facilitating role in identifying and publishing opportunities.</p> <p>Lead Authority: ELENA</p>	

Monitoring indicators:

- Commission an holistic review of alternative technologies assessing the feasibility of alternative renewable sources.

#### Case study: Cornwall Council <sup>27</sup>

Cornwall Council's Climate Action Plan considers alternative fuels, as the next step to alternative renewable sources that were somewhat exhausted, including fuels such as bio-methane, which is expected to mature in demand in coming years.





### 3. Increase Low Carbon Energy Supply – Sources

#### 3.1

- 1 – [Cheshire East Local Plan Strategy 2010-30](#)
- 2 – Based on Cheshire East Council estimates as documented within the internal document “Action Plan” 24/12/2019. Such information has not been subject to Anthesis’ review or verification.
- 3 – [Reducing the cost of district heat networks](#)
- 4 – [Handforth Garden Village tender](#)
- 5 – [Alderley Park Heat Network feasibility study](#)
- 6 – Based on Anthesis judgement and experience.
- 7 – [Crewe AECOM Study 2015](#)
- 8 – Based on Cheshire East Council estimates as documented within the internal document “191122 CEC Carbon Neutrality Projects 22/11/2019”. Such information has not been subject to Anthesis’ review or verification.
  - Crewe heat network: 176 tCO<sub>2</sub> per year for 25 years, likely start in 2021/22.
  - Handforth heat network: 2,200 tCO<sub>2</sub> per year, for 25 years, likely start in 2021/22.
  - Alderley Park next generation 700 tCO<sub>2</sub> per year, 25 years, likely start in 2024/25.
  - Alderley park optimisation: 300 tCO<sub>2</sub> per year, 15 years, likely start in 2021/22.
- 9 – [Cheshire East Local Plan](#)
- 10 – [Case study Southampton District Heating](#)

#### 3.2

- 11 – Based on Cheshire East Council estimates as documented within the internal document “191122 CEC Carbon Neutrality Projects 22/11/2019”. Such information has not been subject to Anthesis’ review or verification.
  - Council Buildings: Rough estimate based on Environmental Hub costs for PV. Benefits based on estimated on 10 year payback
  - Council Land: Ballpark based on previous projects, depends on site conditions, connection issues, and if battery storage is needed. Assessment needed c. £15k, plus devt costs if viable. Benefits based upon finding a site with a yield of c. 6%.
- 12 – [Crowdsourcing funding for PV projects](#)
- 13 – Based on Cheshire East Council estimates as documented within the internal document “191122 CEC Carbon Neutrality Projects 22/11/2019”. Such information has not been subject to Anthesis’ review or verification.
  - PV on council buildings estimated to save 128 tCO<sub>2</sub> per year starting in 2020/21.
  - PV on council land estimated to save 7,000 tCO<sub>2</sub> per year starting in 2022/23.
- 14 – [Swindon Council](#)
- 15 – Energy Saving Trust key recommendation from the [Cornwall Partnership NHS Foundation Trust](#) case study.

#### 3.3

- 16 – Based on correspondence with CEC 09/01/2020 on the predicted additional cost for switching supplier in 2020.
- 17 – [Comparing renewable energy supply costs](#)
- 18 – [Social Energy alternative energy supply solutions](#)
- 19 – Based on replacing the all Scope 2 emissions with zero emission supply (for estimation of Scope 2 emissions see Supplementary Annex)
- 20 – [TEC Case Study](#)

#### 3.4

- 21 – Assuming that the footprint from combustion of natural gas in the energy demand sector, in the absence of hydrogen injection, would be 180 ktCO<sub>2</sub>e p.a. The modified footprint would therefore be  $180k * 0.8 = 144 \text{ ktCO}_2\text{e p.a}$
- 22 – [Northern Gas Networks HyDeploy](#)

#### 3.5

- 23 – [Energy Saving Trust – biomass](#)
- 24 – EA Technology Consulting (2010): Establishment of a New Renewable Energy Policy, prepared for Cheshire West and Chester Council.
- 25 – [Saughton Park micro hydro](#)
- 26 – [Micro-hydroelectricity factsheet](#)
- 27 – [Cornwall Council alternative fuels](#)





## Topic 4: Natural Capital

## 4. Natural Capital

### Action 4.1: Protect and enhance natural capital (council-land)

Target: Enhance Green Infrastructure to provide natural climate solutions on council land, including tree planting and peatland restoration.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Plan and develop natural climate solutions such as tree planting and peatland management to sequester carbon on at least 100 ha of council owned land by 2025. <sup>1</sup>	£510,000 (costs potentially recoverable). <sup>2</sup>	<p>Better define and understand the suitability of land owned or controlled by the council for nature-based solutions. This should build on the Green Infrastructure Plan 2019.<sup>3</sup></p> <p>Develop Natural Capital Valuation &amp; Investment Plan (as under target 4.2.d).</p> <p>Develop engagement strategy for land users/farmers currently operating the land, including communication of multiple nature-based solution option such as tree and hedgerow planting and restoration/ management of ecosystems such as grasslands, pasture, and peatlands.</p> <p>Engage with Local Nature Partnership to develop a landscape approach to nature-based solutions and Green Infrastructure, maximizing co-benefits to society.</p> <p>Ensure suitability assessment considers co-benefits (i.e. beyond carbon), such as biodiversity, productivity, drainage, as this could stimulate both negative and positive impacts linked to species and location.</p> <p>Lead Authority: Rural and Cultural Economy</p>	<p>The carbon impact of this measure would be around 0.221 ktCO<sub>2</sub> p.a. by 2025.<sup>4</sup></p> <p>Tree planting has benefits for biodiversity, the environment (e.g. flood mitigation, heat regulation), individuals (e.g. spiritual connection to nature), society (e.g. recreation) and the economy (e.g. increased productivity resulting from the aforementioned factors).</p>

Monitoring indicators:

- Review land-use study and council budget for natural capital.

## 4. Natural Capital

### Action 4.2: Protect and enhance natural capital (borough-wide)

Target: Enhance Green Infrastructure to provide natural climate solutions on non-council land, including through tree planting and peatland restoration.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Plan and develop natural climate solutions such as tree planting and peatland management to sequester carbon on between 41 and 1,347 Ha of non-council owned land by 2025. <sup>5</sup>	The cost of this initiative is covered under 4.1.a <sup>6</sup>	<p>Review existing data on land-use and carbon sequestration to identify opportunities nature-based climate solutions, with particular reference to the Green Infrastructure Plan<sup>3</sup>.</p> <p>Develop Natural Capital Valuation &amp; Investment Plan (as under target 4.2.d).</p> <p>Liaise with relevant landowners/ managers to identify and secure opportunities to implement sequestration projects. Also engage with Local Nature Partnership to develop a landscape approach and maximise co-benefits to society.</p> <p>Promote tree planting via media campaign to engage local stakeholders including landowners and potential volunteers to help with nature-based solutions including tree and hedgerow planting.</p> <p>Consolidate outcomes and, if necessary, review options for out-of-boundary planting.</p> <p>Lead Authority: Rural and Cultural Economy.</p>	<p>The carbon benefit of the measure by 2025 is between 0.1 and 0.31 ktCO<sub>2</sub>e p.a. by 2025. However, this is likely to be greater in the longer term.<sup>7</sup></p> <p>Green Infrastructure and nature-based solutions offer many co-benefits, including for biodiversity, the environment (e.g. flood mitigation, heat regulation), individuals (e.g. spiritual connection to nature), society (e.g. recreation) and the economy (e.g. increased productivity resulting from the aforementioned factors).</p> <p>Any landowner/ manager can potentially be involved, creating a diverse group of stakeholders including schools, farmers, corporate organisations and private landowners/ individuals.</p>

#### Case Study: GM City of Trees<sup>3</sup>

Greater Manchester City of Trees is a leading example of how a tree planting project can address climate change objectives whilst engaging the local community and providing numerous co-benefits. So far, the initiative has planted 459,929 trees and involved 12,538 people. It is aiming to plant 3 million trees and bring 2,000 hectares of unmanaged woodland back into community use.



## 4. Natural Capital

### Action 4.2: Protect and enhance natural capital (borough-wide)

Target: Plant one tree for every person, halt peat extraction and restore degraded peatlands by 2025.

Initial Measure	Estimated Cost	Implementation	Benefits
b. Develop and implement restoration and/ or management plans for 100% of peatlands in Cheshire East.	The cost of this initiative is covered under 4.1.a <sup>8</sup>	<p>Complete land-use mapping to identify all potential peatlands for restoration and management.</p> <p>Conduct ground-truthing to clarify the nature of restorations required and potential for carbon sequestration and other benefits.</p> <p>Stakeholder mapping to identify ecosystem service providers/ beneficiaries.</p> <p>Assessment of costs and benefits associated with peatlands and communication of these to stakeholders.</p> <p>Engage with Local Nature Partnership to develop a landscape approach to nature-based solutions.</p> <p>Assessment of relevant financial instruments available and communication of these to stakeholders.</p> <p>Implementation of peatland restoration schemes, in particular through stakeholder facilitation.</p> <p>Lead Authority: Planning</p>	<p>We estimate around 7.4 ktCO<sub>2</sub>e per annum by 2025 in emissions from peatland can be mitigated<sup>9</sup>. However, this reflects a slowing of emissions, as opposed to being a net sink.</p> <p>Clean water (including drinking water); biodiversity; recreation; water flow regulation and flood mitigation.</p>
c. Deliver the Green Infrastructure Plan to facilitate investment into natural capital and to be resilient to climate impacts.	Additional staff above.	<p>Implementation phase of the Green Infrastructure Plan.</p> <p>Review Green Infrastructure strategy in line with the carbon neutral target.</p> <p>Lead Authority: Rural and Cultural Economy</p>	



## 4. Natural Capital

### Action 4.2: Protect and enhance natural capital (borough-wide)

Target: Plant one tree for every person, halt peat extraction and restore degraded peatlands by 2025.

Initial Measure	Estimated Cost	Implementation	Benefits
d. Develop Natural Capital Valuation & Investment Plan	£60,000	<p>The Valuation and Investment Plan should build on the Green Infrastructure Plan and aims to facilitate implementation of payments for and investments in natural capital and ecosystem services.</p> <p>The plan should focus on mapping of natural capital and (potential) flows of ecosystem services in relation to providers and beneficiaries, and valuation of those flows. It should then focus on identifying and mobilizing investment vehicles and management systems to support provision of ecosystem services including carbon sequestration.</p>	This measure will help to stimulate investments, payments, and management arrangements key to achieving the above natural capital targets.
e. Facilitate community sequestration schemes	£18,000 per year for the cost of Mersey Forest Membership	Lead Authority: Rural and Cultural Economy	
f. Work with other landholders including farmers to maximise the potential for tree planting and soil management.	Additional staff above.	Lead Authority: Rural and Cultural Economy	

Monitoring indicators:

- In 12 months' time, commission land-use survey to review progress in afforestation and peatland restoration.

#### Case study: North West Peatland Restoration <sup>6</sup>

Environment Agency recently secured £160,000 funding for six peatland restoration projects across six projects across the North West and involves the EA working with Cheshire Wildlife Trust, United Utilities and Natural England. Projects focus on restoration of upland and lowland peatlands to their natural state, increasing their capacity to prevent carbon entering the atmosphere, reducing flood risk by slowing the flow of rain water, and creating habitats for vulnerable wildlife. Restoration involves blocking drainage ditches, building peat bunds and working with the local topography to help keep water on the sites, encouraging the typical bog plant species and discouraging the dry-loving grasses and birch.

## 4. Natural Capital – Sources

### 4.2

1 - This figure is based on the Council's estimates of land available for natural climate solutions. It is required in addition to the activities outlined under 4.2. a. Note that natural climate solutions could include tree and hedgerow planting, but also grassland, pasture, peatland and soil management, where appropriate.

2 - Management costs for three full time members of staff to run the programme to 2025 would be £30k \* 3 \* 5 = £450 k. We assume that the direct implementation costs (e.g. saplings, labour beyond that of volunteers, etc.) can be raised through grants and other natural capital finance mechanisms.

3 - [https://www.cheshireeast.gov.uk/planning/spatial\\_planning/research\\_and\\_evidence/green\\_infrastructure\\_framework.aspx](https://www.cheshireeast.gov.uk/planning/spatial_planning/research_and_evidence/green_infrastructure_framework.aspx)

4 - Based on approximate cumulative carbon sequestration rates for mixed native woodland, calculated using the [WCC Carbon Calculation Spreadsheet \(2019\)](#). Assumptions include: area 100 ha; spacing 2.5m (total number of trees 1,600/ Ha); mixed native species including oak, sycamore, birch, aspen, alder, rowan, hazel, goat willow; yield class: 8 (according to UK Forestry Commission's 'Carbon Lookup Tables'); no forest thinning or clear-fell at any time: claiming carbon from year 0 to year 50; assumed permanence buffer of 20%; planting commences in Spring 2020.

5 - Cheshire East Council's own calculations (see CEC Insetting Options) indicate 140 hectares of afforested land would allow the council to offset 50% of its residual annual emissions by 2050. The lower bound of this target range, when considered against the provisions of 4.1.a., reflects this objective. The upper bound reflects the more rigorous target of net zero emissions by 2025. See pages 4 and 10 for details. Calculations used the WCC Carbon Calculator Spreadsheet as under 4. Note that the higher target of 1,447 Ha is considered additional to the 100 Ha considered under target 4.1.a.

6 - The costs of nature-based solutions are highly variable and can be substantial. However, we assume that the staff and Natural Capital Valuation & Investment Plan (target 4.1.d) would meet these costs.

7 - Many natural climate solutions offer larger sequestration benefits in the longer term. For example, trees sequester more carbon in the longer term as they become more voluminous. The sequestration potential of trees in our model is nearly 5x higher in 2035 than in 2025.

8 - Development costs for peatlands are substantial, in the range of c. 30k per 1.5 Ha (Cheshire East Council, personal communication). There is around 1,392 ha of peat in Cheshire, most of this being disturbed in some way ([Cheshire East Council, 2018](#)). Assuming 700 ha of peatland is located in Cheshire East, the cost of restoration could amount to £14,000,000. However, we assume that funds can be raised to cover these costs through the Natural Capital Investment Plan and resulting activities.

9 - We assume that Cheshire East has 350 ha of former peatland that has been converted to cultivated farmland with an atmospheric influx of 22 tCO<sub>2</sub>e p.a per hectare and 350 ha of peatland that has been extracted to some degree resulting in an influx of 5 tCO<sub>2</sub>e p.a per hectare, and that by 2025 restoration activities can slow this to 3 tCO<sub>2</sub>e p.a per hectare. The benefit figure above was therefore calculated as ((350 \* 22) + (350 \* 5)) - (700 \* 3). Note that these figures reflect slowed emissions from peat, not negative emissions, which would take longer than the time horizon considered here to materialise ([Natural England, 2010](#)).

10 - An estimated £60k would be required for consultants and other external advisers to support in the develop and implementation the Natural Capital Valuation & Investment Plan.



## **Topic 5: Reduce Borough-wide Emissions/ External Policy**



## 5. Reduce Borough-wide Emissions/ External Policy

### 5.1 Optimise governance, reporting and engagement structures

Target: Better utilise convening power and non-statutory influence within the borough to maximise engagement of other stakeholders.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Host a Citizens Assembly on Climate Change	£5,000 (within existing budgets). <sup>1</sup>	<p>Conduct survey of representative residents required from a diverse range of ages, incomes and wards. One or two day-long workshops of presentations, with participants resolving a number of priorities/actions as a conclusion to the Assembly. Potential for collaboration with educational institutions and other local networks.</p> <p>Lead Authority: Communities Team</p>	<p>May help enhance public trust and support by collectively agreeing workable actions.</p> <p>It can encourage stronger political unity and/or help bypass any future political challenges.</p>
b. Better engage with local businesses and large or relevant emitting organisations specifically the topic of carbon reduction and assess the potential for the low carbon economy.	£15,000 (within existing resources and/or grant funding). <sup>1</sup>	<p>Research, engagement and report write-up delivered by external partners; Council responsible for engagement thereafter.</p> <p>This should also include natural capital focused organisations such as the Local Nature partnership.</p> <p>Lead Authority: Economic Development</p>	<p>Various commercial benefits including cost reduction, increased commercial resilience, reduced absenteeism, better employee talent attraction/retention.</p>
c. Better report local council led impacts and develop a mechanism that incentivises others to invest within borough wide carbon reduction initiatives.	<p>Within existing resources.<sup>1</sup></p> <p>Establishing a low carbon 'inset' fund would require more substantial resource support (i.e. a part time fund manager).</p>	<p>Co-develop a "Local Authority Based Insetting" scheme that helps to:</p> <ul style="list-style-type: none"> <li>a) More transparently report council led actions (initially)</li> <li>b) Incentivise and attract low carbon investment in the borough.</li> </ul> <p>Review proposed framework within the Supplementary Annex. Consider piloting work under both a) &amp; b) and seeking endorsement from other local authorities.</p> <p>Lead Authority: Environment Team</p>	<p>More consistent, reliable, transparent reporting.</p> <p>Retention of investment within Cheshire East.</p> <p>Various co-benefits associated with decarbonizing (i.e. health and economic)</p>

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.1 Optimise governance, reporting and engagement structures

Target: Better utilise convening power and non-statutory influence within the borough to maximise engagement of other stakeholders.

Initial Measure	Estimated Cost	Implementation	Benefits
d. Work with local farmers and consumers to reduce impact of food and agriculture.	Additional staff member. <sup>1</sup>	<p>Review agricultural emissions in the borough (see Supplementary Annex).</p> <p>Develop educational campaign for key stakeholders and consumers.</p> <p>Lead Authority: Rural and Cultural Economy</p>	<p>Based on the Committee on Climate Change medium scenario for dietary change: A 20% reduction in national consumption of dairy, beef and lamb would lead to an estimated reduction of 67,600 tCO<sub>2</sub>e in CE.<sup>2</sup></p> <p>This would also lead to reductions in grassland which could open up land for planting forests.<sup>2</sup></p>

Monitoring indicators:

- Review frameworks with local key partners and business organisations.

#### Case Study: Citizen's Assemblies and Council-Business Alliances

Camden<sup>3</sup> and Oxford<sup>4</sup> facilitated a public response to Climate Emergency Declarations which encouraged local engagement with the agenda.

London Climate Business Leader's Initiative<sup>5</sup> defines new means of collaborative action between business and government. This encourages those organisations defining emissions reductions targets to disclose progress publicly.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.2 Reduce emissions from domestic housing

Target: Increase standards in energy efficiency through leadership in building standards and enforcement of minimum standards.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Better communicate energy efficiency standards, behaviours and activities in the private rental sector	There are significant existing advice and funding sources available to meet this measure (see right). However, a housing energy officer will be required lead in coordinating efforts including lobbying central government, sourcing additional funding (c.£50,000 per annum). <sup>1</sup>	<p>Offering advice and financial support to those looking to improve property energy efficiency through retrofits:</p> <p>Many schemes currently exist that should be leveraged. These include: Cheshire Green Doctor advice service; Affordable Warmth Grant; Health through Warmth; Local Energy Advice Programme (LEAP) (Energy Projects Plus; Save Energy Advice Line (Energy Projects Plus); Energy Performance Certificates (delivered by Civicance) and ECO3.</p> <p>Tougher enforcement of legislation where appropriate:</p> <p>The council should refer to the national Minimum Energy Efficiency Standard (MEES), which mandates that landlords improve all rented accommodation currently in bands F and G by spending at least £3,500.<sup>6</sup> Councils are responsible for ensuring that these standards are met, but research suggests that many councils aren't effectively enforcing them at the moment, thus missing a key opportunity for cutting carbon and improving housing quality.<sup>7</sup></p> <p>The council should also lobby at a national level to increase the minimum energy efficiency standard considered under the legislation to EPC Band C by 2025</p> <p>Lead Authority: Strategic Housing</p>	<p>Potential carbon saving: estimated as 0.4 ktCO<sub>2</sub>e per annum.<sup>8</sup></p> <p>Nearly half of households living in the most energy inefficient homes are in fuel poverty. Improving the energy efficiency of private rented homes will not only improve comfort and reduce energy bills,<sup>9</sup> but will reduce ill health.</p> <p>National Energy Action estimates that 10,000 deaths each year are attributable to living in a cold home. Moreover, work undertaken by the Building Research Establishment (BRE) highlights that cold-related illnesses from privately rented F and G rated properties costs the NHS £35m per year.<sup>9</sup></p>

#### Case Study: Cornwall Council <sup>10</sup>

Cornwall Council undertook an education and awareness campaign aimed at helping landlords understand relevant housing standards regulations. They have also developed a responsible landlord scheme to help with this, as well as a 'Cornwall Rental Standard' that details all key regulations.



## 5. Reduce Borough-wide Emissions/ External Policy

### 5.2 Reduce emissions from domestic housing

Target: Increase standards in energy efficiency through leadership in building standards and enforcement of minimum standards.

Initial Measure	Estimated Cost	Implementation	Benefits
b. Lead and stimulate low carbon retrofit across the borough using social housing stock.	<p>Cost of £309m<sup>11</sup></p> <p>The majority of costs are related to the upgrading of existing stock, as costs associated with new stock can be borne by the developers and mandated in planning requirements.</p> <p>There is widespread recognition of the need for a government-sponsored vehicle to finance such investment, but as yet no particular mechanism has emerged.<sup>12</sup></p>	<p>Use social housing providers to lead to lead in the implementation of low carbon homes through a minimum of EPC A+/Passivhaus/AECB standard by 2025. This should be mandated in planning requirements at a borough level.</p> <p>All existing stock should be a upgraded to a minimum of EPC band C by 2025. Being retrospectively, finance will be required to implement this.</p> <p>Stock modelling, stock surveying, maintenance programme review and void programmes can be first steps promoted by the council.</p> <p>Lead Authority: Strategic Housing</p>	<p>Potential carbon saving is estimated as 6.1 ktCO<sub>2</sub>e per annum.<sup>13</sup></p> <p>Improving the energy efficiency of private rented homes will not only improve comfort and reduce energy bills, but will reduce ill health.<sup>14</sup></p>

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.2 Reduce emissions from domestic housing

Target: Increase standards in energy efficiency through leadership in building standards and enforcement of minimum standards.

Initial Measure	Estimated Cost	Implementation	Benefits
c. Encourage/enable retrofit all existing owner-occupied housing stock	<p>Cost of £14.7m<sup>15</sup></p> <p>Retrofit costs (to achieve EPC C) around £4,385 per home with the costs falling to the home owner, with councils facilitating access to grants where available.</p>	<p>Increasing the energy efficiency rating of all owner-occupied housing to at least EPC C will be challenging, as the costs will often be borne in part or wholly by the owner-occupier. However, the cost will be recoverable through energy savings.</p> <p>Ensuring this investment case is clear and that funding is accessed where available or retrofits will require 114 staff, as per the calculation under costs.<sup>8</sup></p> <p>To retrofit Cheshire East's 120,000 privately owned homes by 2025, the required rate is 20,000 homes per year between 2020 and 2025.</p> <p>Utilise local taxation to stimulate retrofit activity.</p> <p>Consult with bodies such as the AECB, PassivHaus Trust, Connected Places Catapult for further thought leadership on delivering retrofit at scale.</p> <p>Lead Authority: Strategic Housing</p>	<p>Potential carbon saving from this measure is 44 ktCO<sub>2</sub>e per annum.<sup>16</sup></p>
d. Develop policies/Supplementary Planning Guidance to specify carbon standards for development.	<p>Within existing resources.<sup>1</sup></p>	<p>Develop desired carbon standards for development.</p> <p>Encourage developers to follow guidance and prioritise low carbon actions.</p> <p>Lead Authority: Planning</p>	<p>Carbon savings dependent on carbon standards implemented.</p> <p>The annual emissions from a new typical semi-detached house with a gas heating system (excluding appliance use) will be around 2 tCO<sub>2</sub>.<sup>17</sup></p>

Monitoring indicators:

- Review learnings and conclusions from updated comms programme.
- Review uptake of retrofit measures either through BEIS data proxies (RHI, ECO etc.) or council-specific means.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.3 Reduce emissions from the commercial sector

Target: Reduce the total carbon footprint relating to Cheshire East's SMEs by 30% by 2030 (15% by 2025).<sup>18</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Engage businesses across Cheshire East in energy and carbon measurement & reporting	<p>Establishment of an officer team to oversee engagement: £1,000,000.<sup>19</sup></p> <p>Embed within business support programmes at local and Cheshire &amp; Warrington level.</p>	<p>Raise awareness of reporting benefits ("you can't manage what you don't measure").</p> <p>Provide businesses information on relevant reporting tools, guidance and software. Provide training and resources to staff on how to better report and lessons learned.</p> <p>Consider facilitating stakeholder sessions to disseminate lessons learned from recent ESOS reporting or impending SECR regulations.</p> <p>Lead Authority: Economic Development.</p>	<p>The carbon saving associated with these measures is estimated as 9.3 ktCO<sub>2</sub>e p.a. by 2025).<sup>20</sup></p> <p>Efficiency measures save costs, increases business resilience, particularly in the context of future energy price rises.<sup>21</sup></p> <p>In certain circumstances investments in energy efficiency installations may also lead to increased asset value and/ or improved relationships with suppliers, lettors/ lessees, customers and staff.</p>
b. Encourage businesses across Cheshire East to install energy & carbon efficiency measures	See above.	<p>Providing advice and assistance to SMEs to improve energy and carbon efficiency in buildings. This may involve more proactively encouraging grant opportunities or partnering with businesses to accelerate plans.</p> <p>Develop a new and innovative funding mechanism such as Authority Based Insetting.</p> <p>Utilise local taxation to stimulate retrofit activity.</p> <p>Lead Authority: Economic Development</p>	
c. Develop policy aimed at energy & carbon efficiency improvements in the borough's commercial sector	Negligible costs – Current policy design and appraisal processes could be modified to better consider carbon.	<p>Develop borough-level policy aimed at encouraging businesses to improve their energy &amp; carbon efficiency.</p> <p>Key policy levers include:</p> <ul style="list-style-type: none"> <li>- Develop options to use business rates to 'nudge' businesses to improve their energy performance.</li> <li>- Cost carbon into public procurement.</li> <li>- Develop standards with local businesses to measure and improve operational efficiency.</li> </ul> <p>Lead Authority: Economic Development</p>	



## 5. Reduce Borough-wide Emissions/ External Policy

Monitoring indicators:

- Review key partners' progress with the programme and review new areas for engagement.
- Review new policy changes in line with defined targets.

### Case study: GM Existing Buildings<sup>22</sup>

Decarbonising Greater Manchester's Existing Buildings sets out a plan for addressing the contribution of existing buildings to the city-region's carbon footprint. In particular, this is in the context of the 5 Year Environment Plan, which set an ambition for Greater Manchester to be carbon neutral by 2038. It recognises that reducing the amount of energy used in Greater Manchester's existing buildings will be key to achieving this aim, especially given 95% of Greater Manchester's existing buildings are still likely to be in use by 2050.

The plan builds on the priorities and actions on buildings in the 5 Year Environment Plan, and sets out where Greater Manchester is now and where it needs to get to in terms of the energy demand of its existing domestic, commercial and public buildings.

Based on that, it provides a set of recommendations for taking action, including on decarbonising commercial buildings.

An additional important case study is provided by the Carbon Trust's Green Business Fund<sup>23</sup>, which since 2016 has supported hundreds of small businesses to identify an average potential saving of £8,230 on their energy spend.





## 5. Reduce Borough-wide Emissions/ External Policy

### 5.4 Reduce emissions from waste by reducing waste going to landfill

Target: 10% reduction in household waste and an increase in recycling rate to 65%.<sup>24</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Further develop communications/ educational campaign to reduce waste & increase recycling	Within existing budgets. <sup>1</sup> Cost of £160,000 based on estimated communication costs of a minimum of £1.00 per household. <sup>25,26</sup>	<p>Promote food waste recycling and new composting plant.</p> <p>Communications Plan might include:</p> <ul style="list-style-type: none"> <li>- Pre and post-campaign participation monitoring including a post-campaign survey to assess the impact of the communications activities.</li> <li>- Printed communication material e.g. a new service introduction leaflet followed by more detailed information packs. Also potentially collection calendars, informational bin stickers, posters and contamination cards.</li> <li>- Road shows in local communities to explain the new service in more detail and answer questions.</li> <li>- A stakeholder event for local media and council members to help them understand the new scheme and gain first-hand experience of the recycling process.</li> <li>- Advertising to raise awareness of the new service using local newspapers, bus backs and Adshel sites.</li> <li>- Livery on the collection vehicles to reinforce the messages about the new service.</li> </ul> <p>Lead Authority: Environment Team</p>	<p>To take Cheshire East from its current recycling rate<sup>27</sup> of 54% to the SCATTER target of 65% (11% increase in recycling) could be expected to save a<sup>28</sup> around 23 ktCO<sub>2</sub>e.</p> <p>Increased participation in recycling<sup>28</sup> has wider environmental benefits.</p>

Monitoring indicators:

- Review effectiveness of comms campaign through analysis of recycling data.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.5 Reduce emissions from freight

Target: 15% reduction in emissions from HGV fleet by 2025.<sup>29</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Establish urban consolidation centres (UCCs) <sup>30</sup>	Within current budget <sup>1</sup> : Council engagement with partners; officer time.	<p>Design 'last-mile consolidation centres' to allow low-emission vehicles to complete the final leg of a journey for freight deliveries into Cheshire East towns.</p> <p>Consolidation centres are located at the edge of a town where goods are then transferred from HGVs onto smaller vehicles.</p> <p>Lead Authority: Highways</p>	<p>Accounting for rurality of Cheshire East, assume maximum reductions due to UCCs does not exceed 40% of freight emissions; c. 78 ktCO<sub>2</sub>e.<sup>30</sup></p> <p>Improved air quality and road safety, reduced traffic congestion. In urban areas, studies have shown that freight is responsible for approx. 20% of vehicle emissions, and UCCs are capable of reducing freight emissions by up to 80%.<sup>30</sup></p>

Monitoring indicators:

- Identify and engage with local partners and stakeholders.
- Review feedback with partners and stakeholders.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.6 Reduce emissions by encouraging a modal shift away from combustion cars

Target: A 6% reduction in car transport share in 2025 against 2015 levels.<sup>31</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Embed carbon reduction into the Local Transport Plan, including review potential for introducing charges for polluting vehicles - Emissions based parking permits & congestion charges.	Within existing budgets. <sup>1</sup> £45k pa to cover officer time. <sup>32</sup> Set up costs will depend on the system chosen; a congestion charge could potentially generate income.	Run public consultant on potential charges  Assess both the carbon and wider impact of emission-based parking permits  Assess both the carbon and wider impacts of a congestion charge  Lead Authority: Highways	Not possible to estimate carbon savings.  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.  Reduced congestion
b. Set up a car sharing scheme in the borough	The cost to set up a Liftshare scheme for a town is approximately £50,000. <sup>33</sup>  TBC nominal cost of £10,000 per annum allocated. <sup>1</sup>	Assess the demand and potential in the borough  Assess options for car sharing platform  Lead Authority: Highways	Taking 1,000 cars off the road can save approximately 2 ktCO <sub>2</sub> e per annum. <sup>33</sup>  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.
c. Communicate and promote car sharing amongst public	Costs c. £100,000 in marketing to get 1000 cars off the road. <sup>34</sup>  Staff time: accounted for elsewhere.  TBC nominal cost of £10,000 per annum allocated. <sup>1</sup>	Develop a communications plan to promote car sharing  Monitor and target communications  Lead Authority: Highways	Reduced congestion

Monitoring indicators:

- Review feasibility of introducing vehicle charges.
- Feed back on success of comms programme for car sharing.



#### Case Study: London Congestion Charge<sup>35</sup>

The introduction of a congestion charge in London reduced CO<sub>2</sub> emissions by 16%. It also reduced congestion in central London by 26%.

#### Case Study: Nottinghamshire Carshare scheme<sup>36</sup>

Nottingham city council have partnered with Nottingham county council and others to launch an online portal which enables carsharing across Nottinghamshire. The site now has over 3,450 members.



## 5. Reduce Borough-wide Emissions/ External Policy

### 5.7 Reduce emissions from transport by providing incentives and infrastructure for electric vehicles

Target: 64% of cars are EV, PHEV or FCV by 2025.<sup>37</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Encourage taxi companies to move to low emission vehicles by supporting grants and providing incentives	<p>£18,000 per annum (staff time) for an officer to work with taxi drivers.<sup>38</sup></p> <p>£10,000 per annum for engagement. Plus £50,000 per annum capital grants.<sup>1</sup></p>	<p>Assess the current uptake of electric vehicles and liaise with taxi drivers to understand barriers and potential incentives</p> <p>Provide support and guidance on applications for DfT plug in taxi grants</p> <p>Explore the potential of an older vehicle trade in scheme</p> <p>Explore potential for incentives to be provided by reducing licensing fees for electric vehicles</p> <p>Lead Authority: Highways</p>	<p>If all taxis were switched to electric vehicles, it could save approximately 2.7 ktCO<sub>2</sub>e.<sup>40</sup></p> <p>Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.</p>
b. Enable the rapid shift to electric vehicles through putting in place EV charging	<p>Staff time to support households and businesses in private installation (£18,000 per annum).<sup>38</sup></p> <p>Funding is available to local authorities at 75% leaving £2,500 per charge point for the LA to fund. Estimated need of 168 charge points therefore costs in the region of £420,000.<sup>39</sup></p> <p>£15,000 for strategy development. Plus £100,000 per annum capital.<sup>1</sup></p>	<p>Research potential grants and funding that are available to local authorities</p> <p>Develop a strategic plan for the location of charging points</p> <p>Provide guidance for home owners on installing their own charging points</p> <p>Lead Authority: Highways</p>	<p>If 30% of vehicles switch to electric it would save approximately 143 ktCO<sub>2</sub>e.<sup>41</sup></p> <p>Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.</p> <p>This can also be encouraged amongst council staff to reduce their emissions from commuting.</p>

#### Case Study: TfL<sup>42</sup>

TfL are aiming to deliver the greenest taxi fleet in the world. They plan to do this through introducing new licensing requirements for new taxis to be Zero Emission Capable (ZEC), providing grants for ZEC vehicles and reducing vehicle age limits.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.7 Reduce emissions from transport by providing incentives and infrastructure for electric vehicles

Target: 64% of cars are EV, PHEV or FCV by 2025.<sup>37</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
c. Explore the potential to commission an Electric Vehicle car hire scheme across Cheshire East	Staff time to research and apply for grants and funding (£18,000 per annum). <sup>38</sup>	<p>Research potential grants and existing schemes available e.g. Bristol's EV hire scheme was supported by the European Union's Horizon 2020 programme.<sup>43</sup></p> <p>Assess the potential demand for car hire scheme in the borough.</p> <p>Lead Authority: Highways</p>	See above.

Monitoring indicators:

- Survey taxi fleet.
- Review number of EV charging points across the borough.

#### Case Study: Go Ultra Low Oxford<sup>44</sup>

The project has been awarded funding from OLEV (Office for Low Emission Vehicles) to cover a trial of charging infrastructure and a roll out 100 charge points. Alongside this, they have developed a bespoke concession framework where they lease charge points to commercial operators.

#### Case Study: Bristol Electric Car rental<sup>43</sup>

Part of Bristol's REPLICATE project includes a fleet of 10 new electric cars which available to rent by the public. The vehicles are hired out on a pay as you go basis from national car club company Co-Wheels.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.8 Encourage active forms of travel (zero emissions)

Target: Modal share of active transport is 6% by 2025.<sup>45</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Further encourage cycling through accelerating strategic high quality walking and cycle routes	<p>Within current budgets/grants.<sup>1</sup> Variable on type of cycle route; range from £0.1-1m per km.<sup>46</sup></p> <p>Resurfacing existing cycle paths (such as those in green areas or along waterways) are c. £0.18m per km.</p> <p>Laying urban cycle pathways (e.g. in Cheshire East towns) c. £0.75m per km</p>	<p>Funding allocated to improve infrastructure, feasibility assessment of local factors affecting costs, training and engagement sessions on safe road bike usage and culture shifting.</p> <p>Lead Authority: Highways</p>	<p>A 5% shift from miles travelled by car to miles travelled by bicycle saves an estimated 49 ktCO<sub>2</sub>e p.a.</p> <p>Cycling and walking offer a return of £5.50 for every £1 of investment as a result of savings arising from reduced congestion, as well as health benefits due to encouraged exercise and better air quality.</p>
b. Seek opportunities to reallocate road space to pedestrians	<p>Within current budgets/grants.<sup>1</sup> Cost of officer time in terms of conducting research into new opportunities.</p>	<p>Assess which regions of town centres would best serve being pedestrianised.<sup>47,48</sup></p> <p>Use learnings from Poynton shared space scheme, particularly around surface maintenance.</p> <p>Perform an assessment for the visually impaired and people with disabilities to ensure spaces are kept inclusive.</p> <p>Lead Authority: Highways</p>	

Monitoring indicators:

- Confirm that reviews of cycle routes have been carried out.
- Confirm that a review of potential shared spaces has been carried out.

#### Case study: Newcastle-Gosforth route<sup>46</sup>

4.9 km route from Newcastle city centre to Gosforth is an exemplar redevelopment for similar urban areas as can be found in Cheshire East. Appointment of a Commissioner for Walking and Cycling in Greater Manchester has offered a focal point through which efforts and projects can be developed.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.9 Reducing emissions by encouraging the use of carbon neutral public transport

Target: By 2025 88% of buses are EV, PHEV or FCV and rail is 100% electrified.<sup>49</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
a. Bus fleet switch to EV	<p>Point cost of purchasing electric buses (c. £500k per bus)<sup>50</sup></p> <p>TBC additional cost of £100,000 per annum allocated.<sup>1</sup></p>	<p>Engagement with private service providers to match-fund or apply for national government/EU funding. A review of buses close to 'retirement' can be carried out to identify those first up for replacement.</p> <p>Average lifetime is approximately 8 years, so by 2030 almost entire fleet will become eligible for replacement.<sup>50</sup></p> <p>Lead Authority: Highways/TSS</p>	<p>Using bus mileage data from DfT for Cheshire East and typical carbon footprint per unit distance of travel, emissions saving would be 6.4 ktCO<sub>2</sub>e p.a. if all buses were zero emissions.</p> <p>Including health and climate-related costs, electric buses are cheaper than their diesel equivalent by about 7%.<sup>50</sup> This gap will grow in size as the grid decarbonizes.</p> <p>Improved air quality and reduced investment in stranded assets.</p>
b. Optimise total bus journey mileage by strategically assessing routes and maximising service efficiency	<p>Within existing council resources:<sup>1</sup></p> <p>Council to review routes/efficiency of service</p>	<p>Survey of bus patronage and service popularity to define which services are redundant/where bus routes can be made more efficient (applying results of 2017 consultation). This may mean extending some services or adjusting routes to encourage more people to take the bus.</p> <p>Lead Authority: Highways/TSS</p>	<p>Reducing the demand for buses will either directly reduce emissions (in the case of diesel buses) or reduce electricity demand (in the case of electric buses).</p> <p>10% reduction in bus mileage due to efficiency savings is a saving of 0.6 ktCO<sub>2</sub>e p.a.</p>

#### Case Study: First Bus<sup>51</sup>

First Bus now operate 741 electrified ancillary buses across the UK; vehicles are in excess of 30% more fuel efficient than the buses being replaced and buses have succeeded across a variety of route types inc. hilly routes in Sheffield and Bristol.



## 5. Reduce Borough-wide Emissions/ External Policy

### 5.9 Reducing emissions by encouraging the use of carbon neutral public transport

Target: By 2025, 88% of buses are EV, PHEV or FCEV and rail is 100% electrified.<sup>49</sup>

Initial Measure	Estimated Cost	Implementation	Benefits
c. Facilitate the decarbonisation of rail	<p>Within existing council resources:<sup>1</sup></p> <p>Complex projects within the UK have estimated costs of c. £1.25m per km of single track railway.</p> <p>RIA Electrification Cost</p> <p>Challenge report suggests that this is likely to be improved by as much as 33-50% (European rail electrification projects are significantly cheaper)<sup>52</sup></p>	<p>Monitor Growth Track 360 project to electrify the line between Crewe and North Wales; and explore the expansion of that initiative to other local lines within region. Feasibility assessment of electrification of lesser-used lines necessary.</p> <p>Lobby national government to accelerate electrification plans in the region.</p> <p>Support the introduction and development of hydrogen powered trains.</p> <p>Lead Authority: Highways</p>	<p>Electric trains also have better acceleration potential and saved wear on brakes compared to diesel trains (HS2 is currently scheduled to be completed in Crewe by 2027). Diesel trains emit c. 0.075 kgCO<sub>2</sub> per passenger km.</p> <p>Electric trains are significantly lighter than their diesel equivalents, so tracks require less maintenance.</p>

Monitoring indicators:

- Survey bus fleet.
- Review bus patronage statistics and total mileage travelled by buses.
- Review update of HS2 from national government.

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.10 Reducing emissions from road transport by improving infrastructure and efficiency.

Target: By 2025, improve the efficiency of road transport through smart technology.

Initial Measure	Estimated Cost	Implementation	Benefits
a. Embed smart technologies into highways and regeneration to maximise carbon efficiency	Requires assessment of current highways. TBC by council.	Review current infrastructure and technology currently employed on highways and identify key areas for improvement.  Lead Authority: Economic Development with Highways	Carbon savings not possible to estimate in the absence of data of CE highways.  Directly supports the Air Quality Action Plan and helps to deliver the associated health benefits.

Monitoring indicators:

- Confirm the development of a strategy for technology and efficiency of highways.

## 5. Reduce Borough-wide Emissions/ External Policy – Sources

### 5.1

- 1 – Based on Cheshire East Council estimates as documented within the internal document “Action Plan” 24/12/2019. Such information has not been subject to Anthesis’ review or verification.
- 2 – See Section 5 of Supplementary Annex for full Method
- 3 – [Camden Citizens' Assembly](#)
- 4 – [Oxford Citizens' Assembly](#)
- 5 – [London Climate Business Leader's Initiative](#)

### 5.2

- 6 – Energy Saving Trust, 2019
- 7 – [Ashden](#)
- 8 – Based on an emissions footprint of 510 ktCO<sub>2</sub>e from domestic space and water heating within SCATTER baseline year inventory. Taken the proportion of private rented sector emissions to be 13% based on [borough tenure statistics](#). It is also assumed that 6.3% of privately rented accommodation in the borough is below the required standard and that EPC Band D reflects an average energy efficiency performance improvement of 10% ([Energy Saving Trust](#)). Thus, the total reduced emissions would be equivalent to  $510 * 0.13 * 0.063 * 0.1 = 0.4 \text{ ktCO}_2\text{e p.a.}$
- 9 – [Energy Saving Trust 2019](#). Minimum Energy Efficiency Standards in the Private Rented Sector.
- 10 – [Cornwall Council 2015: Cornwall Rental Standard](#).
- 11 – Assumed average retrofit point cost of £17,000 per property, having accounted for economies of scale, based on [IET](#) studies. Taking the number of social housing properties to be 18,176 (Cheshire East Council 2019), the total cost would be  $17,000 * 18,176 = £309\text{m.}$
- 12 – [UK's housing stock 'needs massive retrofit to meet climate targets.'](#)
- 13 – Assumed that 75% of 120,000 owner-occupied households were below EPC band C and that their emissions are reduced by 10% for each energy band they improve as a result of the retrofits to EPC band C standard. Using EPC data, the estimated banding split of those houses below band C are as follows: D – 61%, E – 28%, F – 8%, G – 3%. Given the emissions saving is a function of the number of EPC bandings a household improves by, a weighted emissions saving factor is calculated from the average occurrence of each EPC banding i.e. a 10% reduction in emissions is modelled to occur in 61% of retrofitted households, a 20% saving occurs in 28% of households and so on. Emissions reduction is then taken as (total residential emissions) \* (proportion of privately owned houses that reach EPC band C) \* (weighted emissions savings %). I.e.  $510 * 0.76 * 0.75 * 0.153 = 44 \text{ ktCO}_2\text{e p.a.}$ . Note that this figure is not net of any future social housing to be built to A+/ Passivhaus standard.
- 14 – [Energy Saving Trust](#)
- 15 – As an example, Haringey is funding a team of 15 staff to achieve improvements to C or better in 86,000 non-council owned homes over next 15 years at an annual cost of £525,000, plus a further team of 12 to support households with accessing funding over the 15 year period at an annual cost of £420k ([Ashden](#), 2019). The total cost of the project is  $£945,000 * 15 = £14,175,000$  for 27 staff over 15 years. Estimate is based on pro-rata scaling for the 120,000 owner-occupied households in Cheshire East (1.4x more than in Haringey), of which 75% are below EPC band C:  $£14,175,000 * 1.4 = £19,845,000$  for 27 \* 1.4 = 38 staff. To achieve this over a five year period, the cost would remain the same but 114 staff would be required.
- 16 – Assumed that 75% of 120,000 owner-occupied households were below EPC band C and that their emissions are reduced by 10% as a result of the retrofits. Emissions reduction is taken as (total residential emissions) \* (proportion of privately owned houses below EPC band C) \* (emissions reductions per house). I.e.  $510 * 0.76 * 0.75 * 0.1 = 29 \text{ ktCO}_2\text{e p.a.}$
- 17 – Taken from [Ashden](#): According to [Zero Carbon Hub](#), annual CO<sub>2</sub> emissions from a new typical semi-detached house with a gas heating system (excluding emissions due to appliances and cooking) will be around 2.0 tonnes.

### 5.3

- 18 – Note this target is aligned with advice given to Parliament in March 2019 by representatives of organisations including the Committee of Climate Change and UK Green Buildings Council ([A](#), [B](#)) on strengthening UK commercial buildings energy and carbon efficiency targets.
- 19 – Cost describes the capital investment in an officer team to oversee commercial decarbonization. Assuming salary implications of one programme manager and five officers over five years, anticipated costs would therefore be  $£200,000 * 5 = £1,000,000$ .
- 20 – We assume that SMEs in CE account for 45% of energy use from commercial heating/ cooling, lighting and appliances, which according to SCATTER total 138 ktCO<sub>2</sub>e p.a.. The current SME footprint is therefore assumed as 62 ktCO<sub>2</sub>e p.a.. In terms of the modelled reduction, we assumed that UK SMEs could improve their energy efficiency performance by 30% through energy improvements (BEIS, 2019). As such, to meet the 30% reduction target, 100% of CE's 20,000 SMEs would need to be improved. We assume here that 50% of those improvements would be met by 2025, resulting in a reduction in carbon footprint of  $62 * 0.5 * 0.3 = 9.3 \text{ ktCO}_2\text{e p.a.}$  by 2025 (or 18.6 ktCO<sub>2</sub>e p.a. by 2030).
- 21 – Based on [Ashden: 31 Climate Actions](#)
- 22 – [Decarbonising Greater Manchester's Existing Buildings](#). Report by Greater Manchester Combined Authority, 2019.
- 23 – [Carbon Trust, 2019. Green Business Fund](#).

### 5.4

- 24 – Based on SCATTER Level 4 pathways tool (See Supplementary Annex)- there will be a 10% reduction in household waste as well as a 65% increase in recycling rates
- 25 – [Zero Waste Scotland - Recycling and Transport](#)
- “As a rule of thumb, and based on the experience of a large number of UK local authorities, effective communications costs a minimum of £1.00 per household for ongoing communications.” (=total £160,000 for CEC)
- 26 – [Zero Waste Scotland - Improving Recycling by Communications](#)
- 27 – [Cheshire East Waste Data](#)
- 28 – [WRAP Waste](#) Cheshire West and WRAP case study resulted in:
  - Recycling rates increased from 34% in 08/09 to 48% in 09/10. Overall, recycling increased by 3,302 tonnes, of which 1,389 tonnes was dry recycling and 1,913 tonnes was composting.
  - Participation in the service rose from 82% to 96% following the introduction of the new service.
  - By diverting an additional 3,302 tonnes of waste from landfill to recycling (14% increase in recycling), Cheshire West would have saved 23 ktCO<sub>2</sub>e p.a.. To take Cheshire East from its current recycling rate of 54% to the SCATTER target of 65% (11% increase in recycling) could be expected to save a similar amount of CO<sub>2</sub>e emissions (impact of landfill scenario - impact of recycling scenario = savings of ca. 23 ktCO<sub>2</sub>e).

## 5. Reduce Borough-wide Emissions/ External Policy

### 5.5

29 – [The European Commission](#) proposed an interim CO<sub>2</sub> reduction target of 15% by 2025 for all large trucks compared to 2019 levels. Improvements beyond the European Commission target of 15% reduction achieved by scaling up existing low emission HGV pilots and piloting new technologies.  
30 – [UCC](#) research paper

### 5.6

31 – Based on SCATTER Level 4 pathways tool (See Supplementary Annex)- there will be a modal shift away from car transport, a 6% reduction in journeys by car.  
32 – Full time officer salary to manage engagement estimated from [Ashden](#). Charges would generate income to offset this salary.  
33 – Based on data from Liftshare. Setting up a Liftshare scheme for a town costs <£50,000. Liftshare estimate that it costs an extra £20 in marketing to successfully recruit a member to the scheme. For every 5 members (5 x £20) it is assumed an increase of one 'sharing commuter'. For each saving commuter 1 tCO<sub>2</sub>e p.a. is saved. It therefore costs c. £100,000 in marketing to take 1,000 cars off the road within the first year of the scheme. In Year 2, 80% of the commuters will still be sharing at no additional cost. For cost of £100k, would take 1000 cars off road savings 2 ktCO<sub>2</sub>e p.a.  
34 – Savings based on Ashden estimates of pro-rata scaling against London congestion charge.  
35 – [London demand management](#) and [London congestion charge](#) case studies  
36 – [Nottingham Case Study](#) of a Liftshare scheme.

### 5.7

37 – Based on SCATTER Level 4 pathways tool (see Supplementary Annex)- 64% of cars are EV, PHEV or FCV.  
38 – Based on [Ashden](#) estimation of 2 days a week of full-time officer salary.  
39 – Based on [Ashden](#) pro-rata analysis of national charging point levels (Cheshire East has c. 0.6% of national population) giving 168 charging points. Cost of installation of these charging points is 168 \* £2,500 = £420,000.  
40 – CEC projects list indicate 790 licensed taxis across the borough. Average mileage: 42,000 km; emissions factor for petrol car: 0.135 kgCO<sub>2</sub>e/km; emissions factor for EV car: 45 kgCO<sub>2</sub>e/km. (Number of taxis) \* (annual average mileage of one taxi) \* (emissions factor of petrol car) = emissions from petrol taxis. Subtracting off the equivalent annual emissions of a 100% EV taxi fleet gives a net carbon saving of 2.7 ktCO<sub>2</sub>e p.a.  
41 – Based on [Ashden](#): assume 75% of road emissions arise from cars and vans; if 30% of cars and vans switch to EV and subsequently reduce emissions by 66%, then can estimate savings from on-road emissions in 2017 from SCATTER: 961 ktCO<sub>2</sub>e \* 0.75 \* 0.3 \* 0.66 = 142.7 ktCO<sub>2</sub>e  
42 – [TfL Case Study](#): Since 01/01/18, taxis presented for licensing for the first time are required to be zero emissions capable (ZEC). The threshold for this definition an emissions factor ≤ 0.5 kgCO<sub>2</sub>e/km and a minimum 30 mile zero emission range. First-time taxi vehicle licences are no longer granted to diesel taxis. ZEC taxis with petrol engines need to meet the Euro 6 emissions standards. Between 01/11/20 and 01/11/22 the age limit of Euro 3, 4 and 5 diesel taxis will be reduced by one year, each year.  
43. [Bristol Electric Car Rental Case Study](#)  
44 – [Go Ultra Low Oxford](#), run by Oxford City Council and Oxfordshire County Council, is trialling six types of charging infrastructure over 12 months to assess their suitability for on-street charging in residential areas. The project was awarded £816,000 from the Office for Low Emission Vehicles (OLEV), which covers the capital costs of the trial and the subsequent roll-out of around 100 charge points. The charge points are then leased to commercial charge point operators for four years, with the option to extend the contract by a further four years.

### 5.8

45 – Based on SCATTER Level 4 pathways tool (see Supplementary Annex)- Modal shift away from cars and a subsequent increase in active transport to represent 6% of journeys.  
46 – [Cycling Route Costings](#)  
47 – [Identifying shared spaces](#)  
48 – [Rural shared spaces](#)

### 5.9

49 – Based on SCATTER Level 4 pathways tool (see Supplementary Annex)- shift to electric buses and rail.  
50 – [Electric buses market review](#)  
51 – [The Low Emission us Guide](#)  
52 – [RIA electrification report](#)

## 6. Summary of Measures

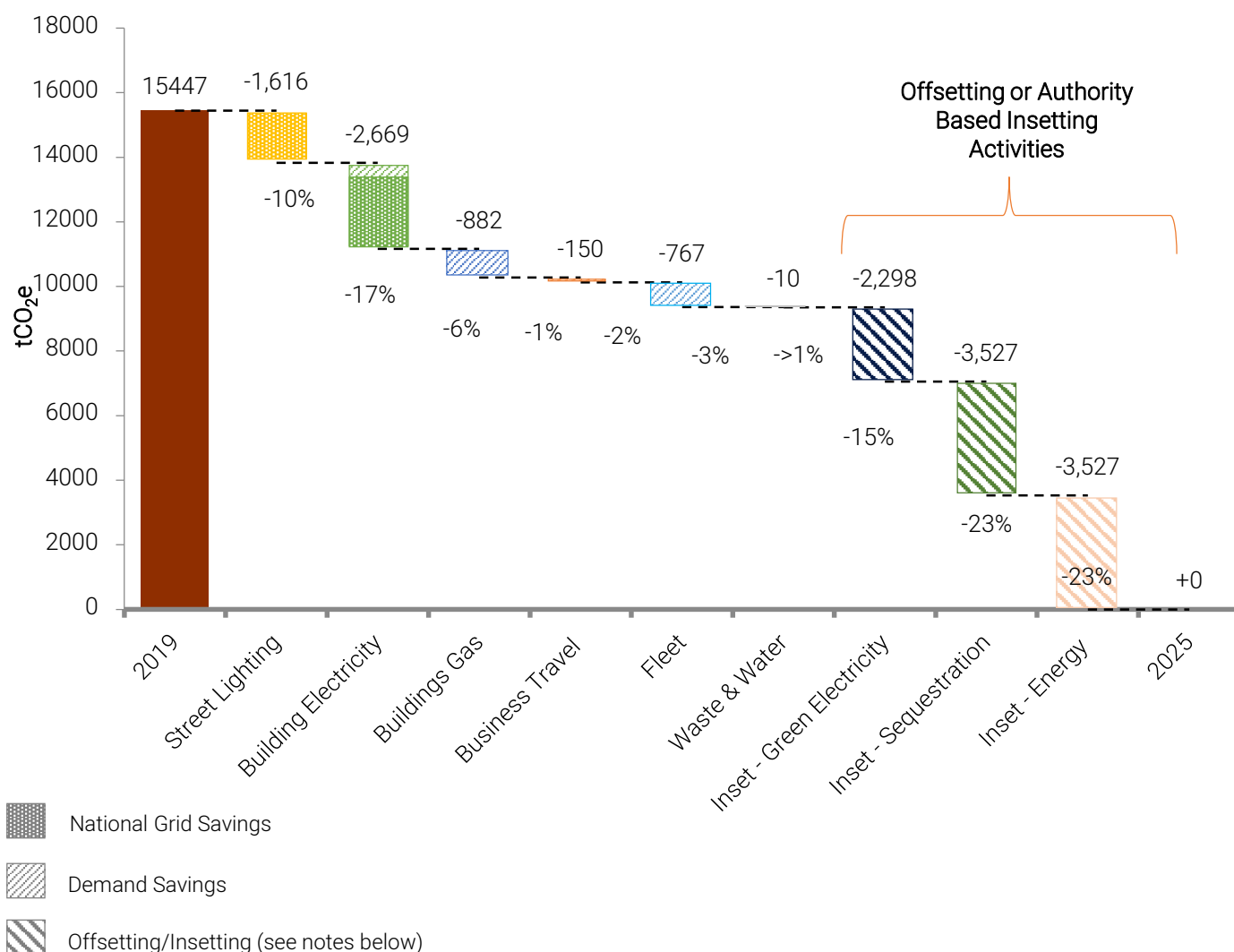
### Introduction

The below chart represents an aggregation of the various council-led potential carbon savings from the above Action Plan.

### Key Findings

- Outside of council-led action, there will be nationally led decarbonisation of the electricity grid which will reduce CEC emissions by 4,090 tCO<sub>2</sub>e (a 26% reduction from 2018/19).
- Council-led actions and achievement of the set out targets in the Action Plan has the potential to add further 13% of savings at approximately 2,005 tCO<sub>2</sub>e. (a 39% reduction from 2018/19 in total).
- The residual emissions remaining equals 9,352 tCO<sub>2</sub>e, which could be offset, by tree-planting and other nature based solutions in the wider-borough.
- If the extent of tree planting and nature based solutions is not enough to offset all residual Direct Control emissions, the council may look to explore other borough-wide renewable energy and efficiency project as types of 'Authority Based Insetting'. Note that these should not be 'netted off' and would not constitute Carbon Neutrality under existing certified standard definitions (i.e. PAS 2060). Please see the 'Note on Insetting' overleaf for further details.

Figure 11: 2025 Emissions Reduction 'Waterfall' Chart for CEC Direct Emissions



## 6. Summary of Measures

### Direct Control Savings

The key below outlines the basis for direct control savings. However, it is important to note the following key assumptions:

- The carbon savings totals may not be complete. There were various actions and measures within the Action Plan that could not be quantified.
- The carbon savings are based on the achievement of the overall target of actions that relate to the councils direct emissions. Due to limitations in accuracy of savings estimates and the availability of data, the extent of actions may not be complete and may not fully map to actions suggested in the Action Plan.
- There may be some double counting included within the measures. Due to the varied basis of the estimates (where often there was limited transparency over the methodology used by third parties), some measures may drive the same nature of action.
- The estimates themselves are based on third party proxies and are inherently limited in accuracy.
- CEC should look to perform more robust estimates of figures included and be sure to understand the assumptions made and limitations therein. The estimates are prudent, and not intended to constrain ambition and the council should look to go beyond the targets set.
- Supply and demand side interventions should not typically be added together (to avoid the risk of double counting); however have been presented on the same chart to illustrate the need to consider energy supply projects in the wider borough as one way of compensating for any unabated Directly Controlled emissions.
- CEC may look to add a 10% contingency should CEC not reduce direct emissions by the extent assumed above.



**Green Electricity inset** – The remaining emissions from electricity consumption from CEC buildings and street lighting is reduced through procuring green zero-emissions electricity. The remaining emissions from fleet is also reduced by ensuring the electricity supplying EVs is from 100% renewable sources.



**Sequestration inset**- Based on offsetting an arbitrary 50% of the residual emissions through application of nature based solutions (i.e. tree planting).



**Renewable Energy or Efficiency inset**- The remaining residual emissions after sequestration will relate to projects that are outside of CEC's influence and control, but may stand to benefit and realise additional, permanent, and verifiable carbon savings as a result of council action.



**Street Lighting savings**– Based on national grid decarbonisation (in line with national requirements). Reductions reflect the decarbonisation of the national grid (following the [BEIS Energy and Emissions Projections](#)). This does not include demand reductions as the council have already completed a project to switch to LED street lighting.



**Owned Buildings Gas savings** - Based upgrading the heating system and insulation of council-buildings reducing energy consumption for heating by 20% from Ashden estimations. Note this assumes there is no direct associated increase in electricity demand not accounted for, which may be the case if heat pump technology is installed in place of gas.



**Fleet savings**– There are 2 components to this saving: 100% of fleet being electric, which is on average reduces emissions from vehicles by 66%, with the exception of HGVs which track the target of 15% reduction in emissions from HGVs.



**Business Travel savings** - Based on reducing the need for business travel by 17%. Emissions reductions should be greater than this with a modal shift in travel methods, however in the absence of data providing a breakdown of business travel it is not possible to provide a savings estimate.



**Owned Building Electricity savings**– 93% of the total saving is based on national grid decarbonisation (in line with national requirements). The remaining saving is based on increasing staff awareness of energy efficiency measures, reducing emissions by 196 tCO<sub>2</sub>. This number is based off achievements from other councils but CEC should look to go beyond this saving.



**Waste and Water savings**- Based on increased staff awareness and campaigns reducing emissions from waste by 10%. Savings from water are based on CEC's own assessment of potential emissions reductions.

## 6. Summary of Measures

### Note on Insetting

#### Green Electricity

- Renewable electricity could be purchased to reduce any residual consumption in 2025. However, it is important to consider the quality and 'additionality' of purchased renewables to ensure that it is appropriate to claim a zero emissions 'market based' figure for Scope 2 electricity. For further details, please refer to the Appendix on Renewables Energy Purchasing within the Supplementary Annex.

#### Sequestration

- 'Offsetting' or 'Insetting' via tree planting and other nature-based solutions: If the council was to aim to further reduce the residual 2025 emissions through nature-based solutions by 50%, it would need to develop in the range of 141 Ha and 1,447 Ha of land to sequester carbon.
- The higher end assumes the trees are sequestering the equivalent of the council's 2025 emissions by 2025, whereas the lower end assumes sequestration by 2050. The former is more aligned with the science<sup>1</sup> whereas the latter is aligned with current national policy<sup>2</sup>
- Note existing tree stock and borough wide potential has been considered in the land and agricultural workings within the Supplementary Annex.
- It is important to acknowledge the important role of Council land in storing and sequestering carbon. Managing and maintaining this function is crucial in order to maintain the base levels of carbon storage assumed in this report.

#### Energy

- This relates to renewable energy generation projects. This could be termed a type of 'Inset', which is defined here as other projects and initiatives within the Cheshire East Borough, whereby energy system emissions could be reduced due to council or action led by other businesses outside of CEC (but still within the borough). The term insetting has previously only been used with reference to an organisation's supply chain(s); however as part of this project, Cheshire East have sought to develop a version of this better tailored to Local Authorities.

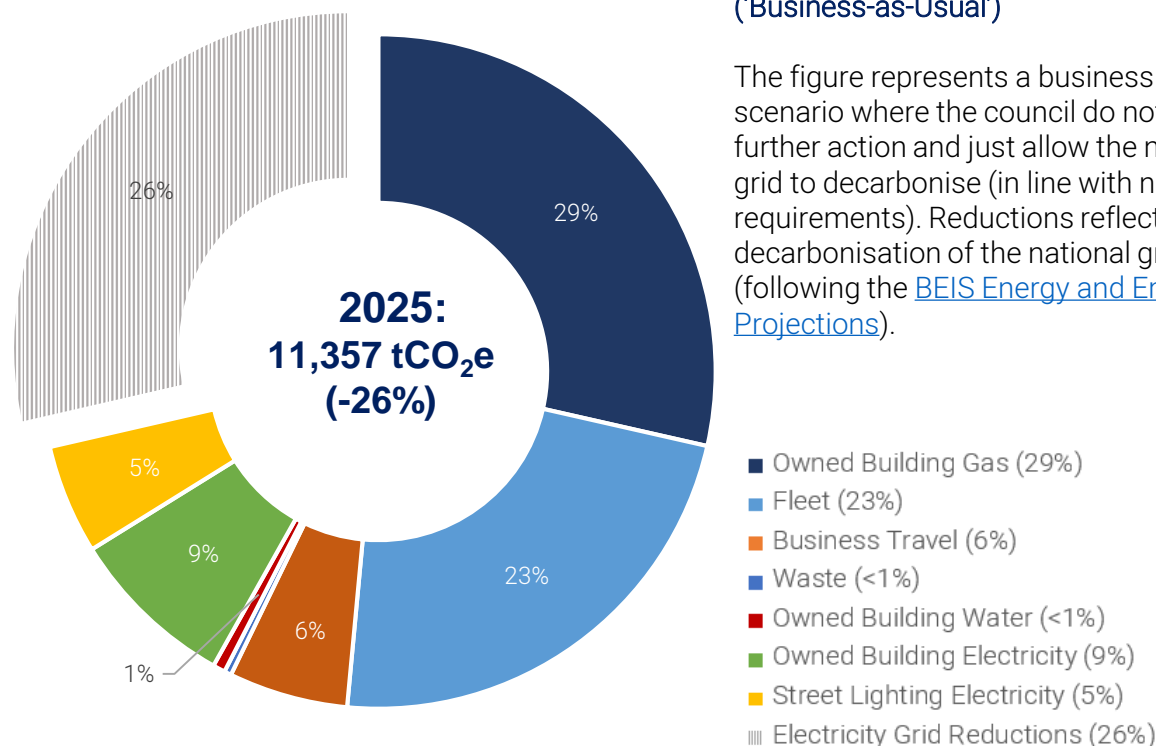
1 – The Tyndall Centre for Climate Change Research <https://carbonbudget.manchester.ac.uk/> present the concept of finite, carbon budgets at Local Authority level. This highlights that due to the cumulative impact of CO<sub>2</sub> on global heating, the emphasis of action needs to be urgent and focused on the short term. "Cheshire East will use this entire budget within 7 years [if unabated]."

2 – National policy does not yet stipulate how Net Zero should be achieved by 2050 or the trajectory required to get there. If only considering the end date of 2050, it may not be commensurate with the science, and irreversible climatic tipping points may occur before then. <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>



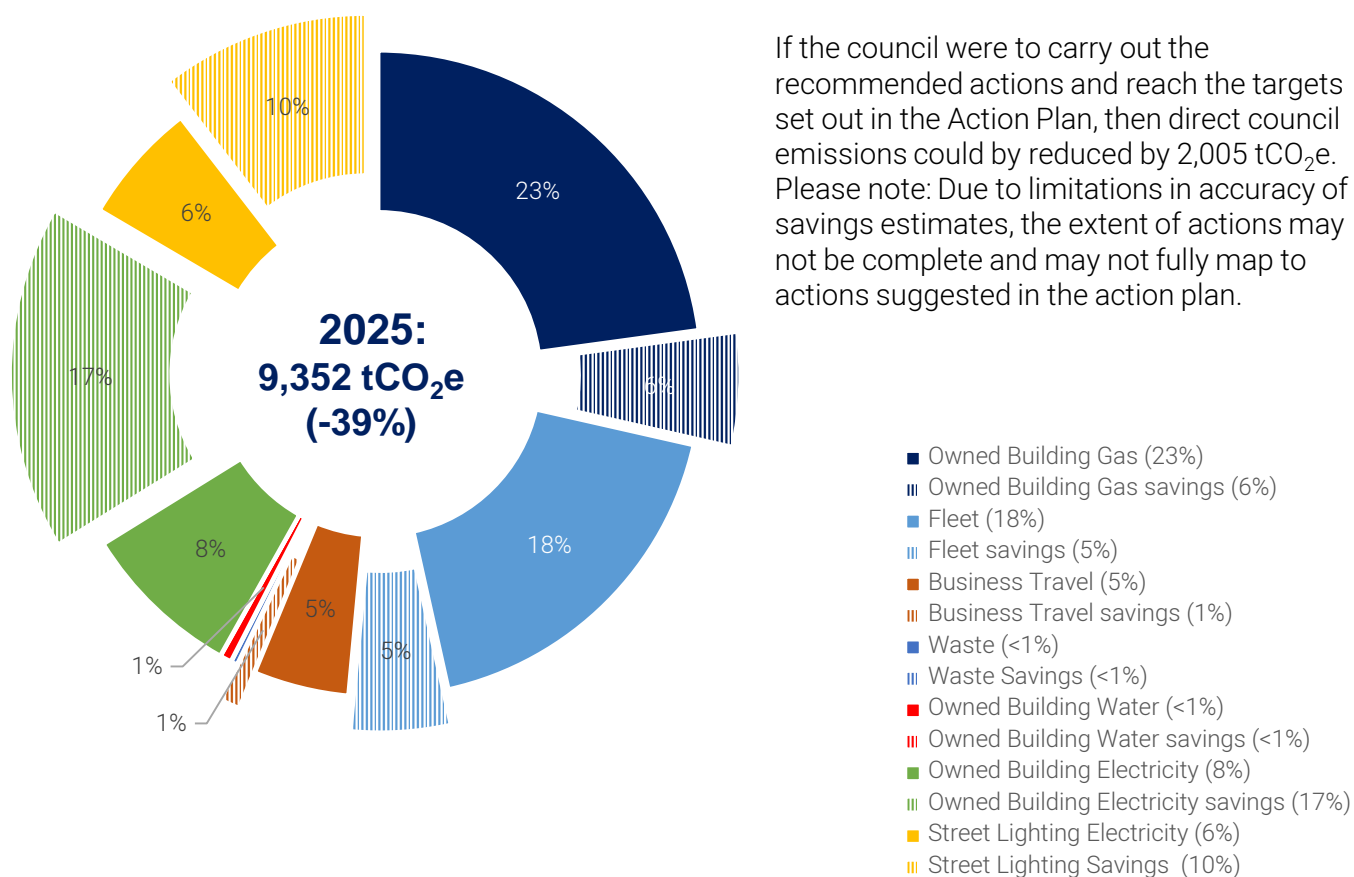
## 6. Summary of Measures

Figure 12: 2025 Emissions profile, grid decarbonisation only or 'BAU'



### 2025 emissions profile: Grid savings only ('Business-as-Usual')

The figure represents a business as usual scenario where the council do not take any further action and just allow the national grid to decarbonise (in line with national requirements). Reductions reflect the decarbonisation of the national grid (following the [BEIS Energy and Emissions Projections](#)).

Figure 13: tCO<sub>2</sub>e by direct control activities with reductions

### 2025 emissions profile: Grid savings + Council Actions

If the council were to carry out the recommended actions and reach the targets set out in the Action Plan, then direct council emissions could be reduced by 2,005 tCO<sub>2</sub>e. Please note: Due to limitations in accuracy of savings estimates, the extent of actions may not be complete and may not fully map to actions suggested in the action plan.

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*Working for a brighter future together*

Key Decision: Yes

Date First  
Published: 29/11/19

## **Cabinet**

**Date of Meeting:** 05 May 2020

**Report Title:** North West Crewe Package – Infrastructure Agreement

**Portfolio Holder:** Cllr Craig Browne – Deputy Leader

**Senior Officer:** Frank Jordan - Executive Director - Place

### **1. Report Summary**

- 1.1. Significant progress has been made in delivering the Council's strategic infrastructure programme. Recent years have seen the completion of schemes such as Crewe Green Roundabout, Sydney Road Bridge, Crewe Green Link Road, Basford West Spine Road, Alderley Edge Bypass, the M6 Junction 16 and 17 Pinch Point schemes, and the new Rail Exchange and car park interchange facility at Weston Road, Crewe. A number of other schemes in the Cheshire East Local Plan Infrastructure Delivery Plan are either on site or being developed.
- 1.2. The Leighton West area on the edge of Crewe includes the Leighton strategic housing sites all of which were allocated in the Local Plan. The allocation was supported by a proposal for new highway infrastructure to provide additional capacity on the highway network and access to the new sites. This is referred to as the North West Crewe Package.
- 1.3. The proposal is included in the Cheshire East Local Plan Infrastructure Delivery Plan and includes; a north-south spine road, the realignment of Smithy Lane, an east-west Link Road from A530 to the Spine Road and a series of junction improvements. A plan showing the Scheme is included as Appendix 1.
- 1.4. The North West Crewe Package forms a key part of the Local Plan infrastructure programme for wider Crewe, which will deliver an

improved highway network for the town. The benefits of the North West Crewe Package also extend to unlocking a number of other housing and employment Local Plan allocation sites by improving wider traffic movements and transport links, particularly in North Crewe.

- 1.5. As such, the delivery of the North West Crewe Package is important to achieving a supply of development sites in the wider Crewe area and to uphold the Local Plan strategy. The housing sites that would be opened up would also make a significant contribution to maintaining the Council's 5-year housing supply and therefore enable the effective management of any planning applications for land not allocated in the Local Plan.
- 1.6. The new infrastructure will improve links between Leighton Hospital, Crewe and the surrounding area, easing congestion and establishing a "blue light" route to Leighton Hospital. These improvements to the Hospital access junction will provide capacity for the predicted growth in traffic during the Local Plan period up to 2030.
- 1.7. This report seeks Cabinet approval to enter into an Infrastructure Delivery Agreement for the Council to deliver foul and surface water drainage, landscaping and boundary treatments to serve development proposed within Local Plan Sites 4 and 5. This would be delivered as part of the North West Crewe Package highway scheme.
- 1.8. This report also seeks authorisation to enter into a Deed of Covenant to secure repayment of the costs associated with the Infrastructure Delivery Agreement and to enter into an Indemnity Agreement with developers in respect of potential Part 1 Claims made pursuant to the Land Compensation Act 1973.
- 1.9. The North West Crewe Package ("the Scheme") is a key part of the Cheshire East Local Plan Infrastructure Delivery Plan for Crewe and its plan to support the regeneration and development of Crewe. The Scheme will provide various <sup>1</sup>benefits to the public, which are summarised below:
  - a) Delivery of an improved highway network for the Town through the delivery of a key part of the Local Plan Infrastructure Programme for wider Crewe identified within the Infrastructure Delivery Plan.

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<sup>1</sup> The benefits refer to the Statement of Reasons which is currently in draft stage and will be finalised before Pre-Agenda Briefing on 17<sup>th</sup> March 2020.

- b) Unlocking a number of housing as allocated in the Cheshire East Local Plan by improving traffic movements and transport links. This would increase the supply of new housing through the release of residential development land, making a significant contribution to maintaining Cheshire East Council's 5 year housing supply through Local Plan allocated strategic sites at Leighton West (850 homes – site ref LPS4) and Leighton (500 homes – site ref LPS5).
  - c) Unlocking a number of employment use allocated sites and, therefore, creating new jobs through the release 5 ha of land for employment uses through Local Plan allocated site Leighton West (site ref LPS4).
  - d) Improved access to Leighton Hospital, Crewe and its catchment area which includes the towns of Middlewich, Nantwich and Sandbach through reduced congestion and by putting the Hospital at the locus of the North West Crewe highway network, by establishing a “blue light” route to Leighton Hospital. These improvements to the Hospital access junction will provide capacity for the predicted growth in traffic during the Local Plan period up to 2030.
  - e) Retention of advanced manufacturing employment by supporting the Bentley Motors Site and Development Framework endorsed by Cheshire East Council's Cabinet in May 2017.
  - f) The successful delivery of these sites will also support the emerging strategy development work in the Crewe Masterplan and The Constellation Partnership's HS2 Growth Strategy.
- 1.10. The Council has undertaken extensive negotiations with owners of the land required for delivery of the Scheme and the Infrastructure Delivery Agreement forms a key component of an agreement to acquire land from the principal land owner in the area.
- 1.11. The majority of the land contained within Local Plan Sites 4 and 5 is under the ownership of two land owners; one of which is the Council. These sites shall require foul and surface water drainage, landscaping and boundary treatments (collectively known as “enabling works”).
- 1.12. The Infrastructure Delivery Agreement shall oblige the Council to forward fund and deliver the enabling works as part of the build out of the Scheme itself but will also secure repayment of the costs

when the land benefiting from the enabling works is brought forward for development.

- 1.13. The provision of the enabling works will enable the Council to proceed with the development and delivery of the Scheme without the risk of the road being excavated for connection of drainage at a later date. It will also support environmental protection measures by preventing rework and wastage of material and resources and also reduce the disruption caused to residents and businesses by development in the area.
- 1.14. This report seeks approval for the Council to enter into the Infrastructure Delivery Agreement and all legal agreements associated with the Infrastructure Agreement, including but not limited to, deeds of covenant with the relevant land owners and indemnity agreements in respect of compensation payments.
- 1.15. The Infrastructure Delivery Agreement and the supporting legal agreements must be entered into before the Scheme design is finalised in order to ensure that the proposed infrastructure and landscaping complies with the design and construction requirements of the Council in its capacity as Highways Authority. The risk of not entering into these agreements is that the drainage systems for the land benefitting from the enabling works may not meet the design and construction requirements of the Highways Authority and, as such, may require re-construction prior to adoption.

## **2. Recommendations**

That Cabinet

- 2.1. Authorises the Council to enter into an Infrastructure Delivery Agreement to deliver foul and surface water drainage, landscaping and boundary treatments to serve development proposed on Local Plan Sites 4 and 5.
- 2.2. Authorises the Council to enter into a Deed of Covenant with the benefitting land owners to secure future repayment of the total costs incurred by the Council for construction of the foul and surface water drainage, landscaping and boundary treatments.
- 2.3. Authorises the Council to enter into Indemnity Agreements in respect of any future claims submitted pursuant to Part 1 of the Land Compensation Act 1973.
- 2.4. Authorises the Council to grant easements through Council owned land for the land benefitting from the enabling works.



- 2.5. Authorises the Council in its capacity as land owner to enter into any adoption agreements for the foul and surface water drainage proposals serving the proposed development areas and in connection to the proposed agreements.
- 2.6. Delegates power to the Head of Estates to negotiate terms for any agreements which are ancillary to the Infrastructure Delivery Agreement and to instruct the Director of Governance & Compliance to draft and complete the Infrastructure Delivery Agreement and all legal agreements ancillary to the Infrastructure Delivery Agreement.

### **3. Reasons for Recommendations**

- 3.1. The Infrastructure Delivery Agreement forms a key component of an agreement for the Council to acquire the majority of the third party owned land required for delivery of the Scheme.
- 3.2. The provision of the enabling works will enable the Council to proceed with the development and delivery of the Scheme without the risk of the road being excavated for connection of mains services connected to the development of the adjacent Local Plan sites for residential development.
- 3.3. The installation of the enabling works during construction of the Scheme supports environmental protection measures by preventing rework and wastage of material and resources. It also demonstrates the Council's forward thinking approach to development by reducing the disruption caused to residents and businesses by development in the area.
- 3.4. The strategy for delivering the enabling works has the benefit of accelerating the delivery of housing across Local Plan Sites 4 and 5 and work towards the requirements of the Housing Infrastructure Fund grant from Homes England which is planned for the Scheme.

### **4. Other Options Considered**

- 4.1. Not to undertake the infrastructure works with the Developer installing them at a later date

Consideration was given to proceed without installing the infrastructure, however this would slow the pace of housing development and the early delivery of the wider benefits as set out in Para 3.4 above. It would also require the road to be closed within a relatively short period after it is open for use by the public to install the drainage infrastructure, which could impact on the integrity of the road and require early intervention for maintenance.

The Council has adopted a collaborative approach with the parties which own the majority of the third-party land required to deliver the Scheme. This has included a conditional agreement to be gifted the land required for the Scheme and release of Council land included within Local Plan Site 4 from a secure agricultural tenancy held by the same parties. Completion of these agreements is contingent upon the Council entering into the Infrastructure Delivery Agreement, however the Council is seeking approval to use its powers of compulsory purchase (this forms part of a separate paper to be considered by Cabinet) as a matter of last resort in the event that the land and rights required to deliver the Scheme cannot be acquired by agreement within a reasonable timescale so as not to jeopardise Scheme delivery.

#### 4.2. Developer installs infrastructure as early works

It was considered whether the enabling works could be installed by the developers of Local Plan Sites 4 and 5 when the Scheme is under construction. However, this would require collaborative working between the road contractor, the developers of the land benefitting from the enabling works and the developers' contractors, which would increase administrative costs and increase the risks of delays to the construction programme by having two sets of contractors with contrasting objectives on site at the same time. Furthermore, the developers' programmes are not aligned with the road construction programme, and it would be necessary to delay the Scheme to align to programmes which would place the grant funding for the Scheme at risk.

## 5. Background

- 5.1. The Scheme is a key part of the Cheshire East Local Plan Infrastructure Delivery Plan for wider Crewe, which will deliver an improved highway network for the town. It will improve Strategic Highway Connectivity for North West Crewe and, together with existing approved schemes, ease congestion issues in the area.
- 5.2. The Scheme will also unlock a number of housing and employment Local Plan allocation sites by improving wider traffic movements and transport links. These benefits will be realised to their full potential subject to the land owners / developers securing planning approvals for the Local Plan allocated sites. This will make a significant contribution to maintaining the Council's 5-year housing supply through Local Plan allocated strategic sites at Leighton West (850

homes – site ref LPS4) and Leighton (500 homes – site ref LPS5). It will also support improved access to the Bentley Motors Site.

- 5.3. The majority of the land contained within Local Plan Sites 4 and 5 is under the ownership of two land owners; one of which is the Council. These sites require enabling works in connection to their proposed development as housing sites. The enabling works are not necessary for the delivery of the Scheme in isolation.
- 5.4. The Council will undertake the enabling works during the construction of the Scheme to help safeguard against the road being excavated for their installation shortly after construction of the new road.
- 5.5. The Council has adopted a collaborative approach for the land assembly for the Scheme and the parties which own the majority of the land required for the Scheme have agreed to release their land to the Council by agreement on the basis that the Council contractually agrees to deliver the enabling works with the full costs of the works being recovered via the Infrastructure Delivery Agreement.
- 5.6. It is intended that the Council shall acquire all of the land for the Scheme by agreement where possible and shall only seek to use its compulsory purchase powers as a matter of last resort. The Infrastructure Delivery Agreement significantly increases the prospects of securing land by agreement from major land owners within the Scheme and secures a binding legal agreement for repayment of the total costs of the works to the Council.
- 5.7. Residential development may come forward within Local Plan Sites 4 and 5 before the Scheme has been completed. Buyers of such properties may qualify to claim compensation for the diminution in the value of their properties, due to construction of the Scheme, under Part 1 of the Land Compensation Act 1973 even though the allocations for Local Plan Sites 4 and 5 and contingent upon delivery of the infrastructure in phases. The developers of the land owned by the main land owner in Local Plan Sites 4 and 5 have agreed to indemnify the Council from payments arising as a result of Part 1 claims.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The Council is permitted to enter into a binding agreement in respect of delivering the enabling works via an Infrastructure Delivery Agreement. The works are not required as part of the Scheme and, therefore, the Council will be paying for and undertaking works partly for the benefit of a third party land owner/developer.
- 6.1.2. The Council must comply with State aid rules. The Council has structured the Infrastructure Delivery Agreement to ensure that it can recover the total costs plus interest of the works from the benefitting land owners. In order to safeguard the costs associated with the enabling works, the Infrastructure Delivery Agreement provides that a restriction is registered against the benefitting land owners titles to prevent disposal of any of the land benefitting from the enabling works unless the new owners enters into a direct Deed of Covenant with the Council to secure repayment. There is a risk that repayment will not occur if development does not come forward, however, the Council's external advisors have confirmed that the risk is relatively low given that planning applications for the benefitting land have already been submitted to the Local Planning Authority.
- 6.1.3. Where required by the Infrastructure Delivery Agreement or in relation to the Scheme the Council may acquire land by agreement pursuant to section 120 of The Local Government Act 1972.
- 6.1.4. The Localism Act 2011 permits the Council to do anything which individuals generally may do subject to restrictions, which in the main provides that the Council cannot do anything it is unable to do by virtue of existing statutory provisions.
- 6.1.5. The Council has a fiduciary duty to taxpayers and must fulfil this duty in a way which is accountable to local people. The purpose of the Infrastructure Delivery Agreement and the associated legal agreements is to provide foul and surface water drainage, landscaping and boundary treatments to serve the majority of the development proposed within Local Plan Sites 4 and 5. These works are not necessary for delivery of the Scheme, however, the advantages in bringing forward these works as part of the construction of the Scheme (as outlined in this report) is considered to ensure that the new road is not excavated at a later date, to allow the infrastructure required to serve the land benefiting from the enabling works to proceed in sequence with the Scheme and offer savings in

terms of progressing the Scheme in a timely manner whilst future proofing the Scheme with regard to infrastructure preparation for the benefitting development sites. The arrangements to recover the additional funds expended are set-out in Para 6.1.2 above.

## **6.2. Finance Implications**

- 6.2.1. The Council will be required to forward fund the full cost of the infrastructure works, and repayment may take many years to collect as repayment shall be contingent on the land benefitting from the enabling works coming forward for development. The Council will have no control over the timing of development of the benefitting land.
- 6.2.2. The cost of the enabling works, which are repayable under the Infrastructure Delivery Agreement, is currently estimated at £4.0M. The enabling infrastructure works shall serve development land under the ownership of the Council and the third parties which own the majority of the land required for the Scheme. The estimated £4.0M cost shall be apportioned between these interests having regards to the quantum of development on each site. This cost is subject to change based upon market testing and tendering of the proposed works. The full current evaluated cost of these works is included within this estimate.
- 6.2.3. The Infrastructure Delivery Agreement shall require the Council to deliver and forward fund the enabling works and require repayment of the full costs from the land owners when the land benefitting is brought forward for development. There is no guarantee that the land benefitting will come forward for development and, therefore, the costs incurred by the Council will be at risk. However, the Council will secure repayment as it will have a binding legal agreement for repayment of the total costs of the works to the Council.

## **6.3. Policy Implications**

- 6.3.1. The relevant national planning policy is contained the National Planning Policy Framework and the relevant Development Plan, which comprises the Cheshire East Local Plan Strategy. There is strong alignment between the priorities that have been defined at the local and sub-regional level, and those that underpin the Government's transport policy at a national level.

This includes the need to build a strong and competitive economy, enhance connectivity and access to employment opportunities.

- 6.3.2. The need for the Scheme is clearly established in the Cheshire East, identifying from the outset the need to improve transport connections to deliver the Local Plan, including the Scheme. There is also acknowledgement of the key contribution that infrastructure schemes play in unlocking regeneration or housing projects in local areas, underpinned by the principles of sustainable development. It is clear that the Scheme development and appraisal is consistent with another of the Government's core objectives: to provide value for money in the provision of major transport infrastructure.
- 6.3.3. By providing additional highway capacity to cater for additional traffic from development, the Scheme would support the Local Plan Strategy and deliver environmental, social and economic benefits to Crewe. The Scheme is thus considered to be in line with local policy and essential for the delivery of the future economic growth plans of Cheshire East Council.
- 6.3.4. The Scheme has the benefit of full planning consent under planning application reference 18/6118N.
- 6.3.5. Completion of the Infrastructure Delivery Agreement shall secure agreement to acquire a key land holding required to deliver the Scheme and, therefore, increase the prospect of delivering a key component of the Council's infrastructure delivery programme.

#### **6.4. Equality Implications**

- 6.4.1. There are no equality implications associated with this report.

#### **6.5. Human Resources Implications**

- 6.5.1. It shall be necessary to ensure that sufficient resource is allocated in Estates, Highways and Legal Services to support delivery of the Scheme. If additional temporary resources are required these will be met from the project budget.

#### **6.6. Risk Management Implications**

- 6.6.1. The Infrastructure Delivery Agreement shall commit the Council to construct the Scheme and deliver foul and surface water

drainage, landscaping and boundary treatments to serve the development proposed on Local Plan Site 4 and to pay for these works up front in addition to the Scheme works. The agreement will be contingent on the Council having all necessary planning consents, funding agreements and internal approvals in place for the Scheme.

6.6.2. The Infrastructure Delivery Agreement shall also be contingent on the land benefitting from the enabling works having the necessary planning consents in place for development in accordance with their Local Plan allocations.

6.6.3. The Infrastructure Delivery Agreement will operate to place a restriction on the benefitting land where the disposal of this land can only be undertaken if the new owner enters into a direct Deed of Covenant with the Council to secure repayment of the full costs associated with the enabling works plus interest under the Infrastructure Delivery Agreement.

6.6.4. Recovery of the costs associated with the enabling works and receipt of developer contributions towards the Scheme is contingent on the programme for development of the land benefitting from the enabling works. This creates a risk that the repayment of the full costs of the works may not be realised in full, or in part, and the Council will be required to fund the shortfall.

## **6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

## **6.8. Implications for Children & Young People/Cared for Children**

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

## **6.9. Public Health Implications**

6.9.1. There are no direct implications for public health.

## **6.10. Climate Change Implications**

6.10.1. The Scheme has been subject to a comprehensive Environmental Appraisal as part of the statutory planning process. This has demonstrated the wider environmental and ecological impact of the Scheme. The infrastructure proposed as an integral part of the Scheme, such as drainage, includes for a potential climate change allowance.



After the landscaping proposed for the Scheme has been fully established the Scheme has been calculated to provide a net positive biodiversity gain.

6.10.2. The Scheme is embedded in the Local Plan Strategy. The Local Plan has been deemed to be a robust plan for sustainable development across the borough. The Scheme contributes to this overall plan for sustainable growth in Cheshire East by enabling growth through improved connectivity and reducing adverse impacts of traffic and travel.

## **7. Ward Members Affected**

- 7.1. The strategic nature of the Scheme will mean that journeys from multiple wards will be affected.
- 7.2. The Scheme itself is situated in Leighton Ward. The local ward member for Leighton is Cllr Byron Evans.
- 7.3. A briefing with local members was undertaken in November 2019.

## **8. Consultation & Engagement**

- 8.1. The Scheme currently has Planning Permission and an Engagement Exercise was carried out as part of the pre-planning process. A copy of the report detailing this engagement and comments received as part of the process is available on request or can be accessed by means of the Planning Portal.

## **9. Access to Information**

- 9.1. The background papers relating to this report can be inspected by contacting the report writer.

## **10. Contact Information**

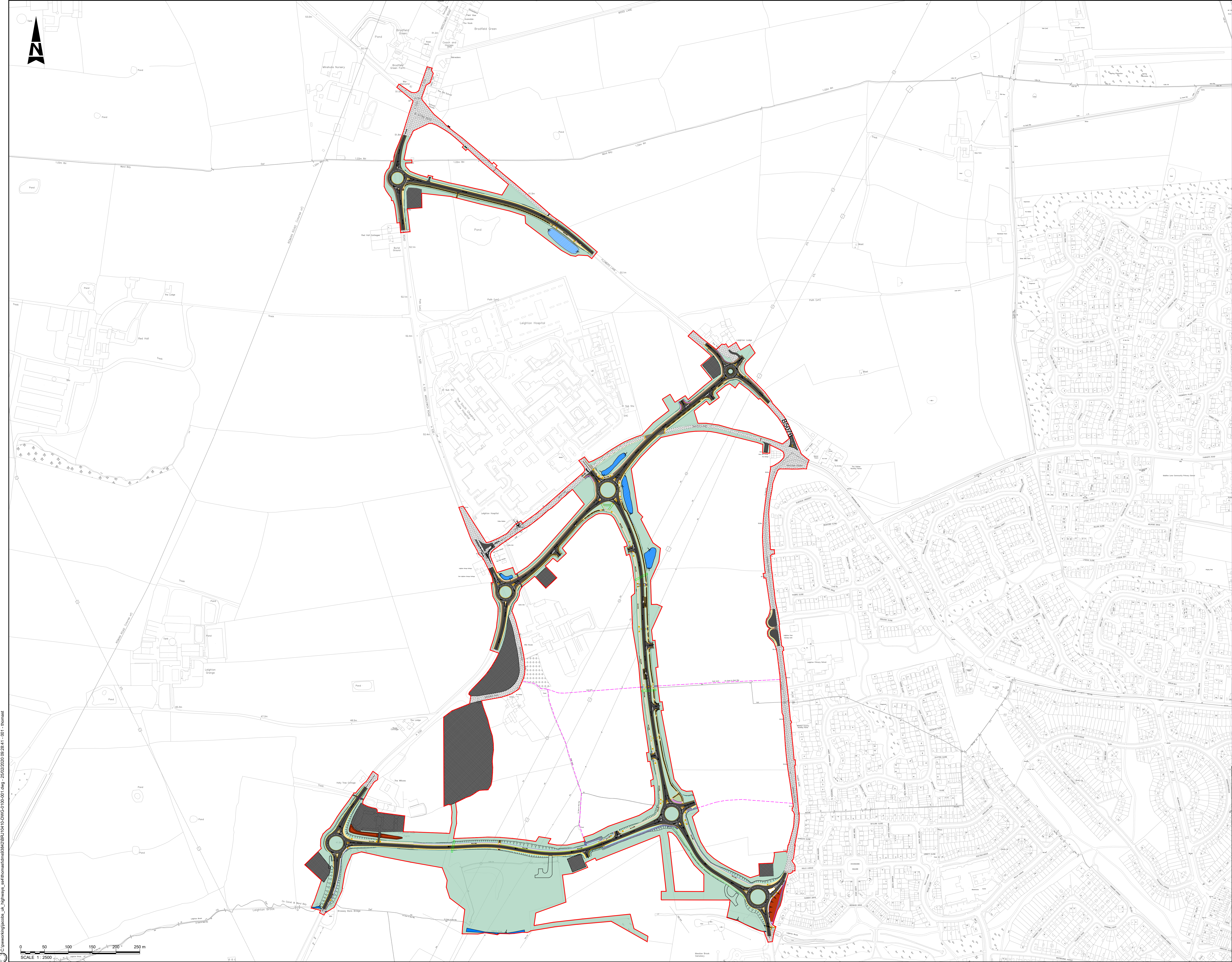
- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Chris Hindle

Job Title: Head of Infrastructure

Email: [chris.hindle@cheshireeast.gov.uk](mailto:chris.hindle@cheshireeast.gov.uk)





Notes:

- Do not scale from drawing
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NORTH WEST CREWE PACKAGE

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Drawing status

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*Working for a brighter future together*

Key Decision: Yes

Date First  
Published:  
29/11/19

## Cabinet

**Date of Meeting:** 05 May 2020

**Report Title:** North West Crewe Package – Approval to Authorise the Use of Compulsory Purchase Powers for the Delivery of the Scheme

**Portfolio Holder:** Cllr Craig Browne – Deputy Leader

**Senior Officer:** Frank Jordan - Executive Director - Place

### 1. Report Summary

- 1.1. The Council has set out a clear vision and strategy for sustainable economic growth in the recently adopted Local Plan. A key element of this strategy is a significant investment programme in transport infrastructure to support the housing and jobs in the Borough.
- 1.2. Significant progress has been made in delivering the Council's strategic infrastructure programme. Recent years have seen the completion of schemes such as Crewe Green Roundabout, Sidney Road Bridge, Crewe Green Link Road, Basford West Spine Road, Alderley Edge Bypass, the M6 Junction 16 and 17 Pinch Point schemes, and the new Rail Exchange and car park interchange facility at Weston Road, Crewe. A number of other schemes in the Council's Local Plan Infrastructure Development Plan are either on site or being developed.
- 1.3. The Leighton West area on the edge of Crewe includes the Leighton strategic housing sites, all of which were allocated in the Local Plan. The allocation was supported by a proposal for new highway infrastructure to provide additional capacity on the highway network and access to the new sites. This is referred to as the North West Crewe Package.

- 1.4. The proposal is included in the Cheshire East Local Plan Infrastructure Delivery Plan and includes; a north-south spine road, the realignment of Smithy Lane, an east-west Link Road from A530 to the Spine Road and a series of junction improvements. A plan showing the Scheme is included as Appendix 1.
- 1.5. The North West Crewe Package forms a key part of the Local Plan infrastructure programme for wider Crewe, which will deliver an improved highway network for the town. The benefits of the North West Crewe Package also extend to unlocking a number of other housing and employment Local Plan allocation sites by improving wider traffic movements and transport links, particularly in North Crewe.
- 1.6. As such, the delivery of the North West Crewe Package is important to achieving a supply of development sites in the wider Crewe area and to uphold the Local Plan strategy. The housing sites that would be opened up would also make a significant contribution to maintaining the Council's 5-year housing supply and therefore enable the effective management of any planning applications for land not allocated in the Local Plan.
- 1.7. The new infrastructure will improve links between Leighton Hospital, Crewe and the surrounding area, easing congestion and establishing a "blue light" route to Leighton Hospital. These improvements to the Hospital access junction will provide capacity for the predicted growth in traffic during the Local Plan period up to 2030.
- 1.8. This report seeks authorisation to make The Cheshire East Council (North West Crewe Package) Compulsory Purchase Order 2020 ("the CPO") in respect of the land identified in the Order Map ("the Order Land") and to make The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 and The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020 ("the SROs").
- 1.9. This report also seeks Cabinet approval of the Statement of Reasons ("SoR") and the Order Map ("the Order Map") attached to this report for the purposes of the CPO and (where appropriate) the SROs

- 1.10. The North West Crewe Package (“the Scheme”) is a key part of the Cheshire East Local Plan Infrastructure Delivery Plan for Crewe and part of its plan to support the regeneration and development of Crewe. This support aims to deliver environmental, social and economic benefits to the Town detailed in the Statement of Reasons Appendix 2.
- 1.11. The Scheme itself shall provide a series of highways and junction improvements in the area of Leighton, located to the north west of Crewe. It will create a total of 2.9 km of new roads with street lighting and dual use footways and cycleways with appropriate crossing points to ensure safe crossing facilities.
- 1.12. The Scheme shall deliver an improved highway network for the Town. The benefits also extend to unlocking a number of housing and employment Local Plan sites by improving wider traffic movements and transport links in the locality. These improvements will also reduce congestion and improve access to Leighton Hospital, and the future access to the Bentley Motors Site. The successful delivery of these sites will also support the emerging strategy development work in the Crewe Masterplan and The Constellation Partnership’s HS2 growth strategy.
- 1.13. The current programme is for the main works to start in early 2021, with an estimated 24-month construction period.
- 1.14. Cabinet approved, in principle, the use of powers of compulsory purchase in March 2018. Since that meeting, the design development work has established the extent of the land required for the Scheme. Accordingly, it is necessary to seek Cabinet authority for use of powers of compulsory purchase in parallel with the negotiations to undertake the acquisition of land and new rights required for the construction of the Scheme by agreement, reflecting the land requirement that has now been established as being necessary to deliver the Scheme.
- 1.15. This report details the affected landowners and plots required to deliver the Scheme, with such further detail allowing the Council to make a fully informed decision and proper consideration of the use of powers of compulsory purchase.
- 1.16. The Council has initiated discussions and will continue to seek to negotiate the acquisition of all the legal interests in the land required for the construction of the Scheme by agreement. However, the Council needs to ensure it has the ability to use compulsory purchase powers if it considers that it may not be possible to agree

terms for the acquisition of all the remaining interests in the land required to facilitate construction of the Scheme. The use of such powers would only ever be as a matter of last resort and would be in parallel to continued efforts to negotiate private acquisitions.

## **2. Recommendations**

That Cabinet:

- 2.1. Confirms that the acquisition of the land identified on the Order Map attached to the report is necessary for highway purposes;
- 2.2. Approves the draft Statement of Reasons and the draft Order Map (with schedules) both substantially in the form annexed to the report for the purposes of the Compulsory Purchase Order but delegates to the Director – Infrastructure and Highways in consultation with the Director of Governance & Compliance, authority to modify them as necessary;
- 2.3. Approves the draft SRO's Plan substantially in the form annexed to the report for the purposes of the Side Roads Order and delegates to the Director – Infrastructure and Highways in consultation with the Director of Governance & Compliance, authority to modify them as necessary;
- 2.4. Authorises the Director – Infrastructure and Highways in consultation with the Director of Governance & Compliance to determine the form and contents of the Schedules ("the Schedules") necessary as part of the CPO to identify the land contained within the Order Map.
- 2.5. Authorises the Director of Governance & Compliance to make The Cheshire East Council (North West Crewe Package) Compulsory Purchase Order 2020 ("the CPO") pursuant to Section(s) 239, 240, 246, 250 and 260 of the Highways Act 1980 and Schedule 3 to the Acquisition of Land Act 1981 for the purpose of acquiring the land and interests shown on the Order Map and described in the Schedules (or such lesser area of land should this in her opinion be appropriate) to facilitate the construction of the Scheme, and that the Common Seal of the Council be affixed to the CPO and to the Order Map
- 2.6. Authorises the Director of Governance & Compliance to make The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 and The Cheshire



East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020, under Sections 8, 14 and 125 of the Highways Act 1980 and all other necessary powers to improve, stop up existing highways, stop up and/or amend private means of access and provide replacement private means of access, and construct lengths of new highway as required to deliver the Scheme.

- 2.7. Authorises the Director of Governance & Compliance to advertise the making of the CPO and the SROs (“the Orders”) to comply with all associated requirements in respect of personal, press and site notices, and to take all other relevant action thereon to promote the making and the confirmation of the Orders;
- 2.8. Agrees that in the event that no objections are received to the CPO or if all objections are subsequently withdrawn, or the Director of Governance & Compliance certifies that they may be legally disregarded, to authorise the Director of Governance & Compliance to obtain the appropriate Certificate under Section 14A of the Acquisition of Land Act 1981 enabling the Council to confirm the CPO as made;
- 2.9. Agrees that in the event that relevant objections are received to the Orders (or any of them) and are not withdrawn, or that modifications are made to the Orders, to authorise the Director of Governance & Compliance to submit the Orders to the Secretary of State with a request that it be confirmed in the required form;
- 2.10. Agrees that in the event that any Public Inquiry is convened to consider objections to the Orders (or any of them), authorise the Director – Infrastructure and Highways in consultation with the Director of Governance & Compliance to prepare and submit such evidence as is necessary in support of the Orders including enlisting the assistance of outside consultants and Counsel to assist in the preparation and presentation of such evidence;
- 2.11. Agrees that as soon as the Orders (or any of them) have been confirmed and become operative, the Director of Governance & Compliance is authorised to comply with all associated requirements in respect of personal and press notices and to make and give notice of a General Vesting Declaration under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or Notices to Treat and Notices of Entry in respect of the land and rights to be acquired compulsorily;
- 2.12. Delegates power to the Head of Estates to negotiate and agree terms to seek to acquire the land and rights (or extinguish the same)

required for the Scheme by agreement and to instruct the Director of Governance and Compliance to negotiate and enter into all legal agreements necessary to facilitate any such agreements.

- 2.13. Delegates power to the Head of Estates to negotiate and approve the payment of relevant and reasonable professional fees incurred by landowners and others with compensatable interests in taking professional advice in connection with the acquisition of their interests required for the Scheme and to negotiate, approve and document by way of settlement or other legal agreement payment of all related compensation claims in advancing the development or implementation of the Scheme, including the settlement of any claims made pursuant to Part 1 of the Land Compensation Act 1973.
- 2.14. Agrees that in the event that any question of compensation in respect of such interests or rights is referred to the Upper Tribunal (Lands Chamber) for determination, to authorise the Director of Governance & Compliance to take all necessary steps in relation thereto including advising on the appropriate uses and compensation payable and issuing the appropriate certificates.

### **3. Reasons for Recommendations**

- 3.1. The acquisition of the land enables the Council to proceed with the development and delivery of the Scheme. A scheme plan can be found attached in Appendix 1.
- 3.2. The proposed NWCP package of works consists of the following elements:
  - The Fairfield Link (realignment of Smithy Lane), which includes the A530 Middlewich Road/Smithy Lane roundabout, the Hospital roundabout and the Fairfield roundabout;
  - A new primary Hospital link route connecting the realigned Smithy Lane to the north with Minshull New Road to the south, including the Hospital roundabout junction, the roundabout known in the planning documentation as Engine of the North roundabout and the Minshull New Road roundabout junction;
  - A new East-West Link Road connecting the A530 Middlewich Road/Leighton Hall Farm roundabout to the west to the roundabout known in the planning documentation as Engine of the North roundabout to the east;
  - The Flowers Lane link, forming a new three-arm roundabout junction with the A530 Middlewich Road; and

- Minshull New Road would be closed for vehicular through-access on the section of the road adjacent to Leighton Academy and provide suitable vehicle turning points, remaining accessible as a through-route for Non Motorised User (“NMU”) access.
- 3.3. This is a vital new road scheme as it will deliver an improved highway network for the Town and unlock a number of housing and employment Local Plan allocation sites whilst also reducing congestion and improving access to Leighton Hospital and future access to the Bentley Motors Site. The Scheme also supports the Council’s strategy for Crewe. The construction of the Scheme cannot be achieved without the acquisition of the land and/or new rights identified on the Order Map.
- 3.4. Acquiring the necessary land and rights by negotiation is preferable and the Council must be able to demonstrate by the time of the Public Inquiry that it has made reasonable efforts in this regard. However, it may not be possible to conclude voluntary acquisitions with all affected parties and for all land title issues to be dealt within the funding window for this Scheme. Accordingly, the renewed authorisation of compulsory purchase action is sought so that the project programme can be maintained and to demonstrate the Council’s intent to proceed with the Scheme. The Council will make every effort to acquire by negotiation all necessary interests that are needed to deliver the Scheme (and will continue to do so in parallel to the compulsory purchase process), but it recognises that it may not be possible to agree terms for the acquisition of all interests. Without the acquisition of all interests, the delivery of the Scheme will be impinged and/or unable to proceed.
- 3.5. The Scheme will require the acquisition of the freehold title to approximately 23.4 hectares of land (or thereabouts) and a further approximately 0.1 hectares of land over which new rights are to be created. The interests of 125 owners are affected. The Order Map will be available for inspection by members at the meeting and a reduced size version is annexed to this report as Appendix 3.
- 3.6. The land over which freehold title is to be acquired is predominantly agricultural land. The Scheme does not require the acquisition of land in any of the categories where land must be provided in exchange, such as common land or public open space.
- 3.7. Some of the areas over which freehold title is to be acquired will not be required for the permanent works and, subject to negotiation,

may be offered back to the current owners in due course in compliance with the Crichel Down rules.

#### Side Roads Orders (SROs)

- 3.8. The SROs will authorise the stopping-up, diversion and creation of new lengths of highway or reclassification of existing highways, together with stopping up and/or amendments to private means of access, and re-provision of private means of access. The CPO will include land that is required to enable the works authorised by the SROs to be carried out.
- 3.9. However, there are alternative provisions for SROs dependent on whether the Fairfield roundabout is delivered as part of the Torus Homes development scheme or the North West Crewe Package, and dependent on whether the roundabout is delivered by the Council or by Torus Homes.
- 3.10. If the Fairfield roundabout is delivered along the alignment as permitted as part of the planning permission for the North West Crewe Package, The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020 and The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 will be required and will authorise the CPO.
- 3.11. If the Fairfield roundabout delivered by the Council along the alignment provided for as part of the Torus Homes development planning permission, The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020 and the additional Side Roads Order referred to as The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020 will be required.
- 3.12. If the Fairfield roundabout is delivered along the alignment of the Torus Homes development by Torus Homes, neither The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 nor The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020 would be required. . There may be a need for minor amendments to the Scheme's planning permission and a Section 73 variation plus Section 38/278 highways agreement, and these will be dealt with separately.

- 3.13. The alternate provision is being provided for as, at this time, it is not known which roundabout will come forward first. The Order Map provides for the widest area of Order Land in this location that may be necessary and will be finalised prior to the Order being confirmed, with modification as required to minimise the land take so as to only compulsorily purchase as much land as is required, in compliance with the Guidance.
- 3.14. The plans of the works and alterations to be authorised by the SROs will be available for inspection by members at the meeting.
- 3.15. The land that is proposed to be acquired is the minimum considered to be reasonably required to achieve the selected design option. All beneficiaries of any stopped up private means of access will be provided with a reasonably convenient and commodious alternative means of access, unless there is no need for an alternative access to be provided.
- 3.16. In the event that the Scheme is not undertaken, the north west of Crewe shall suffer increasing levels of congestion, constraining future housing and employment land release and access to Leighton Hospital and the Bentley Motors Site.

#### **4. Other Options Considered**

##### **4.1. Land Acquisition by Negotiation**

Land acquisition could be pursued solely by negotiation and subsequent agreement. However, relying on land acquisition by agreement alone does not guarantee that the land required for the Scheme will be secured. Although an agreement has been reached with the principal landowner, this is conditional upon the landowner securing planning consent for a housing development which is satisfactory to them. It is intended to acquire all the land for the Scheme by agreement where possible and to only use the powers under the Highway Act to compulsorily purchase land and interests (where these powers are applicable) that cannot be acquired through agreement beforehand to support deliverability of the Scheme.

##### **4.2. Cancel the Scheme**

If a decision is made to cancel the Scheme there will be no benefit from the National Productivity Fund award spent to date (£5 million up to end March 2020) and these funds would have to be repaid. Furthermore, the benefits attributed to the Scheme will not be

delivered and the Council's reputation with Homes England and the Department for Transport will be compromised.

## **5. Background**

- 5.1. The Council has developed a detailed design and obtained full planning consent for the Scheme under planning application reference 18/6118N.
- 5.2. To meet the programme for the Scheme, the Council will need to undertake further work as follows:
  - 5.2.1. Negotiations with affected landowners to secure land required for the Scheme by agreement whilst proceeding with the making of the CPO and the SROs should agreements fail and statutory powers of acquisition need to be used;
  - 5.2.2. Under the terms of a Section 106 agreement ("S106") attached to planning application reference 16/2373N for the development of up to 400 houses on land at Flowers Lane, a s278 agreement is required with the Torus Housing Association in respect to securing land for a new roundabout connecting Smithy Lane and Flowers Lane;
  - 5.2.3. A S73 application is required to vary the planning consent for the Scheme to amend the location of the new roundabout connecting Smithy Lane and Flowers Lane;
  - 5.2.4. Advance works are required to be completed in sufficient time to ensure ecological mitigations and utilities diversions are sufficiently progressed to enable the main works to commence on time;
  - 5.2.5. A suitable supply chain is required, including local companies as far as is possible, to ensure timely commencement of the main works.
- 5.3. The majority of the land required for the Scheme is under the control of a single landowner and it has been possible to reach agreement with this landowner, but this is conditional upon securing planning consent for a housing development which is satisfactory to them. It is intended to acquire all the land for the Scheme by agreement where possible and to only use the powers under the Highway Act to compulsorily purchase land and interests (where these powers are applicable) that cannot be acquired through agreement beforehand to support deliverability of the Scheme as a matter of last resort.

- 5.4. The majority of the remaining land required to deliver the Scheme is in Council ownership but subject to third-party legal interests which may have to be acquired compulsorily to enable delivery of the Scheme.
- 5.5. The Council has appointed external solicitors to undertake preparatory work including drafting the Orders required to deliver the Scheme. Chartered surveyors have also been appointed to deal with negotiations on land acquisition with a view to securing all land necessary to deliver the Scheme by agreement. However, voluntary acquisitions of all of the land affected and rights required may not be possible.
- 5.6. Whilst acquisition by agreement will be pursued, initiating the CPO process over the third-party land holdings required for the Scheme affords greater certainty that the Scheme will proceed in the event that negotiations break down. This is in line with national guidance on the use of CPO powers set out in “Guidance on Compulsory Purchase Process and the Crichel Down Rules” (July 2019) (“the Guidance”).
- 5.7. If a CPO is required it is expected that it will be made in June 2020. The Secretary of State for Transport will consider whether the CPO should be confirmed, and such confirmation may be considered following a public inquiry to deal with objections.
- 5.8. The Side Roads Orders (SROs) will also be required as existing accesses directly onto highway will be stopped up on safety grounds. Alternative, replacement means of access shall be provided.
- 5.9. It is the intention that proposed developments in the local area that will benefit from the Scheme will provide a financial contribution to the overall cost of the Scheme. The Local Plan contains a policy for Local Plan Sites 4 (Leighton West - 850 homes) and 5 (Leighton - 500 homes) to contribute to the Scheme. It is therefore expected that contributions will be made to this Scheme by way of planning obligations secured in section 106 agreements if the associated development is consented and implemented.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The Council is the Local Highways Authority (the “LHA”) for the area in which the Order Land is situated. By virtue of Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (as



amended) and Schedule 3 to the Acquisition of Land Act 1981, the Council has the power to acquire compulsorily any land in its area for highway purposes.

- 6.1.2. In resolving to make a Compulsory Purchase Order and the Side Roads Orders for the Scheme the Council would be proceeding under powers contained in the Highways Act 1980, authorising the compulsory purchase of land and rights required to deliver the Scheme, together with improvements, stopping up of highways, rights of way and private means of access, and providing replacement of private means of access.
- 6.1.3. Part XII of the Highways Act 1980 includes a number of powers to support the delivery of highways. Sections 239 and 240 relate to general powers of highway authorities to acquire land for the construction and improvement of highways. Section 246 provides a power to acquire land for mitigating the adverse effects of constructing or improving highways. Section 250 provides that land acquisition powers may extend to creation as well as acquisition of rights, and Section 260 relates to the clearance of title to land acquired for statutory purposes.
- 6.1.4. The Guidance provides updated guidance on the use of compulsory purchase powers. In accordance with the Guidance, the purpose for which an authority seeks to acquire land will determine the statutory power under which compulsory purchase is sought. The Guidance advises that acquiring authorities should look to use 'the most specific power available for the purpose in mind, and only use a general power where unavoidable'.
- 6.1.5. The Council will seek to negotiate the acquisition of all of the legal interests in the land required for the Scheme by agreement. However, the Council needs to utilise its powers under the Highways Act 1980 (as amended) and the Acquisition of Land Act 1981 because it considers that it may not be possible to agree terms for the acquisition of all the remaining interests in the land required to facilitate construction of the improvements within the period of time that is available for the use of public funding. In accordance with the Guidance, the Council is therefore seeking authority to use its powers to compulsorily acquire the interests as a last resort, with efforts to acquire interests by private treaty continuing in parallel with this process, right up to confirmation and implementation of the CPO.

- 6.1.6. The delivery of the Scheme will require the Council to make the CPO using the powers set out above. Having regard to the nature of the proposals and the advice set out in the Guidance, Cabinet is advised that the powers available to it under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (as amended) and Schedule 3 to the Acquisition of Land Act 1981 are the most appropriate powers to use in order to achieve its objectives for this part of Crewe.
- 6.1.7. According to the Guidance, a compulsory purchase order should only be made where there is a compelling case in the public interest. Compulsory purchase powers are only to be used as a last resort and that the land proposed to be acquired should be the minimum considered to be reasonably required to achieve the selected design option.
- 6.1.8. In submitting the CPO to the Secretary of State for Transport for confirmation, the Council must demonstrate that there are no impediments to implementation of the CPO. To do so, the Council must provide substantive information as to the sources of funding available for both acquiring the land and implementing the Scheme for which the land is required.
- 6.1.9. The Council must also show that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation; including any need for planning permission or any other consent or licence to ensure that the Council can exercise its highway functions within the specified land within its area. In addition to the Guidance, guidance included in Department of Transport Circular 2/97 is also relevant to CPOs made under Highways Act powers. This provides that the Secretary of State for Transport will not confirm a CPO unless he is satisfied that planning permission has been granted.
- 6.1.10. An order under section 14 of the 1980 Act authorises a highway authority to stop up, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified road. It also provides for the construction of new highways for purposes concerned with any such alterations or related purposes. Section 125 of the 1980 Act provides that an SRO may authorise the highway authority to stop up private means of access to premises and to provide new means of access to premises. In all instances where stopping up of either highway or private means of access is proposed, the Secretary of State must be satisfied that either no access to premises is

reasonably required or that other reasonably convenient means of access to the premises are available to the premises or will be provided.

6.1.11. Included as Appendix 2 is the draft of the SoR that provide a detailed justification for the Orders and sets out why officers believe there is a compelling case in the public interest for making the CPO and the SROs. Cabinet is requested to take into account the matters set out in the draft statement in coming to a decision on whether to authorise the use of CPO powers and proceed with the SROs.

6.1.12. In addition to the above powers, the Council has powers to purchase land by agreement pursuant to s120 of the Local Government Act 1972.

## **6.2. Finance Implications**

6.2.1. The scheme is included in the 2020/24 Approved Capital Programme with a budget of £36.5m. A breakdown of the funding streams is provided within Paragraph 6.2.3. This budget will enable the Council to proceed with the delivery of the Scheme according to the current programme of commencing early 2021 and completion during Spring 2023.

6.2.2. The total Scheme cost is estimated at £36.5M. A high-level cost estimate has been prepared by specialist engineering and property consultants. The following table summarises the main cost elements for the Scheme.

<b>Scheme Element</b>	<b>Estimated Costs</b>	<b>Outturn</b>
Construction incl. Preliminary works & Supervision and Post Construction costs	£25.3M	
Land acquisition	£1.5M	
Part 1 Claims	£1.377M	
Statutory utilities	£1.093M	
Preparation costs	£4.16M	
Risk Allowance / Inflation	£3.07M	
<b>Total</b>	<b>£36.5M</b>	

- 6.2.3. The Scheme funding includes a total Local Contribution of £21.5m, from both the Council and third party (developer) sources. The following table summarises the funding sources.

<b>Funding Source</b>	<b>Value £</b>
National Productivity Fund	£5M
Housing Infrastructure Fund	£10M
Developer Contribution (Section 106)	£10.33M
Developer Contribution (Infrastructure Agreement)	£4M
Cheshire East Council Contribution	£7.17M
<b>Total Scheme costs</b>	<b>£36.5M</b>

- 6.2.4. The developer contributions will include third party land owners and the Council in its capacity as land owner.
- 6.2.5. At this stage, the current estimate of funding from S106 developer contributions is £10.33M based on the assumption

that a Section 106 agreement shall be secured in respect to planning application reference 16/2373N (Land at Flowers Lane) and anticipated housing numbers from the balance of Local Plan Sites 4 and 5. The funding strategy for the Scheme is to maximise the value of S106 contributions however, there is no guarantee that these developments will come forward or even if they do, that all predicted funding will be collected.

- 6.2.6. There can be no certainty that the receipt of developer contributions will fall in a timely fashion relative to expenditure or that the HIF contribution will be received. The Council will be forward funding the whole of the Scheme, which could result in a maximum liability of £36.5m.

### **6.3. Policy Implications**

- 6.3.1. In making the Order, the Council must have regard to national policy, the development plan and other relevant local policy and guidance, together with any other material considerations as required by Sections 38(6) of the Planning and Compulsory Purchase Act 2004 and 70(2) of the 1990 Act.
- 6.3.2. The relevant national planning policy is contained the National Planning Policy Framework and the relevant Development Plan, which comprises the Cheshire East Local Plan Strategy. There is strong alignment between the priorities that have been defined at the local and sub-regional level, and those that underpin the Government's transport policy at a national level. This includes the need to build a strong and competitive economy, enhance connectivity and access to employment opportunities.
- 6.3.3. The need for the Scheme is clearly established in the Cheshire East Local Plan Infrastructure Delivery Plan, identifying from the outset the need to improve transport connections to deliver the Local Plan, including the Scheme. There is also acknowledgement of the key contribution that infrastructure schemes play in unlocking regeneration or housing projects in local areas, underpinned by the principles of sustainable development. It is clear that the Scheme development and appraisal is consistent with another of the Government's core objectives: to provide value for money in the provision of major transport infrastructure.
- 6.3.4. A detailed analysis and consideration of the policy context will be found in the SoR.

6.3.5. By providing additional highway capacity to cater for additional traffic from development, the Scheme would support the Local Plan Strategy and deliver environmental, social and economic benefits to Crewe. The Scheme is thus considered to be in line with local policy and essential for the delivery of the future economic growth plans of Cheshire East Council.

6.3.6. The Scheme has the benefit of full planning consent under planning application reference 18/6118N.

#### **6.4. Equality Implications**

6.4.1. All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. In exercising their compulsory purchase and related powers (e.g. powers of entry) these acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.

6.4.2. In progressing the Orders and carrying out consultations the Council will consider the needs of persons with protected characteristics as set out in equalities legislation. It is not anticipated that the Scheme will have any direct impact on groups with protected characteristics.

### **7. Human Rights Implications**

7.1. A compulsory purchase order should only be made where there is “a compelling case in the public interest”. The Guidance makes it clear that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. In making this assessment, an acquiring authority should have regard, in particular, to the provisions of Article 1 of the First Protocol and Article 6 of the Convention and, in the case of a dwelling, Article 8 of the Convention. These are summarised and considered in detail in the SoR and set out below.

7.2. Article 1 protects the rights of everyone to the peaceful enjoyment of their possessions. No person can be deprived of their possessions except in the public interest and subject to national and international law.

7.3. Article 8 protects private and family life, the home and correspondence. No public authority can interfere with this interest except if it is in accordance with the law and is necessary in the

interests of national security, public safety or the economic well-being of the country.

- 7.4. Members will need to balance whether the exercise of these powers are compatible with the European Convention on Human Rights. In weighing up the issues it is considered that the acquisition of land which will bring benefits to the residents and businesses that could not be achieved by agreement and this outweighs the loss that will be suffered by existing landowners. The CPO and SROs will follow existing legislative procedures.
- 7.5. All parties have the right to object to the making of the Orders and attend a public inquiry arranged by the Secretary of State. Parties not included in the CPO may be afforded that right to make representations to the inquiry if the inspector agrees.
- 7.6. The decision of the Secretary of State can be challenged in the High Court, an independent tribunal, for legal defects. Those whose land is acquired will receive compensation based on the Land Compensation Code and should the quantum of compensation be in dispute the matter can be referred to the Upper Tribunal (Lands Chamber) for independent and impartial adjudication.
- 7.7. The Courts have held that this framework complies with the Convention on Human Rights. Accordingly, a decision to proceed with the recommendation on the basis that there is a compelling case in the public interest would be compatible with the Human Rights Act 1998.
- 7.8. In pursuing this Order, careful consideration has been given to the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the construction of the Scheme. Interference with Convention rights is considered to be proportionate and justified in order to secure the construction of the Scheme and the benefits that this will bring.

## **8. Human Resources Implications**

- 8.1. It shall be necessary to ensure that sufficient resource is allocated in Assets, Highways and Legal Services to support delivery of the Scheme. If additional temporary resources are required these will be met from the project budget.

## **9. Risk Management Implications**

- 9.1. Key risks to the Council relate to the affordability of the Scheme and this will be addressed through the continued development of the



funding strategy. A complete Risk Register for the Scheme is being maintained.

- 9.2. The Council will be required to accept all responsibility for cost increases beyond the cost envelope provided within Section 7.2 (Financial Implications).
- 9.3. For the purposes of the financial case, optimism bias has not been included due to the fact that the Scheme costs have been derived based upon a well-developed highways design and are inclusive of a risk allowance.
- 9.4. The Scheme has the benefit of full planning consent under planning application reference 18/6118N which may require variations to enable any changes to the design that may be required as the interfaces with planning applications submitted in respect to Local Plan Sites 4 and 5 are finalised. As indicated in the Legal Implications Section above, the Secretary of State's policy is not to confirm the CPO before planning approval is granted.
- 9.5. The Council is in advanced negotiations for the majority of the land required for the Scheme and the negotiations shall continue with the objective of securing binding legal agreements without recourse to use of compulsory purchase powers.
- 9.6. Electricity apparatus crosses the Scheme, owned by SP Manweb. Costs for diversions have been confirmed with the Statutory Undertaker and this is included in the overall Scheme Cost Estimate.
- 9.7. The Council will be required to forward fund the whole of the local contribution and to underwrite third party contributions expected through S106 agreements, as developer contributions may take many years to collect. The current estimate of funding from S106 agreements is as stated in paragraph 7.2.4, based on developments that could be released by the Scheme as set out in the Local Plan Strategy. The funding strategy for the Scheme is to maximise the value of S106 contributions however, there is no guarantee that these developments will come forward or even if they do, that all predicted funding will be collected.
- 9.8. Should the Scheme not be undertaken the north west of Crewe shall suffer increasing levels of congestion, constraining future housing and employment land release and access to Leighton Hospital and the Bentley Motors Site. This would include release of Local Plan Sites 4 (Leighton West - 850 homes) and 5 (Leighton - 500 homes) for which the Scheme is integral.

## **10. Rural Communities Implications**

- 10.1. As the Scheme is to be primarily constructed within the boundaries of Local Plan housing allocations, it will not introduce any new severance of existing farms or communities which would not occur in any event once the allocations are brought forward for development. There are limited requirements for land outside of the allocations and negotiations are advanced in respect to securing the affected land parcels on a voluntary negotiated basis.
- 10.2. The Scheme impacts on public rights of way which cross the alignment of the Scheme. On 10 June 2019, the Cheshire East Council Public Rights of Way Committee considered the implications of the Scheme and concluded that it was necessary to divert a section of Public Footpath No.20 Crewe to allow for development to be carried out if planning permission was granted. It was considered that the legal tests for the making and confirming of a Diversion Order under section 257 of the Town and Country Planning Act 1990 were satisfied. The Committee unanimously resolved that a public path diversion Order be made under Section 257 of the Town and Country Planning Act 1990 to divert parts of Public Footpath No.20 in the town of Crewe on the grounds that Cheshire East Borough Council is satisfied that it is necessary to do so in order to enable development.
- 10.3. There may be some impact during the construction phase on the local road network as new roundabouts are constructed on Flowers Lane, Smithy Lane, Minshull New Road and Middlewich Road (A530). The Scheme shall be constructed 'offline' as much as possible to maintain connectivity during construction.
- 10.4. The Scheme planning applications provide a comprehensive Environmental Assessment which takes into account the effect on the rural community. This assessment includes impacts such as noise, air quality, visual impact plus the Scheme's effects of Public Rights of Way and non-motorised users i.e. pedestrians, cyclists and equestrians.

## **11. Implications for Children & Young People**

- 11.1. The Delivery Agreement with the Council's appointed construction contractor includes a comprehensive framework to capture local Social and Community Value throughout the project. Opportunities to engage with local schools and colleges will arise as the Scheme progresses for education and training purposes. The means by which young people can be encouraged to participate in the

consultation process will be considered as part of the Consultation and Engagement Plan.

## **12. Public Health Implications**

- 12.1. The recommendations have no immediate impact on public health. Issues associated with noise and air quality will be assessed as part of the programme of works associated with preparing an Environmental Assessment to accompany the planning application.
- 12.2. The Scheme will have environmental benefits, through reducing traffic congestion, improving travel times and reliability and encouraging multi modal forms of transport such as cycling and walking.

## **13. Climate Change Implications**

- 13.1. The Scheme has been subject to a comprehensive Environmental Appraisal as part of the statutory planning process. This has demonstrated the wider environmental and ecological impact of the Scheme. The infrastructure proposed as an integral part of the scheme, such as drainage, includes for a potential climate change allowance.

After the landscaping proposed for the Scheme has been fully established the Scheme has been calculated to provide a net positive biodiversity gain.

- 13.2. The Scheme is embedded in the adopted Local Plan Strategy. The Local Plan has been deemed to be a robust plan for sustainable development across the borough. The Scheme contributes to this overall plan for sustainable growth in Cheshire East by enabling growth through improved connectivity and reducing adverse impacts of traffic and travel.

## **14. Ward Members Affected**

- 14.1. The strategic nature of the Scheme will mean that journeys from multiple wards will be affected.
- 14.2. The Scheme itself is situated in Leighton Ward. The local ward member for Leighton is Cllr Byron Evans.

## **15. Consultation & Engagement**

- 15.1. The scheme currently has Planning Permission under planning permission reference 18/6118N and an Engagement Exercise was carried out as part of the pre-planning process.

## **16. Access to Information**

- 16.1. The background papers relating to this report can be inspected by contacting the report writer.

## **17. Contact Information**

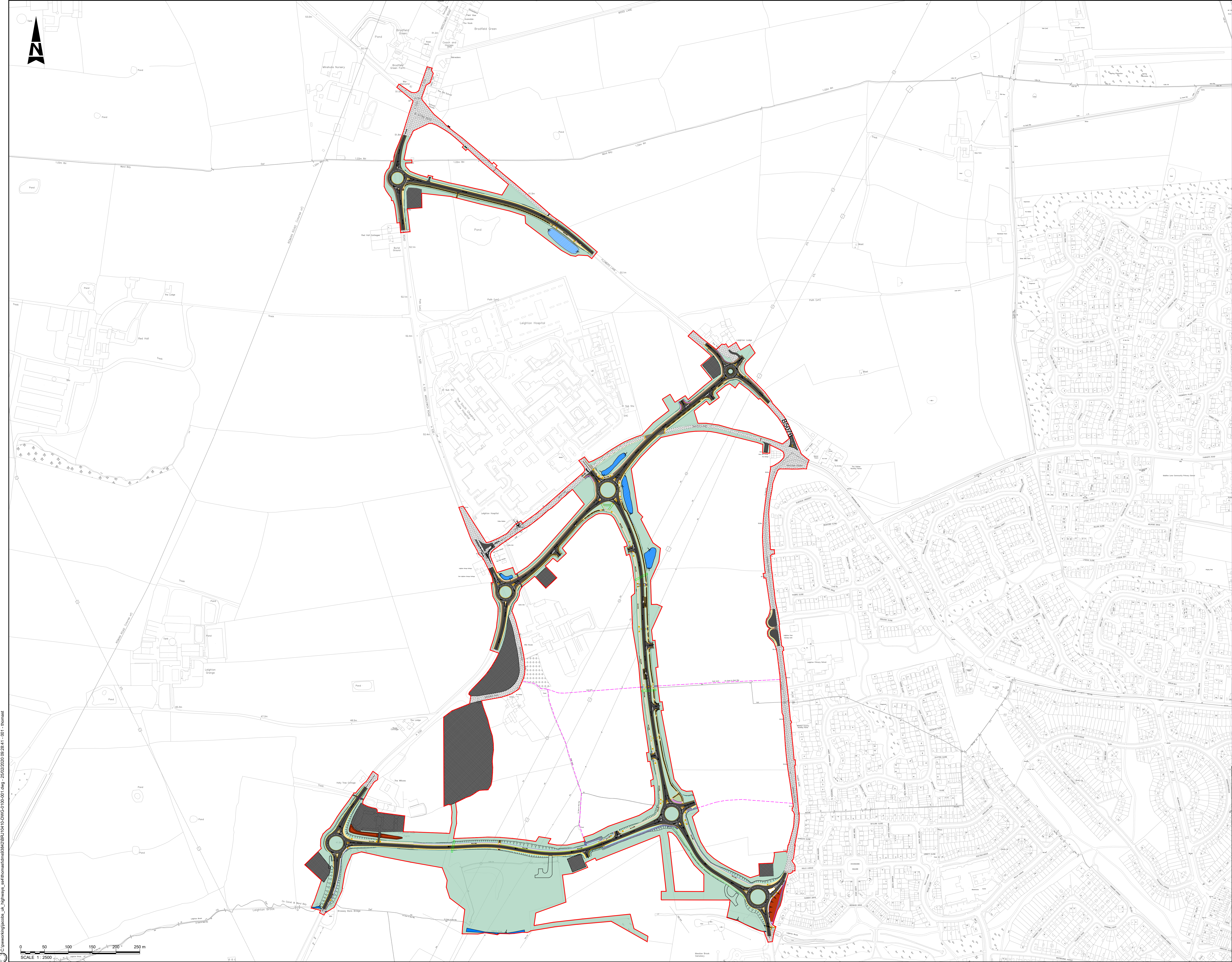
- 17.1. Any questions relating to this report should be directed to the following officer:

Name: Chris Hindle

Job Title: Head of Infrastructure

Email: [chris.hindle@cheshireeast.gov.uk](mailto:chris.hindle@cheshireeast.gov.uk)





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## **Statement of Reasons**

Highways Act 1980  
Acquisition of Land Act 1981

**The Cheshire East Council (North West  
Crewe Package) Compulsory Purchase Order  
2020**

**The Cheshire East Council (A530 Middlewich  
Road Classified Road) (Side Roads) Order  
2020**

**The Cheshire East Council (B5076 Flowers  
Lane Classified Road) (Side Roads) Order  
2020**

**[The Cheshire East Council (B5076 Flowers  
Lane Classified Road Fairfield Roundabout A)  
(Side Roads) Order 2020]**

**[The Cheshire East Council (B5076 Flowers  
Lane Classified Road Fairfield Roundabout B)  
(Side Roads) Order 2020]**



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**THE CHESHIRE EAST COUNCIL (NORTH WEST CREWE PACKAGE) COMPULSORY PURCHASE ORDER 2020**

**THE CHESHIRE EAST COUNCIL (A530 MIDDLEWICH ROAD CLASSIFIED ROAD) (SIDE ROADS) ORDER 2020**

**THE CHESHIRE EAST COUNCIL (B5076 FLOWERS LANE CLASSIFIED ROAD) (SIDE ROADS) ORDER 2020**

**[THE CHESHIRE EAST COUNCIL (B5076 FLOWERS LANE CLASSIFIED ROAD FAIRFIELD ROUNDABOUT A) (SIDE ROADS) ORDER 2020]**

**[THE CHESHIRE EAST COUNCIL (B5076 FLOWERS LANE CLASSIFIED ROAD FAIRFIELD ROUNDABOUT B) (SIDE ROADS) ORDER 2020]**

**JOINT STATEMENT OF REASONS FOR MAKING THE COMPULSORY PURCHASE ORDER AND THE SIDE ROADS ORDER**

**1. INTRODUCTION**

1.1 This is the joint Statement of Reasons (the "Statement") of Cheshire East Council (the "Acquiring Authority" and "the Council") to support the making of:

1.1.1 The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020;

1.1.2 The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020; and

1.1.3 [The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020] [The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020]

known collectively as ("the Side Roads Orders") (Appendix 1) under Sections 14 and 125 of the Highways Act 1980 and, pursuant to the Side Roads Orders, the making of:

1.1.4 The Cheshire East Council (North West Crewe Package) Compulsory Purchase Order 2020 (the "Order") (Appendix 2).

1.2 Collectively together and where the context so permits, references to the Order and the Side Roads Orders shall be referred to as the "Orders".

1.3 In preparing this Statement, the Acquiring Authority has endeavoured to provide sufficient information so that its reasons for making the Orders can be properly understood.

1.4 This Statement has been prepared in accordance with:

- 1.4.1 Department for Communities and Local Government “Guidance on Compulsory Purchase Process and the Crichel Down Rules” (July 2019) (“the Guidance”);
  - 1.4.2 Department of Transport Circular 1/97 “Highways Act 1980: Orders Under Section 14 of the Highways Act 1980 and Opposed Orders Under Section 124 of that Act” (June 1997); and
  - 1.4.3 Department of Transport Circular 2/97 “Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority” (June 1997).
- 1.5 The Orders are about to be submitted to the Secretary of State for Transport (“the Secretary of State”) for confirmation and, if confirmed, will enable the Acquiring Authority to rely on the use of compulsory purchase powers and highways alterations to be undertaken to facilitate the construction of new highways known as the North West Crewe Package (“the Scheme”), comprising of:
- 1.5.1 a new north-south Spine Road known as the Primary Hospital Link Route;
  - 1.5.2 the Fairfield Link;
  - 1.5.3 the Flowers Lane Link;
  - 1.5.4 the East - West Link road from the A530 to the Spine Road; and
  - 1.5.5 a series of junction improvements.
- 1.6 The Acquiring Authority considers that the Scheme forms a key part of the Local Plan infrastructure programme for wider Crewe, which will deliver an improved highway network for the town. The benefits of the Scheme also extend to unlocking a number of other housing and employment sites as allocated in the Cheshire East Local Plan (“the Local Plan”) by improving wider traffic movements and transport links, particularly in North Crewe.
- 1.7 The Scheme is important to achieving a supply of development sites in the wider Crewe area and to uphold the Local Plan strategy. The housing sites that would be opened up would also make a significant contribution to maintaining the Council’s 5-year housing supply and therefore enable the effective management of any planning applications for land not allocated in the Local Plan.
- 1.8 The Scheme will improve links between Leighton Hospital, Crewe and the surrounding area, easing congestion and establishing a “blue light” route to Leighton Hospital. These improvements to the Hospital access junction will provide capacity for the predicted growth in traffic during the Local Plan period up to 2030.
- 1.9 The Scheme shall deliver an improved highway network for the Town. The benefits also extend to unlocking a number of housing and employment Local Plan sites by improving wider traffic movements and transport links in the locality. These improvements will also reduce congestion and improve access to Leighton Hospital, and the future access to the Bentley Motors Site. The successful delivery of these sites will also support the emerging strategy development work in the Crewe Masterplan (Appendix 11) and The Constellation Partnership’s HS2 Growth Strategy (Appendix 12).

- 1.10 The land and new rights proposed to be compulsorily acquired under the Order ("the Order Land") covers approximately 23.5 hectares of land.
- 1.11 The Scheme will be constructed on the edge of the settlement boundary to the west of Crewe. It is framed generally by agricultural land interspersed with field ponds and woodland areas. Leighton Hospital is immediately to the north of the Primary Hospital Link Route, with the village of Leighton located beyond agricultural land to the east.
- 1.12 The full extent of land to be acquired is set out in greater detail in Section 7 and identified on the map accompanying the Order (the "Order Map") (Appendix 3). The land required for the entirety of the Scheme, including but not limited to the Order Land, is referred to throughout this Statement as the Site and is identified on the Scheme Plan (Appendix 4).
- 1.13 [On [5 May 2020] the Cabinet of the Council resolved to give approval to the use of powers of compulsory purchase and resolved to make the Orders (Appendix 5), reserving to Officers delegated powers to refine the Orders and their associated ancillary documents.] The Acquiring Authority has been making significant steps to acquire the land needed by private treaty agreement, which are set out in further detail in Section 8 of this Statement, and, whilst doing this, has retained in reserve the ability to bring forward compulsory purchase powers as a matter of last resort. Given the passage of time and the need to facilitate the Scheme coming forward, it has now become apparent that the Order must be progressed in parallel to ongoing negotiations, and subsequently submitted for confirmation to the Secretary of State in order to facilitate the construction of the Scheme.
- 1.14 In reaching the decision to make the Order, the Acquiring Authority has had full regard to the Human Rights Act 1998 and is satisfied that any interference is reasonable and proportionate. Human rights issues are dealt with in detail in Section 10 of this Statement.
- 1.15 Department of Transport Circular 2/97 provides guidance on Compulsory Purchase Orders for highway schemes and states that the Secretary of State will not confirm a Compulsory Purchase Order until he is satisfied that planning permission for the scheme to which the order relates has been granted. As noted in Section 6 of this Statement, the planning application for the Scheme was submitted in December 2018 and was determined by the Local Planning Authority on 28 March 2019, subject to conditions. The decision notice was issued on 3 July 2019 (Appendix 7).
- 1.16 The Order seeks to acquire all legal interests in the land coloured pink on the Order Map and new rights in the land coloured blue on the Order Map, as specified in the Schedule to the Order ("the Order Schedule") (Appendix 2).
- 1.17 The Acquiring Authority is satisfied that the implementation of the Scheme requires the acquisition of the land and new rights, as set out in the Order, Order Map and Order Schedule and the highway alterations, improvements and construction as set out in the Side Roads Orders. The Acquiring Authority has made the Orders to facilitate the implementation of the Scheme.
- 1.18 The Acquiring Authority already owns or has acquired part of the Site required for the

Scheme and is satisfied that the implementation of the Scheme requires the acquisition of the remaining land and property interests, as set out in the Order and Order Schedule. The Acquiring Authority has sought to notify all of those who have a legal interest in any the Order Land, and to acquire all of these interests by agreement where possible. It is clear, however, that compulsory purchase powers need to be employed as a matter of last resort in this case in order to secure the delivery of the Scheme within a reasonable and realistic timescale.

1.19 In summary, this Statement:

- 1.19.1 identifies the statutory powers under which the Order is made (Section 2);
- 1.19.2 sets out the local context and background to The Scheme (Section 3);
- 1.19.3 provides details of the Site and a description of the Scheme (Section 4);
- 1.19.4 sets out the alternatives to the Scheme that have been considered (Section 5);
- 1.19.5 describes the current planning position and strategic support for the Scheme (Section 6);
- 1.19.6 describes the Order Land (Section 7);
- 1.19.7 explains the need for the Order together with details of negotiations with landowners (Section 8);
- 1.19.8 sets out how the Scheme is to be financed and timescales for implementation (Section 9);
- 1.19.9 deals with Human Rights issues (Section 10);
- 1.19.10 explains the need for the Side Roads Orders (Section 11);
- 1.19.11 sets out the Related Orders and Special Category Land (Section 12) and;
- 1.19.12 sets out the arrangements for the inspection of documents and contact details for further information (Section 13).

## 2. STATUTORY POWERS UNDER WHICH THE ORDER IS MADE

- 2.1 The Guidance published by the Ministry of Housing, Communities and Local Government in July 2019 provides the latest advice in connection with the use of compulsory purchase powers.
- 2.2 In accordance with the Guidance, the purpose for which an Authority seeks to acquire land will determine the statutory power under which compulsory purchase is sought. Paragraph 11 advises that acquiring authorities should look to use 'the most specific power available for the purpose in mind, and only use a general power when a specific power is not available.'
- 2.3 The Acquiring Authority has been seeking to negotiate the acquisition of the legal interests in the Site required for the proposed Scheme by agreement and has been successful in acquiring some key elements of the Site; however, part of the Site is still within private ownership and negotiations have not been fruitful to date. The Acquiring Authority is, therefore, utilising its powers under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (the "1980 Act") and Schedule 3 to the Acquisition of Land Act 1981, for the acquisition of all of the remaining interests and new rights in the Order Land, required to facilitate the construction and improvement of the highway network.
- 2.4 Sections 239 and 240 relate to general powers of highway authorities to acquire land for the construction and improvement of highways. Section 246 provides a power to acquire land for mitigating the adverse effects of constructing or improving highways. Section 250 provides that land acquisition powers may extend to creation as well as acquisition of rights, and Section 260 relates to the clearance of title to land acquired for statutory purposes.
- 2.5 The powers in the 1980 Act enable the Acquiring Authority to acquire compulsorily the land and new rights as identified within the Order for the following purposes:
  - (a) the construction of a new highways, together with a series of new roundabouts;
  - (b) the improvement of, and, amendment to existing highway alignments and junctions;
  - (c) the provision of new means of access and amendment to existing means of access;
  - (d) the carrying out of drainage works, street lighting, flood defence, utility services, landscaping and all other necessary highways infrastructure and fittings in connection with the construction and improvement of highways;
  - (e) the improvement or development of frontages to a highway or of the land adjoining or adjacent to that highway;
  - (f) use by the Acquiring Authority in connection with the construction and improvement of highways and the provision of new means of access as aforesaid; and
  - (g) the mitigation of any adverse effects which the existence or use of any highway proposed to be constructed by the Acquiring Authority.
- 2.6 In accordance with paragraph 2 of the Guidance, the Acquiring Authority is using its

powers to compulsorily acquire the remaining interests as a matter of last resort, and efforts to acquire interests by private treaty will continue in parallel during the course of the compulsory purchase order process.

- 2.7 Having regard to the nature of the proposals and the advice set out in the Guidance, the Acquiring Authority is satisfied that the powers available to it under the 1980 Act are the most appropriate powers to use in order to achieve its objectives.
- 2.8 The Acquiring Authority has taken full account of the Guidance in making this Order.



### 3. LOCAL CONTEXT AND BACKGROUND TO THE SCHEME

- 3.1 Crewe is the largest settlement within the Borough of Cheshire East with a population of over 73,400. It is situated approximately 28 kilometres west of Macclesfield and 32 kilometres south east of Chester. Cheshire East Council has identified Crewe as its biggest spatial priority and its key objective is to take advantage of its prime location for connectivity, and to significantly increase the amount and type of employment that is available in the town.
- 3.2 The Local Plan has allocated land for business, retail, leisure and other commercial developments and it is imperative that this land is now released to ensure that jobs-led growth is delivered. If sufficient housing, commercial or employment opportunities are not provided, economic growth will be constrained by a lack of development land and available premises, and house prices will increase.
- 3.3 The Local Plan has identified that Crewe requires an average of 385 new homes and 3.25 hectares of employment land each year, totalling 7,700 new homes and 65 hectares of employment land for the period 2010 to 2030. The Local Plan Strategy brings forward at an early stage the necessary infrastructure that services new sites to meet demand and facilitate growth. The highway schemes prioritised for delivery are set out in Cheshire East Council Infrastructure Delivery Plan (Appendix 9). A list of the highway schemes along with their priority status is listed within Table 4 of Cheshire East Council Infrastructure Delivery Plan. The Scheme is listed as having a 'Priority 1' status within this table.
- 3.4 The Scheme provides infrastructure to serve Local Plan Strategy Site 4 Leighton West (LPS 4) and Local Plan Strategy Site 5 Leighton (LPS 5) (Appendix 13) and is a key part of the Local Plan infrastructure programme for wider Crewe. Local Plan Site 4 has an allocation of 850 new homes and 5 hectares of employment land and Local Plan Site 5 has an allocation of 500 new homes and no allocation of employment land. The Scheme would improve strategic highway connectivity for North West Crewe and ease congestion issues in the area. A plan detailing the area of both LPS 4 and LPS 5 is contained within Figure 1 of paragraph 3.26 below.
- 3.5 To assess the impact of the Scheme on the existing highway network traffic modelling work was undertaken using proprietary software. Future developments and committed highway schemes were incorporated into the models following discussions with the Local Highway and Planning Authority. Demand was distributed across the network and the models were found to successfully meet the convergence and validation criteria required for such models and therefore the Scheme can be deemed acceptable in Traffic Capacity terms. The new junctions proposed to provide access to the Scheme are all designed with appropriate capacity to accommodate the future traffic forecasts volumes. Junction capacity assessments were undertaken at the proposed junctions and were found to successfully operate below the preferred threshold of practical capacity. The two existing junctions included within the Bentley Motors Development Framework and Masterplan (Appendix 10) were also assessed and were found to operate within the practical capacity threshold. A copy of the full Transportation Assessment associated with the scheme is contained within Appendix 14.

- 3.6 The impact of the construction period traffic associated with the Scheme has been reviewed and is not considered to have a significant impact on the local highway network providing appropriate mitigation is provided at the time of construction.

#### Existing Road Network

- 3.7 The A530 as a whole provides a strategic link through the west of the Borough, with connections between a number of urban centres including Crewe, Middlewich and Nantwich. The existing road network is comprised of the A530 Middlewich Road, Smithy Lane, Flowers Lane, Pym's Lane, Eardswick Lane, Minshull New Road, and associated junctions. This network is described in detail below and a plan of the immediate network is contained in Appendix 15.
- 3.8 The A530 Middlewich Road is a single carriageway route located to the west of The Scheme. Leighton Hospital can be directly accessed via the A530 Middlewich Road and provides access to the main hospital entrance via the priority junction with Smithy Lane. The road is connected to Pym's Lane to the south via a signalised junction and connects to Flowers Lane and Eardswick Lane via a four-arm signalised junction to the north.
- 3.9 Smithy Lane is a single carriageway which creates an east-west connection between the A530 Middlewich Road and Flowers Lane and is subject to a 30mph speed limit for its full extent. Leighton Hospital is located to the north of the road with undeveloped agricultural land to the south. Smithy Lane currently forms the North West arm of the existing roundabout with Flowers Lane and Minshull New Road. There are also two priority junction-controlled side roads off Smithy Lane, which provide direct access to Leighton Hospital including the main entrance and blue light route to Accident and Emergency.
- 3.10 Flowers Lane is a single carriageway predominantly 50mph route. A 30mph limit is in place on the approach to the junction with the A530 Middlewich Road via a staggered crossroads signalised junction, with the road continuing south to Minshull New Road.
- 3.11 Eardswick Lane is a single carriageway road which extends from a priority junction with Cross Lane / Brookhouse Lane in the north, to a signalised junction with A530 Middlewich Road / Flowers Lane to the south.
- 3.12 Minshull New Road is a single carriageway 30mph route (20mph limit enforced in school peak hours) which forms a connection to the east of the study area between Smithy Lane and Pym's Lane / Badger Avenue. Minshull New Road is connected to Pym's Lane via an existing four-arm roundabout junction forming both the northern and southern arms of the junction, with Pym's Lane on the western arm and Badger Avenue on the eastern arm. To the east of this section Minshull New Road is a residential estate and to the west are residential dwellings immediately fronting the road with the Bentley Motors factor beyond.
- 3.13 Minshull New Road continues northwards to form the south-western arm of an existing four-arm roundabout junction (Barrows Green), with Flowers Lane to the north, Bradfield Road to the south-eastern arm and Smithy Lane forming the western arm. The east of Minshull New Road is largely residential, with undeveloped

agricultural land to the west.

- 3.14 Bradfield Road is a single carriageway 30mph road, which forms the south-eastern arm of the existing Barrows Green roundabout. From this point, the road extends towards Maw Green to the east.
- 3.15 Pym's Lane is located to the west of Minshull New Road and Badger Avenue is located to the east of Minshull New Road. Pym's Lane intersects with the A530 Middlewich Road at a three-arm signalised junction with the A530 Middlewich Road forming both the northern and southern arms of the junction, and Pym's Lane forming the eastern arm. Pym's Lane continues onto the four-arm roundabout via the western arm, with Minshull New Road forming the northern and southern arm, and Badger Avenue on the eastern arm continuing onwards from Pym's Lane. Badger Avenue extends in an easterly direction towards Crewe.
- 3.16 The A532 West Street provides an important link into central Crewe from Leighton in the West.
- 3.17 There is an existing requirement for improved blue-light routes in and out of Leighton Hospital as it is an ambulance response point as well as the Accident and Emergency department. This requirement will increase following the growth planned for the Site, which will be implemented to accommodate the growth in the local population.
- 3.18 A significant proportion of hospital traffic currently travels via Minshull New Road, which is a road that already experiences traffic delay associated with a local primary school, Leighton Academy. As such, traffic conditions on Minshull New Road are considered a potential barrier to the expansion of the Academy. The delivery of new infrastructure would allow more efficient and appropriate use of the existing highway network to allow for a new school site to be delivered in Local Plan Strategy Site 5.
- 3.19 Whilst some mitigation measures on Minshull New Road have already been implemented, it is considered that conflicts between through-traffic, pick-up and drop-off activity and pupils cannot be effectively mitigated further without reducing the volume of through-trips. The Scheme would improve sustainable travel links to the Academy, by delivering footway and cycleway provision onto the A530 Middlewich Road, which is not currently present.

#### Safety

- 3.20 A review of the collision data available from 2011 to 2017 obtained by CEC (NWCP Transport Assessment 2018 (Appendix 14)), indicates that a total of 80 accidents were recorded in the study area, which comprised of 70 slight accidents, 9 serious accidents and 1 fatal accident.
- 3.21 The most common causes of accidents recorded are loss of control, side impact and nose to tail. The fatal accident was recorded on Minshull New Road (103 metres north of Farmleigh Drive) and was a result of a motorcyclist travelling on Minshull New Road during the hours of darkness, losing control of the vehicle and striking the kerb which caused the rider to be thrown from the vehicle and collide with a lamp post.

- 3.22 The Personal Injury Accident (PIA) data does not indicate that this particular accident was a result of carriageway design, however, as part of the Scheme, Minshull New Road would not serve as a through route, which is expected to improve safety levels through reducing traffic flows.
- 3.23 The location with the greatest number of recorded accidents within the study area is the existing “Barrows Green” roundabout, with six slight accidents and one serious accident recorded. Adjacent to this location, Minshull New Road is the location of a further concentration of accidents, with the junction of Smithy Lane / A530 Middlewich Road also identified as a collision “hotspot”. Four of the recorded accidents in the study area involved pedestrians and ten of the recorded accidents involved cyclists.

#### Air Quality and Noise

- 3.24 The construction dust assessment for the Scheme concluded there is the potential for dust nuisance during the construction phase of the Scheme. The risk of dust impacts would be medium to high during earthworks and construction activities; however, with appropriate mitigation in place, the potential effects would not be significant.
- 3.25 A summary of the overall significance of effects on air quality during the operation phase of the proposed Scheme on human receptors and the potential impact for exceedances of EU limit values is contained within the North West Crewe Package Environmental Statement, Volume 2, which is summarised below.
- 3.26 There are three receptors predicted to exceed the NO<sub>2</sub> AQO limit, these receptors exceed with and without the proposed Scheme, but only have a small magnitude increase with the Scheme in operation. It is predicted that some locations will have a change in NO<sub>2</sub>, NO<sub>x</sub>, and PM<sub>10</sub> concentrations at receptors. There is only one local receptor predicted to have a large increase in NO<sub>2</sub> concentrations with the proposed Scheme in place. Due to the nature of the Scheme the effects would be long term.
- 3.27 There is a designated site within 200m of the Scheme, which is the Sandbach Flashes; a Site of Special Scientific Interest (SSSI). The assessment predicts that overall the proposed Scheme will have an imperceptible effect on all the modelled receptors at this SSSI location and, therefore, there is very little risk that this will be negatively impacted.
- 3.28 Based on the Design Manual for Roads and Bridges (DMRB) guidance, there are no significant impacts predicted during the operational phase of the Scheme, except for one receptor at a hotel/pub where long term exposure is unlikely due to the nature of the business. The overall effect on air quality as a result of the Scheme is likely to be insignificant, as all the receptors, apart from three, are predicted to be below the relevant Air Quality Objectives (AQOs). The impact is likely to be beneficial to some of the receptors, whilst being detrimental to other receptors located within the study area; however these are still assessed as being below the permissible values stated in the AQOs.
- 3.29 Traffic data for the air quality modelling scenarios were taken from the traffic models produced for the Scheme. This traffic data is detailed within the Scheme Transportation Assessment (Appendix 14). The base year air quality modelling uses



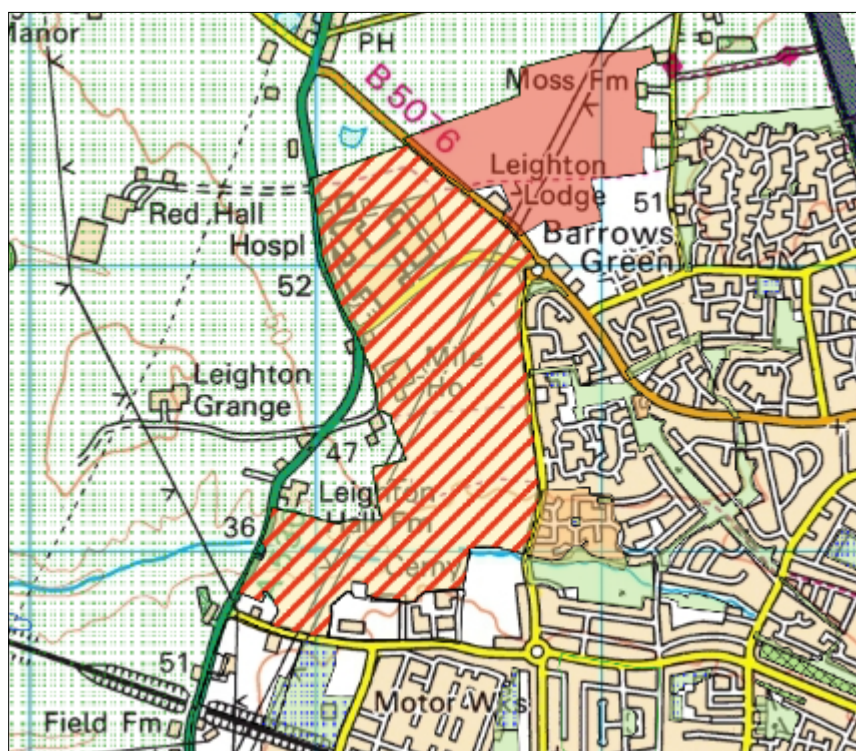
traffic data, air pollution measurements and meteorological measurements from 2015 that were then factored to values associated with the assessment year.

- 3.30 The construction and vibration noise assessment identified the potential for some significant noise and vibration effects during certain construction activities located in close proximity to sensitive receptors. Best practice measures will be implemented to mitigate these effects. Once the Scheme is operational, the vast majority of sensitive receptors are predicted to experience no or negligible change in noise levels on Scheme opening.

#### Future Development and Connectivity

- 3.31 The Scheme forms a key part of the Local Plan infrastructure programme for wider Crewe, which will deliver an improved highway network for Crewe and unlock a number of housing and employment Local Plan allocation sites.
- 3.32 The housing sites within LPS 4 and LPS 5 (Appendix 13) would make a significant contribution to maintaining the Council's 5-year housing supply through Local Plan allocated strategic sites at Leighton West (850 homes) and Leighton (500 homes). Leighton West would also release 5 hectares of employment land.

**Figure 1: Local Plan Strategy Sites 4 (hatched red) and 5 (shaded red) as referenced in the Cheshire East Local Plan Strategy 2010 - 2030**



- 3.33 Furthermore, Bentley Motors have ambitions to create a campus, based on investment in a new technology centre and through implementation of the Bentley Motors Development Framework and Masterplan (Appendix 10). The proposals for the Bentley expansion include for the stopping up of Pym's Lane and Sunnybank

Road. The Scheme would provide additional capacity to the surrounding road network which may help mitigate traffic impacts associated with this expansion.

- 3.34 The Scheme would complement potential future development and connectivity within the north west of Crewe to harness the potential of The Constellation Partnership's HS2 Growth Strategy (Appendix 12) and the areas inherent strengths to accelerate growth.
- 3.35 Leighton Hospital suffers from poor connectivity to the existing highway network. The Scheme would make better use of the existing network by separating school traffic, hospital traffic and through traffic, and significantly enhance the connectivity from the A530 Middlewich Road into Crewe.
- 3.36 The Scheme supports expansion at Leighton Hospital and there is an existing requirement for improved blue-light routes in and out of Leighton Hospital. The delivery of the new infrastructure will also allow more efficient and appropriate use of the existing highway network.

#### Socio-Economic Factors

- 3.37 The Indices of Deprivation (Published by the Ministry of Housing, Communities & Local Government) provide a set of relative measures of deprivation for small areas (Lower-layer Super Output Areas, LSOAs) across England, based on seven different domains of deprivation. The Index of Multiple Deprivation 2015 (IMD) is a combination of the seven indices to give an overall score for the relative level of multiple deprivation experienced in every neighbourhood (LSOA) in England. There are 32,844 LSOAs in England. The indices of Deprivation detail Crewe as having areas of high Indices of Multiple Deprivation with parts of Crewe falling within the top 20% of most deprived areas in England.
- 3.38 Transport has a significant role in reducing deprivation by both the creation of jobs and the alleviation of social problems, helping to shape society and determining where people work, shop, study and partake in leisure and social activities.
- 3.39 The Scheme offers the opportunity to enhance access to jobs and housing within Crewe, and greater route options to travel to the town centre and Leighton Hospital, improving the level of social inclusion, whilst facilitating economic growth.
- 3.40 Residents within the local area may benefit from improved access to housing and jobs within the wider Crewe area, as the Scheme delivers an improved local highway network and unlocks several local housing site allocations. The Scheme may increase the supply of new housing through the release of residential development land, will also unlock sites allocated for potential employment uses, enabling the facilitation of new jobs when these employment uses come forward. The Scheme supports housing development areas located directly adjacent to the Scheme proposals. These areas (which are currently subject to planning applications detailed further in paragraph 4.11) have the potential of delivering over 1000 new homes within the surrounding area.
- 3.41 The Scheme provides for potential additional access to the North of the Bentley site in



Crewe. This may facilitate the proposed expansion of the factory and allow for the creation of an estimated additional 1000 jobs at the factory within the next 10 years.

- 3.42 This Scheme will also allow expansion at Leighton Hospital by providing direct access to the local highway network and opening and providing access to potential areas for hospital expansion. This area for potential expansion facilitates the 20% growth planned by the hospital to cope with demand from increased population. Expansion of the hospital could also potentially create 600 new jobs, as well as other employment opportunities associated with the hospital in the surrounding area.
- 3.43 The Scheme also includes for sustainable travel improvements as an integral part of the proposals (see Transportation Assessment (Appendix 14)) to improve the quality and cohesion of the existing walking and cycling infrastructure including providing access to the existing Public Right of Way (PRoW) network.

#### 4. LOCATION AND DESCRIPTION OF THE SITE AND THE SCHEME

##### The Site

- 4.1 The Site is located in a semi-rural area to the east of Crewe, within the administrative area of Cheshire East Borough Council. It is predominantly bounded by agricultural land, grassland interspersed with field ponds and woodland areas.
- 4.2 Leighton Hospital is located immediately to the north of the Scheme. Meadow Bank Cemetery is located to the south east and a former land fill is located immediately to the south west.
- 4.3 In addition to the village of Leighton to the east of the Scheme and beyond agricultural land to the west, there are a number of dwellings interspersed along Middlewich Road.

##### The Scheme

- 4.4 The line of the proposed Scheme is shown on a map at Appendix 4.
- 4.5 The Scheme consists of approximately 1.1 km of new highway running north to south for the Primary Hospital Link Route and approximately 0.6 km of new highway running east to west as part of the East – West Link. In addition, the Fairfield Link and Flowers Lane Realignment consist of the realigned existing Smithy Road and Flowers Lane respectively. The Primary Hospital Link Route, East-West Link, Fairfield Link and Flowers Lane Realignment would consist of newly constructed two-way single carriageways with a mainline width of 6.9m.
- 4.6 The Scheme is formed around a north-south spine road called the Primary Hospital Link Route, creating a new road linking Minshull New Road to Leighton Hospital. At the northern end of the spine road, Smithy Lane would be realigned between Middlewich Road and Flowers Lane. The southern end of the Scheme would include an East - West link extending from Minshull New Road and connecting to the Primary Hospital Link Route and A530 Middlewich Road.
- 4.7 The Primary Hospital Link Route involves construction of a section of single lane carriageway connecting Fairfield Link, in the north, and Minshull New Road, in the south east, and would be connected via two new roundabouts (Hospital roundabout and Minshull New Road Roundabout respectively). This route also connects Leighton Hospital with the proposed Fairfield Link.
- 4.8 The Fairfield Link road will provide access for the future development areas and to facilitate Non-Motorised User (“NMU”) permeability of the area by providing footway / cycleway access along the link road linking to other footways / cycleways proposed as part of the Scheme and to existing Public Rights of Way. It is created by the realignment of Smithy Lane, to the south of Leighton Hospital, including three new roundabouts junctions, connecting the A530 Middlewich Road, in the west, to the Primary Hospital Link Route and to Flowers Lane in the east. The Fairfield Roundabout and A530 / Smithy Lane roundabout will be created at either end of the road to allow access to Flowers Lane and A530 Middlewich Road, whilst the third

roundabout (Hospital Roundabout) will be constructed to provide access to Leighton Hospital and the Primary Hospital Link Route.

- 4.9 The eastern arm of the existing Smithy Lane will be closed to traffic and access would be restricted to only NMUs, whilst the western arm section will remain open to traffic in both directions up to the location of the hospital car park / Accident and Emergency (A&E) entrance access. Traffic movements west of the car park / A&E entrance junction will be limited and access west of this point restricted to essential private access and emergency motor vehicles only. Movement of traffic from the A530 Middlewich Road into Smithy Lane from both directions will remain unaffected as the existing situation.
- 4.10 The East - West Link is a new 0.6km long link road between two new roundabouts: the A530 Leighton Farm Roundabout to the west and the Engine of the North Roundabout (at the junction with Primary Hospital Link Route) to the east. The location of the western section of this link road and roundabout has been designed to avoid a historical landfill site and an ecological constraint located to the south of the road as well as a flood plain associated with Leighton Brook.
- 4.11 The Scheme facilitates access to a section of LPS 4 and LPS 5 (Appendix 13), which is currently subject to an undetermined outline planning application for the “development of up to 400 Residential Units (Use Class C3) and associated infrastructure and open space” (Planning Application Reference 19/1371N) and the undetermined outline planning approval for the development of up to 850 residential units (Use Class C3), land reserved for new primary school, a local centre (Use Class A1-A4, AA, B1a, C3 and D1) and associated infrastructure and open space” (Planning Reference 19/2178N). it is anticipated that planning for both development areas will be determined in May 2020. An update on the status of these applications can be provided on request.
- 4.12 The Flowers Lane Realignment is a new link to accommodate future traffic flows. It also provides for NMU access to the proposed development areas proposals. It consists of the realignment of Flowers Lane including a new roundabout junction connecting with the A530 Middlewich Road. The northern section of Flowers Lane would be realigned by approximately 150 m south of the existing A530 Middlewich Road and Eardswick Lane junction and linked by a new roundabout. The Flowers Lane Realignment connects to A530 Middlewich Road via A530 - Flowers Lane roundabout. The existing northern section of Flowers Lane would be prohibited to vehicular through traffic, however kept open for NMUs.
- 4.13 In addition to the four main sections described in the previous paragraphs, traffic measures would be introduced along Minshull New Road to reduce the number of vehicles using the road and to improve road safety outside of Leighton Academy. This would be achieved by prohibiting Minshull New Road to through traffic in front of the school and providing suitable vehicle turning points at the severed ends of the road.
- 4.14 The Scheme also includes for two (2) Traffic Regulation Orders (detailed further in Section 12 of this Statement) as follows:
  - 4.14.1 No exit allowed for vehicles, except ambulances and access, from Leighton

Hospital onto the existing Smithy Lane west of hospital A&E entrance.  
 Left turn only on exit of old Smithy Lane alignment onto A530.  
 No right turn from A530 onto old Smithy Lane alignment; and

- 4.14.2 A speed limit of 40mph will be imposed on the A530 Middlewich Road between the Leighton Hall Farm Roundabout and the Smithy Lane Roundabout southwest of the hospital.
- 4.15 For the surrounding highway network minor mitigation and complementary measures have been proposed to ease congestion. These include alterations to the traffic signal timing at the existing Flowers Lane / Eardswick Lane traffic signal junction and widening of the south bound northern arm entrance of the Barrows Green roundabout located at the northern end of the existing Minshull New Road.
- 4.16 Initial engagement with key stakeholders on the design and Environmental Impact Assessment (EIA) process of the Scheme was held between August 2017 and the submission of the planning application in December 2018. Public engagement was held from 5th March to 3rd April 2018. A total of 251 people attended the three public exhibitions events, and a total of 116 questionnaires we received either by post, online participation or at the public exhibitions. In addition, 18 email responses were received.
- 4.17 As respondents were requested to make comments about the Scheme, many took the opportunity to express their concerns about certain elements of the proposals, while approximately a third (35 respondents) took the opportunity to state their support. It is important to note that, the few who showed support are not entirely representative of the overall support of the scheme as there was no yes or no question about the scheme but only an open-ended question where respondents were free to comment as they wish. It can therefore, be considered that more than 35 of the questionnaire respondents are supportive of the scheme but prioritised expressing their fears and concerns in their response.
- 4.18 Specific comments made on the Scheme as a result of the engagement process revealed several themes or topics that were mentioned more frequently by the respondents. These themes are detailed below:
  - 4.18.1 Support for the Scheme - 35 respondents expressed their support for the Scheme. Of these comments, 24 respondents showed general support while seven comments highlighted the need for the Scheme;
  - 4.18.2 Proposed Minshull New Road Closure - the proposed closure of Minshull New Road was mentioned by 43 respondents. 13 respondents directly stated their support for the closure to through traffic, whilst ten expressed their concern. Concerns raised included the volume of traffic diverted to Middlewich Road and the increase in parking on neighbouring estates by parents of pupils at Leighton Academy and visitors of Leighton Hospital as a result of the closure;
  - 4.18.3 Further developments not directly related to the Scheme – comments were made relating to the additional housing and business development

that will be enabled by the Scheme. Some respondents expressed a desire for improvement of current amenities to accommodate the development of additional housing. Four comments raised concerns in relation to increase in traffic in the area resulting from additional housing;

- 4.18.4 Parking - comments about parking were made by 25 respondents. Most of the comments raised related to parking issues experienced by road users in specific areas. Parking in residential areas is known to present issues for respondents and was highlighted as a cause for concern in eight comments. Parking on James Atkinson Way was one of the most prominent concerns raised and, as previously mentioned, with the closure of Minshull New Road, respondents noted their fears that neighbouring roads will be used as a parking alternative;
- 4.18.5 Recommended Route - 22 respondents referred to the recommended routes and, of these, twelve made requests for all roads to remain open until the Scheme has been completed. Some respondents considered the use of the recommended route would increase their travel distance to amenities.
- 4.18.6 Bentley Motors - Bentley Motors was mentioned by 22 respondents. The Bentley proposal to close Pyms Lane and Sunnybank Road to through traffic received several comments, with Pyms Lane receiving most responses, some of which were not supportive of the closure. In addition, Bentley's input into the Scheme was queried by a small number of respondents.
- 4.19 In response to the engagement, the design of the Scheme was amended to address some of the key issues raised. This includes the relocation of the closure at Minshull New Road, street lighting, realignment of proposed East-West link road to avoid ecological constraints, changes to the surface water strategy and changes to location of junction access points to interface with adjacent development proposals. In summary the engagement process has demonstrated that the Scheme has had good levels of public and stakeholder feedback and support. Following the engagement feedback and suggestions for improvement, the design of the Scheme was updated.
- 4.20 All routes affected by the proposed Scheme will remain open as much as possible during construction of the Scheme, including Minshull New Road, which will only be closed to traffic when an available north south route along the proposed Primary Hospital Link Route is constructed. The closure of Pyms Lane to traffic sits separately to the Scheme (coming forward by way of a separate and unrelated application) and, as a result, the Scheme has no bearing or control over this.
- 4.21 Support for the Scheme can be referenced in the Statement of Community Involvement (Appendix 16).

## 5. ALTERNATIVES TO THE SCHEME

- 5.1 The primary purpose of the Scheme is to unlock development parcels (LPS 4 and LPS 5) (Appendix 13) designated in the Cheshire East Local Plan Strategy in order to facilitate access from these sites to the adjacent transportation network. The Scheme is also intended to have the additional benefits of facilitating access to Leighton Hospital and improving traffic capacity and permeability of movement within the surrounding road network. As such, the Scheme development and optioneering concentrated on highway provision and improvement rather than looking at alternative methods of transport, such as the provision of park and ride facilities and upgrades to existing public transport facilities.
- 5.2 The Acquiring Authority considered several options in order to unlock the development parcels (LPS 4 and LPS 5) detailed within the Cheshire East Local Plan Strategy before the selection of a preferred route. This preferred route was selected based on meeting the selection criteria detailed below, whilst avoiding as many of the identified constraints to the Scheme as possible.
- 5.3 The option appraisal process for the Scheme was based on the following appraisal criteria:
- a) Increase highway capacity in the local network to accommodate the increase in traffic expected to be generated by the proposed developments;
  - b) Maximise development land to allow Cheshire East Council to meet housing targets identified within the Local Development Plan;
  - c) Improve access for emergency vehicles to Leighton Hospital from the development sites and surrounding area; and
  - d) Increase the connectivity of the surrounding area and facilitate access and permeability of Non-Motorised Users (NMU)
- 5.4 The options appraisal also took in to consideration scheme constraints such as:
- a) The presence of Landfill sites and contaminated land areas;
  - b) Leighton Brook and associated Flood Zones;
  - c) Sites of National Importance (MoD Crash sites / War Memorial site);
  - d) Site Topography;
  - e) Existing 'pinch' points on the local highway network relating to capacity and NMU provision;
  - f) National Utility Infrastructure facilities (Electricity Pylons);
  - g) Surrounding development and infrastructure such as Leighton Hospital, Bentley Motors and residential areas;
  - h) Location of protected species such as Badgers and Bats; and
  - i) Minimise the amount of separate land parcels required for the proposals.
- 5.5 Taking into consideration the relatively constricted nature of the site, design requirements for roads of this nature and the requirement to maximise development area, options for various elements of the Scheme were considered and are detailed in



Table 1 below.

**Table 1**

Options	Description	Comment
<b>Do Nothing</b>	Allow development to be accessed by means of the existing local highway network.	Not acceptable due to inadequate traffic capacity, safety risks and physical affects on the local highway network.
<b>Option A</b>	Allow the development areas to be accessed by means of developer delivered estate roads.	<p>This option was rejected as:</p> <p>(a) The scheme would not provide additional network capacity in order to accommodate the traffic generated by the development of the sites (LPS 4 and LPS 5).</p> <p>(b) There are safety concerns with the amount of traffic generated by the sites travelling through lower class estate type roads.</p> <p>(c) The estate roads option would not address the education strategy associated with Leighton Academy.</p>
<b>Option B</b>	Provide a completely new Crewe North By-Pass.	<p>This option was rejected as:</p> <p>(a) It is unaffordable.</p> <p>(b) It is undeliverable within the required timescale of the project.</p> <p>(c) It does not directly provide access provision for the prosed development areas (LPS4 and LPS 5).</p>
<b>Option C</b>	Provide Access Roads to facilitate Development and increase capacity of the Highway Network.	<p>As bellow split into sub-options for the main Spine Road and the East West Link. The Spine Road options vary in the location of Smithy Lane (The Hospital Link Road) as the North South route of the road has been defined and fixed with reference to the development area masterplan.</p> <p>The East West Link options considered vary</p>

Options	Description	Comment
		regarding the alignment of the link road connecting the roundabout on the A530 Middlewich Road to the roundabout on the Spine Road / Minshull New Road Roundabout.
Spine Road Option 1	<p>The Hospital Link road uses the same alignment as the existing Smithy Lane. To the west, the Smithy Lane junction and A530 Middlewich Road there is a cross road junction, to the east the connection with Flowers Lane / Minshull Road the existing Barrows Green roundabout remains.</p> <p>The location of the Hospital Roundabout is situated close to the existing Smithy Lane.</p>	<p>This option was rejected as:</p> <ul style="list-style-type: none"> <li>(a) The option would move traffic closer to Leighton Hospital and therefore would not improve access for emergency vehicles.</li> <li>(b) There are safety concerns with the existing Smithy Lane and the amount of traffic generated by the sites travelling on the existing Smithy Lane. There would be considerable amount of improvement works required to cater for the additional traffic from the development sites.</li> <li>(c) The improvement works would be costly compared to the other options identified due to traffic management required to undertake the works online.</li> <li>(d) This option would create severe disruption as the Spine Road roundabout and improvement works would need to be constructed online and therefore will impact on the daily operation of Leighton Hospital.</li> <li>(e) The option would limit Leighton Hospital expansion to the south, as illustrated within the CEC Local Plan Strategy.</li> <li>(f) The option has the potential to create increase queuing on Smithy Lane to access the A530 Middlewich Road.</li> <li>(g) The option would potentially require additional design measures such as traffic lights at the A530 Middlewich Road / Smithy Lane junction to distribute the uneven traffic flow. This will create a bottleneck on the existing highway network and minimise the</li> </ul>

Options	Description	Comment
		benefits of the scheme.
Spine Road Option 2	<p>The Hospital Link Road is positioned south of the existing Smithy Lane.</p> <p>To the west of the link road there is a roundabout connecting the A530 Middlewich Road to the new Smithy Lane alignment. The section of new road between the Hospital roundabout and the A530 Middlewich Road roundabout there is a road connecting to the Leighton Hospital.</p> <p>The location of the Hospital Roundabout is situated close to the existing Smithy Lane.</p> <p>To the east there is a roundabout to connect the new Smithy Lane to Flowers Lane.</p>	<p>This option was rejected as:</p> <ul style="list-style-type: none"> <li>(a) The option would limit Leighton Hospital expansion to the south, as illustrated within the CEC Local Plan Strategy.</li> <li>(b) The location of the east roundabout on Flowers Lane is directly in line of the pylons. This will create a risk during construction working in close proximity to the overhead pylons.</li> <li>(c) The location of the Spine Road roundabout would cause disruption to Leighton Hospital and access of emergency vehicles during the construction. As this roundabout will need to be constructed online.</li> </ul>
Spine Road Option 3	<p>The Hospital Link Road is positioned south of the existing Smithy Lane.</p> <p>To the west of the link road there is a roundabout</p>	<p>This option was rejected as:</p> <ul style="list-style-type: none"> <li>(a) The location of the east roundabout on Flowers Lane is directly in line of the pylons. This will create a risk during construction working near the overhead pylons.</li> </ul>

Options	Description	Comment
	<p>connecting the A530 Middlewich Road to the new Smithy Lane alignment. The section of new road between the Hospital roundabout and the A530 Middlewich Road roundabout.</p> <p>The location of the Hospital Roundabout is situated close to the existing Smithy Lane.</p> <p>To the east there is a roundabout to connect the new Smithy Lane to Flowers Lane. The roundabout is located on the existing road alignment,</p>	
Spine Road Option 4	<p>The Hospital Link Road is positioned south of the existing Smithy Lane.</p> <p>To the west of the link road there is a roundabout connecting the A530 Middlewich Road to the new Smithy Lane alignment. The section of new road between the Hospital roundabout and the A530 Middlewich</p>	<p>This option was chosen as:</p> <p>(a) The design supports the schemes objectives and improves traffic capacity and safety.</p> <p>(b) The number of affected land owners and stakeholders is minimised.</p>

Options	Description	Comment
	<p>Road roundabout.</p> <p>The location of the Hospital Roundabout is situated offset from the existing Smithy Lane.</p> <p>To the east there is a roundabout to connect the new Smithy Lane to Flowers Lane. The roundabout is located on the existing road alignment,</p>	
Spine Road Option 5	<p>This option specifically detailed the replacement of Barrows Green Roundabout with a T junction type arrangement. (This option could be combined with either option considered for the Spine Road and Hospital Link detailed within this table)</p>	<p>This option was rejected as:</p> <ul style="list-style-type: none"> <li>(a) The option details removal of Barrows Green Roundabout which requires significant alterations to the existing junction and existing private means of access.</li> <li>(b) Traffic modelling was carried out on this arrangement and showed no significant benefit to traffic capacity when the Spine Road and East West Link was in place.</li> </ul>
Spine Road Option 6	<p>The Hospital Link Road is positioned south of the existing Smithy Lane at the eastern end and along the line of the existing Smithy Lane at the western end.</p> <p>To the west of the</p>	<p>This option was rejected as:</p> <ul style="list-style-type: none"> <li>(a) The option conflicts with an approved planning permission for adjacent developers.</li> <li>(b)</li> <li>(c) This will minimise development area for the adjacent developer.</li> <li>(d) The location of the roundabout on the</li> </ul>

Options	Description	Comment
	<p>link road there is a roundabout connecting the A530 Middlewich Road to the new Smithy Lane alignment. The section of new road between the Hospital roundabout and the A530 Middlewich Road roundabout.</p> <p>The location of the Hospital Roundabout is situated offset from the existing Smithy Lane.</p> <p>To the east there is a roundabout to connect the new Smithy Lane to Flowers Lane. The roundabout is east of the existing road.</p>	<p>A530 Middlewich Road has the potential to impact on nearby properties and increases negative environmental impact on air quality, noise and light intrusion.</p> <p>(e) There is a safety concern with access to residential properties. This has the potential to create a road safety risk accessing and egressing the properties.</p>
East West Link Option 1	<p>The roundabout on A530 Middlewich Road is located south of the Leighton Hall Farm Barns and north of the Brassey Bank Bridge.</p> <p>The East-West Link connects to the roundabout situated on the Spine Road.</p>	<p>This option was rejected as:</p> <p>(a) This option reduces the development area to the south of the east west link road as outlined in the CEC Local Plan Strategy.</p> <p>(b) The option crosses the historic refuse site. This will be costly to construct over these ground conditions.</p>
East West Link Option 2	<p>The roundabout on A530 Middlewich Road is located in</p>	<p>This option was rejected as:</p> <p>(a) The option will require demolition and</p>



Options	Description	Comment
	<p>the vicinity of Leighton Hall Farm Barns.</p> <p>The East-West Link connects to the roundabout situated on the Spine Road.</p>	<p>purchase of properties at Leighton Hall Farm Barns.</p> <p>(b) This option would most likely impact on local residents due to environmental factors such as air quality, noise pollution and light intrusion.</p> <p>(c) This option is close proximity to a badger set.</p> <p>(d) This option reduces the development area outlined in the CEC Local Plan Strategy as LPS 4.</p>
East West Link Option 3	<p>The roundabout on A530 Middlewich Road is located south of Brassey Bank Bridge.</p> <p>The East-West Link connects to the roundabout situated on the Spine Road.</p>	<p>This option was rejected as:</p> <p>(a) The option would require crossing the culvert structure. There is a potential this would require the structure to be strengthened.</p> <p>(b) This option requires considerable earthwork to connect the roundabouts due to the topography of the land. This will be costly to the scheme and less sustainable as it requires greater import of material to site.</p> <p>(c) This option does not provide good connectivity for Non-motorised users to the new East-West Link and the A530 due to lack of footpaths at the location of the A530.</p> <p>(d) This option requires improvement works to the Brassey Bank Bridge to tie in to the existing A530 Middlewich Road.</p>
East West Link Option 4	The roundabout on A530 Middlewich Road is in the	<p>This option was rejected as:</p> <p>(e) The option crosses the historic refuse</p>

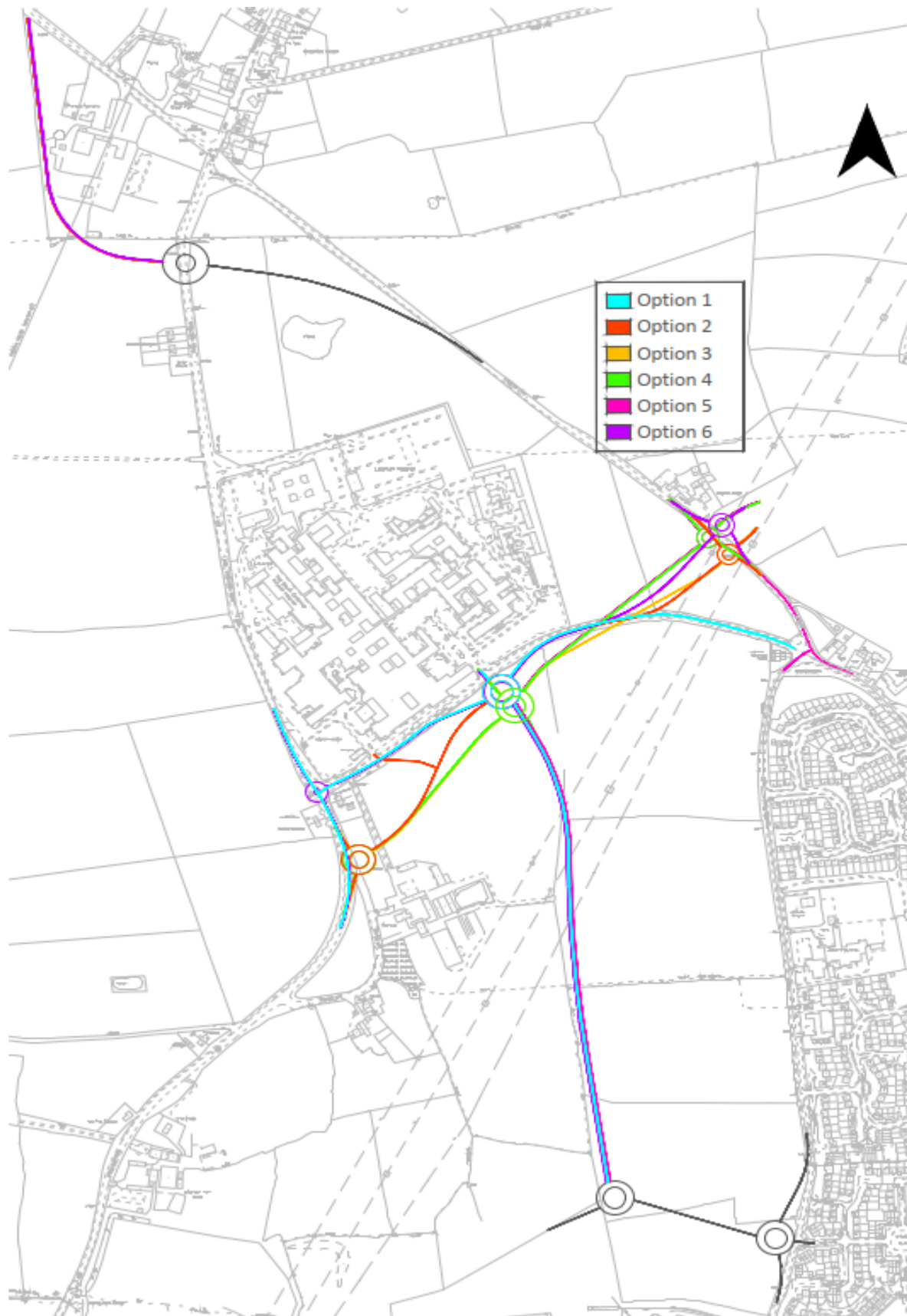
Options	Description	Comment
	<p>vicinity of Leighton Hall Farm Barns.</p> <p>The East-West Link connects to the roundabout situated on the Minshull New Road.</p>	<p>site. This will be costly to construct over these ground conditions.</p> <p>(f) The option will require demolition and purchase of properties at Leighton Hall Farm Barns.</p> <p>(g) The option would require crossing the culvert structure. There is potential that the culvert structure will require strengthening.</p> <p>(h) This option is near a badger set.</p>
East West Link Option 5	<p>The roundabout on A530 Middlewich Road is located south of the Leighton Hall Farm Barns and north of the Brassey Bank Bridge.</p> <p>The East-West Link connects to the roundabout situated on the Spine Road.</p>	<p>This option was chosen;</p> <p>(a) This option provides good connectivity to the A530 and facilitates better pedestrian tie ins to the new highway network.</p> <p>(b) This option avoids the landfill site and the badger set.</p> <p>(c) This option reduces the development area outlined in the CEC Local Plan Strategy as LPS 4, however the impact on this developable area was considered acceptable when taking into consideration the location of the existing landfill site.</p>
East West Link Option 6	<p>The roundabout on A530 Middlewich Road is located south of the Leighton Hall Farm Barns and north of the Brassey Bank Bridge.</p> <p>The East-West</p>	<p>This option was rejected as:</p> <p>(a) The option crosses the historic landfill site. This will be costly to construct.</p> <p>(b) This option requires considerable earthwork to connect the roundabouts due to the topography of the land. This will be costly to the scheme and less</p>

Options	Description	Comment
	Link connects to the roundabout situated on the Minshull New Road.	<p>sustainable as it requires greater import of material to site.</p> <p>(c) This option reduces the development area to the south of the east west link road as outlined in the CEC Local Plan Strategy.</p>
East West Link Option 7	<p>The roundabout on A530 Middlewich Road is located south of the Leighton Hall Farm Barns and north of the Brassey Bank Bridge.</p> <p>The East-West Link connects to the roundabout situated on the Minshull New Road.</p>	<p>This option was rejected as:</p> <p>(a) The option crosses the historic landfill site. This will be costly to construct.</p> <p>(b) This option requires considerable earthwork to connect the roundabouts due to the topography of the land. This will be costly to the scheme and less sustainable as it requires greater import of material to site.</p> <p>(c) This option reduces the development area to the south of the east west link road as outlined in the CEC Local Plan Strategy.</p>
East West Link Option 8	<p>The roundabout on A530 Middlewich Road is located south of Brassey Bank Bridge.</p> <p>The East-West Link connects to the roundabout situated on the Minshull New Road.</p>	<p>This option was rejected as:</p> <p>(a) The option crosses the historic landfill site. This will be costly to construct over these ground conditions.</p> <p>(b) The option crosses the culvert and therefore would potentially require strengthening of the culvert structure.</p> <p>(c) The option for the east west link will require extensive earthworks due to the existing topography of the land. This will be costly to the scheme to import material and less sustainable.</p> <p>(d) This option reduces the development area as outlined in the CEC Local Plan Strategy.</p> <p>(e) This option requires improvement works</p>

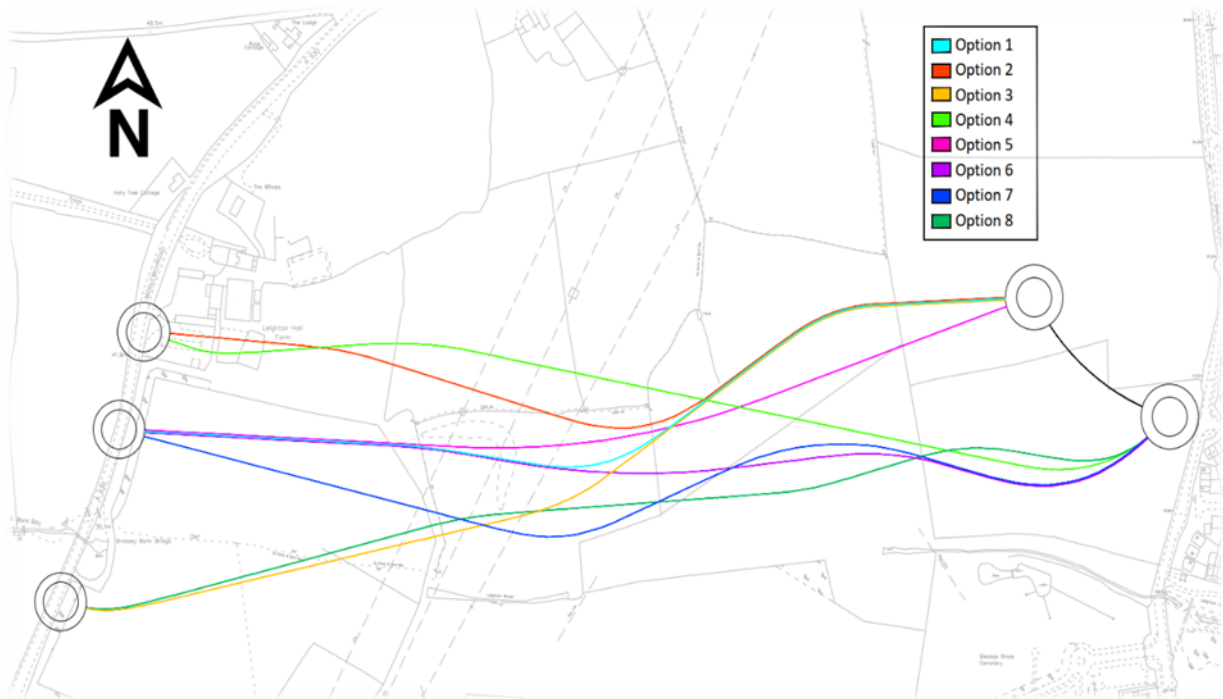
Options	Description	Comment
		<p>to the Brassey Bank Bridge to tie in to the existing A530 Middlewich Road.</p> <p>(d) This option reduces the development area to the south of the east west link road as outlined in the CEC Local Plan Strategy.</p>

- 5.6 The options presented in Table 1 above are illustrated on Figures 2 and 3 below.
- 5.7 An alternative junction improvement scheme which comprised of altering the existing staggered signal cross-roads junction at the Eardswick Lane / Flowers Lane junction and providing a new roundabout in the location of the junction was proposed by external developers. This alternative was assessed and discounted due to the technical inadequacy of the proposal and the impact the proposal would have on adjacent residential property.
- 5.8 The options considered for the Scheme were discussed informally with Statutory Undertakers and Utility Service providers in order to identify the constraints to the Scheme imposed by existing services, and to reduce potential service diversions as much as possible. This had an influence on the chosen option taken forward and influenced the final positioning of the Scheme. This was based on engineering judgment and constructability of the East West Link and Spine Road.
- 5.9 The preferred option for the Scheme has also been the subject of a Public Engagement exercise and a Statement of Community Involvement (Appendix 16) was prepared detailing the findings of this exercise.
- 5.10 As a result of this optioneering process and the responses provided during the public engagement process, a decision was made that Option C (Spine Road Option 4 combined with East West Link Option 5) would be the preferred option for the delivery of the Scheme.

Figure 2 - The Scheme: Route Options Spine Road



**Figure 3 - The Scheme: Route Options East West Link**





## 6. PLANNING CONSIDERATIONS

- 6.1 This section sets out the planning policy and material considerations for the Scheme that were identified through the planning process and refers to the conclusions that the Local Planning Authority reached in its determination of the planning application for the Scheme.
- 6.2 In making the Order, the Acquiring Authority has had regard to national planning policy, the Local Plan and other relevant local policy and guidance. At both a strategic and local planning policy level there is support for the Scheme, as detailed below.
- 6.3 The national and local planning policy relevant to the Scheme is listed below:

### **Policy:**

#### Cheshire East Local Plan Strategy – 2010-2030

PG6 – Open Countryside  
 SD1 - Sustainable Development in Cheshire East  
 SD2 - Sustainable Development Principles  
 SE 1 - Design  
 SE 2 - Efficient Use of Land  
 SE3 – Biodiversity and Geodiversity  
 SE 4 - The Landscape  
 SE 5 - Trees, Hedgerows and Woodland  
 SE 13 - Flood Risk and Water Management  
 SE 6 – Green Infrastructure  
 IN1 – Infrastructure  
 CO1 – Sustainable Travel and Transport  
 CO2 – Enabling Business Growth Through Transport Infrastructure  
 LPS4 – Leighton West  
 LPS5 – Leighton

#### Crewe and Nantwich Local Plan (Saved policies)

NE5: Nature Conservation and Habitats  
 NE9: Protected Species  
 NE10: New woodland planting and landscaping  
 NE17: Pollution Control  
 NE20: Flood Prevention  
 NE21: New Development and Landfill Sites  
 BE1: Amenity  
 BE4: Drainage, Utilities and resources  
 TRANS3: Pedestrians  
 TRANS6: Provision for cyclists  
 RT9: Footpaths & Bridleways

**Neighbourhood Plans:**

Neither Crewe or Minshull Vernon has progressed towards making a Neighbourhood Plan.

**Other Material Considerations:**

National Planning Policy Framework

National Planning Practice Guidance

Cheshire East Infrastructure Delivery Plan

NPPF

- 6.4 The National Planning Policy Framework (“NPPF”) provides that:  
*“Local Plans are key to delivering sustainable development which reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise”.*

Cheshire East Local Plan Strategy

- 6.5 The Local Plan Strategy was formally adopted on 27 July 2017 and sets out Cheshire East Council’s strategy for sustainable economic growth. The Local Plan Strategy sets the development framework for the period 2010 to 2030. In order to deliver its vision for Cheshire East as a whole, Cheshire East Council has set four strategic priorities:
- a) Promoting economic prosperity by creating conditions for business growth;
  - b) Creating sustainable communities where all members are able to contribute and where all the infrastructure required to support the community is provided;
  - c) Protecting and enhancing environmental quality of the built and natural environment; and
  - d) Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network.
- 6.6 The Scheme is fully in line with Strategic Priority 1 of the Local Plan. This priority seeks to promote economic prosperity by creating the conditions for business growth. The objective is to be delivered in part by providing a viable and flexible supply of quality employment land and maximising the opportunities that may be offered by The Constellation Partnership’s HS2 growth strategy.
- 6.7 Strategic Priorities 2, 3 and 4 seek to create sustainable communities, protect and enhance environmental quality, reducing the need to travel, promoting more sustainable modes of transport and improving the road network.
- 6.8 Policy IN1 of the Local Plan specifies that infrastructure delivery will take place in a phased co-ordinated manner guided by the Infrastructure Delivery Plan (Appendix 7) and any additional site-specific requirements to support the Local Plan Strategy proposals. The Infrastructure Delivery Plan (July 2016) includes the Scheme as a Priority 1 Scheme, as detailed further at paragraph 3.3 of this Statement.

- 6.9 Local Plan Strategy Site LPS4 (Leighton West) provides for the delivery of 850 new homes and circa 5 hectares of employment land to be delivered with LPS5 (Leighton) providing 500 new homes. The focus is to provide sustainable neighbourhoods, which reflect the transitional location between the higher density urban area and the rural area, green infrastructure and key highway improvements in the area through a masterplan led approach.

#### Planning Permission

- 6.10 The Scheme was submitted to the Local Planning Authority for consideration on 7 December 2018 and validated on 14 December 2018. The Strategic Planning Board considered the proposals in the Committee Meeting of the 27 March 2019 and recommended approval with conditions. A Decision Notice under the reference 18/6118N was issued by the Local Planning Authority on 3 July 2019 (Appendix 7).
- 6.11 The Report to Committee for determination of the planning application considers the impacts of the Scheme (Appendix 8), a summary of which is set out in paragraphs 6.10 – 6.27 of this Statement. The Acquiring Authority confirms that it can meet the pre-commencement of development conditions attached to the planning permission.
- 6.12 The Scheme has been through a public engagement exercise, which is detailed in a Statement of Community Involvement (Appendix 16) and was the subject of an Environmental Statement.

#### **Principal of Development**

- 6.13 The majority of the site falls within Local Plan Site LPS 5 Leighton, Crewe, which states, *“Further road improvements to upgrade access to Leighton Hospital for emergency vehicles and suitable footpath and cycle lanes.”* All the elements of the proposals link to Leighton Hospital and as such are supported by this policy.
- 6.14 Only the northern most link (referred to as the Flowers Lane Link) falls outside this allocation and as such is in open countryside. Policy PG6 Open Countryside is therefore applicable here, and at bullet 2 the policy states, *“Within the Open Countryside only development that is essential for the purposes of... public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.”* As a result, on condition the works are essential, then this link would be acceptable in principle. Highways have confirmed that they have no objections to the proposals on the basis they are designed to accommodate local plan growth with associated growth in traffic levels. In addition the proposals allow for improvements to pedestrian and cycle access, together with improvements to bus travel all of which are considered to essential improvements to the network.

#### **Environmental Impacts**

##### Air Quality

- 6.15 Paragraphs 3.24-3.30 of this Statement of Reasons, set out matters concerning air quality and noise. Policy SE12 of the Local Plan supports the Scheme by stating that

the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy. When assessing the impact of a development on Local Air Quality, regard is given to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017). The Scheme is a proposal for the construction of highway infrastructure. Air quality impacts were considered within the air quality assessment submitted in support of the planning application.

#### Contaminated Land

- 6.16 The Scheme proposes several remedial measures including the removal of slurry beds, the removal of burial pits, the reuse of soil onsite, a watching brief during the development. A potential gas risk is noted at the southern end of the site, adjacent to the former landfill site near Leighton Brook. A Remediation Strategy is therefore required as part of the planning permission, defining the proposed remedial and verification procedures for the development.

#### **Highway Implications**

##### Sustainable access

- 6.17 Pedestrian and cycle facilities are to be provided in conjunction with the new road infrastructure as set out further within Section 4 of this Statement. The new links will enhance connectivity to the Connect2 extension scheme linking Leighton with Nantwich and markedly improving active travel facilities to and from Leighton Hospital particularly from Crewe. Bus stops are being provided which will allow future bus services to serve the new residential development.

##### Network Capacity

- 6.18 To assess the impact of the Scheme on the highway network, a SATURN and VISSIM model were utilised. Future developments and committed highway schemes were incorporated into the models following discussions with the Council's highway consultant using agreed vehicular trip rates and background growth datasets. Traffic demand was distributed across the network and both models were found to successfully meet the convergence and validation criteria and therefore are considered to be acceptable for traffic modelling use.
- 6.19 The North Crewe VISSIM model, used to inform the allocation of strategic sites as part of the local plan, was utilised by providing flows for use in the junction capacity assessments at the critical Monday to Friday AM and PM peaks. Included within the modelling analysis was the closure of Minshull New Road to through vehicular traffic and the reassignment of traffic that would result. Furthermore following the approval of the Bentley planning application (ref: 17/4011) in 2017 the model was amended to reflect the changes to the existing highway network brought about by this development namely the restriction of Pym's Lane and Sunnybank Road to through traffic.
- 6.20 Capacity analysis was also undertaken at key junctions not included within the VISSIM

model area, but would be effected by the Bentley planning application proposals. The new junctions and links proposed under the Scheme, to serve identified Local Plan growth, have been shown to be designed with appropriate capacity to accommodate the forecast future traffic volume at the design year of 2030. In addition the impact of the Scheme on the operation of existing junctions was found to be within acceptable capacity thresholds at the design year of 2030. Additional junction capacity analysis was also undertaken using ARCADY and LinSig software and the operation of these junctions was also found to be at or above the threshold of acceptability.

### **Soils**

- 6.21 Soils are protected under National Planning Policy Framework (NPPF) 2012, which states in paragraph 170 that Local Planning Authorities should make decisions that contribute to and enhance the natural and local environment by protecting landscapes, geology, and soils. The NPPF also states that despoiled, degraded, derelict, contaminated and unstable land should be remediated and mitigated where appropriate. As part of the Scheme, a soil management plan will be submitted and approved.

### **Trees**

- 6.22 An Arboriculture Impact Assessment dated November 2018 was prepared in accordance with BS5837 (2012) and submitted by the Council. The report identifies individual trees, groups of trees, woodlands and hedges that are within 15m of the development edge (i.e. highway development corridors within the wider site. The report identifies that 17 out of 33 Category A and B trees will be felled; 18 out of 49 groups will be wholly or partially felled; 4 hedges will be removed and 18 partially removed out of 29 hedges. The one existing woodland will be “encroached”, but felling is not required. It is recommended that where development encroaches on root protection areas (RPA) the work on site should be supervised by an arboriculturalist. The report assesses the overall impact on trees as being moderate. The submitted drawings show tree categorisation in accordance with BS5837, crown spread, RPAs and trees/hedges to be removed; they do not show tree protection measures.
- 6.23 The layout of roads within the Scheme is significantly constrained by the necessary connections to the existing road network. Most, if not all, of the tree losses are unavoidable without an unacceptable contortion of road alignment. Given the substantial proposals for replanting of trees and hedges it was accepted that the loss of trees caused by the Scheme is suitably mitigated.

### **Ecology**

#### Habitat Regulations

- 6.24 The proposed development is located within 10km of the West Midlands Mosses Special Area of Conservation (SAC) and the Midland land Meres and Mosses Phase 1 and Phase 2 Ramsar sites. The application site is also located within close proximity to the Sandbach Flashes Special Site of Scientific Interest (SSSI). It is noted that Natural England advised that the Scheme is not likely to have an adverse impact upon the interest features for which the Sandbach Flashes SSSI was designated.

- 6.25 The Council carried out an 'Assessment of Likely Significant effects'.in respect of the SAC and Ramsar sites, which concluded that the proposed development is not likely to have a significant impact upon the features for which the statutory site was designated.

#### Protected Species

- 6.26 The Scheme includes replacement hedgerow and landscape planting to compensate for the loss of terrestrial habitat, and provides wildlife tunnels, which will provide some connectivity for common toads under the road.
- 6.27 A method statement of precautionary measures to reduce disturbance during the construction phase of the Scheme was provided as part of the planning application, which provides for two badger tunnels and appropriate fencing as a means of reducing road traffic collisions. Prior to the commencement of the Scheme, an updated badger survey report and mitigation strategy will be submitted.
- 6.28 The Scheme will result in the loss of habitat for some birds but the proposed replacement hedgerows and tree planting will reduce the potential impacts of the proposed development upon these species and nesting birds will be safeguarded.
- 6.29 The Scheme will result in the loss of a total of 2,541m of existing hedgerows, which includes losses from a number of hedgerows considered to be Important under the Hedgerow Regulations (as discussed further in Section 10 of this Statement). To compensate for the loss of existing hedgerows over 6,000m of new hedgerow plating is proposed.
- 6.30 The planning permission requires the submission of a detailed lighting scheme for the site that has been designed to minimise its effects on bats, and high hedgerows and trees will be provided along the route of the road to encourage barn owls to fly at height over the road.

#### **Conclusion**

- 6.31 The Scheme supports the Local Plan allocations LPS4 & 5 and has secured planning permission (Appendix 7).
- 6.32 The Scheme has some impact on air quality and with regard to contaminated land issues, but these matters have been mitigated and/or will be dealt with through the submission of schemes to be approved by the Council in its capacity as Local Planning Authority.
- 6.33 The Scheme was deemed to be acceptable in planning terms in accommodating the predicted traffic from the proposed Local Plan residential allocations and background increases in traffic growth. The Scheme includes infrastructure provision for facilitating sustainable modes of transport in the form of foot and cycleways, and individual crossings and bus stops will be provided as part of the development of the future residential sites.
- 6.34 The Scheme is not predicted to have any adverse impact on statutory site



designations. Although the proposals will have some landscape and ecological impacts, both can be readily mitigated and have been controlled by the use of planning conditions that the Council is able to comply with and discharge. Biodiversity metric calculations for the Scheme show that the Scheme would actually deliver an overall gain for biodiversity.

- 6.35 The Scheme will have neutral effects on most other matters with the benefits set out above. There are no planning impediments to the Scheme proceeding if the Orders are confirmed.

## 7. THE ORDER LAND

- 7.1. The Order Land consists of 39 plots of land within a number of different ownerships, including freehold, leasehold and occupational interests. The full extent of the Order Land is set out in the Order Map (Appendix 3), with interests to be acquired shown in pink shading and new rights to be acquired shown in blue shading. The Order Schedule (Appendix 2) sets out the details of those interests. Details of the negotiations with the affected parties to date are detailed in Section 8 of this Statement.

### **Land required for the Scheme:**

#### Adopted Highway - Plots 1, 4, 9, 13, 16, 19, 23, 34 and 35

- 7.2. These sections comprise part of the adopted highway. Where subsoil interests are going to be impacted, the ad medium filum rule has been adopted and the freehold owners of the adjacent land have been presumed to own the subsoil up the centre line of the adopted highway. The Acquiring Authority has sought wherever possible to reduce these interests and only included those areas where it is known that subsoil will be impacted in excess of the rights that the Council currently enjoys as statutory Highway Authority.

#### Charlesworth - Plot 2

- 7.3. This section comprises of agricultural land and hedgerow required for the widening of the highway in this location to house the A530 / Flowers Lane Roundabout.

#### Smith Family - Plots 5, 11, 12, 15, 21, 22a and 29

- 7.4. These plots comprise of agricultural land interspersed with field ponds. They are required for the construction of the Primary Hospital Link Road, the Fairfield Link Road, the Flowers Lane Realignment and sections of the East - West Link together with the Fairfield Roundabout, A530 / Smithy Lane Roundabout, Hospital Roundabout, A530 / Flowers Lane Roundabout and electricity diversions.

- 7.5. The majority of this land is included in LPS4 (Leighton West) having been promoted for residential development by house builders, Bloor Homes and Galliford Try Partnerships Limited, under the terms of an option agreement. The majority of this land is also included within the parameters of an undetermined planning application submitted by Bloor Homes and Galliford Try Partnerships Limited for the development of up to 850 residential units, land reserved for new primary school and a local centre (planning application reference 19/2178N). This planning application corresponds with the design and alignment of the Scheme to ensure that both schemes are mutually inclusive.

#### Torus Homes - Plot 8

- 7.6. Plot 8 provides a combination of garden and agricultural land, which is required for the widening of the highway in this location to house the Fairfield Roundabout.

- 7.7. It forms part of a substantial parcel of development land, which has outline planning consent for the construction of up to 400 dwellings under planning application reference 16/2373N. This planning consent is subject to a Section 106 Agreement, which obliges the developer of this site to construct a roundabout within this section of land to connect the proposed housing scheme to Flowers Lane. The Section 106 Agreement provides the Acquiring Authority with step-in rights to construct the roundabout if works have not commenced by 30 March 2019 (or such other date agreed between the parties). As detailed in the Side Roads Order section of this Statement, the Acquiring Authority has provided for the construction of alternate roundabout scenarios in this location.

Cheshire East Borough Council – 15a 17, 22, 24, 26, 27, 31, 33, 36 and 37

- 7.8. These plots of land comprise of agricultural land, grassland, a series of barns and a former landfill site, which are subject to rights and charges to third parties.
- 7.9. The majority of this land is required for the construction of the East - West Link, the Primary Hospital Link Road, A530 / Smithy Lane Roundabout, A530 / Flowers Lane Roundabout, Minshull New Road Roundabout and the Engine of the North Roundabout together with drainage for the Scheme and electricity diversions.
- 7.10. Plots 17 and 36 are owned by the Acquiring Authority pursuant to transfer dated 29 April 2016. Albeit that this plot has been acquired by the Council pursuant to this agreement, the property is subject rights and charges to third parties.
- 7.11. Plot 24 is owned by the Acquiring Authority and provides a public footpath, cycleway and grassland. Albeit that this plot is owned by the Council, the property is subject rights to third parties.
- 7.12. Plots 15a, 22, 26 and 27 are owned by the Acquiring Authority and comprise of agricultural land interspersed with woodland and field ponds. The majority of this land is occupied by J K Smith and Son under an agricultural tenancy which is governed by the Agricultural Holdings Act 1986. This land is also subject to rights and covenants to third parties.
- 7.13. The majority of Plots 22, 26 and 27 are included in LPS4 (Leighton West) and within the parameters of an undetermined planning application submitted by Engine of the North Limited (a company wholly owned by the Council) on behalf of the Council, as a private land owner, for the development of up to 400 residential units (planning application reference 19/2178N). This planning application corresponds with the design and alignment of the Scheme to ensure that both schemes are mutually inclusive.
- 7.14. Plots 31 and 37 are owned by the Acquiring Authority and comprise of agricultural land. The majority of this land is subject to an adverse possession claim dated 13 August 2026 submitted by Michael William Vernon. It is also subject to rights and covenants to third parties.
- 7.15. Plot 33 is owned by the Acquiring Authority pursuant to transfer in May 2018 made between (1) Rawlins Jones Developments Limited and (2) Cheshire East Borough

Council. Albeit that this plot has been acquired by the Council pursuant to this agreement, the property is subject to rights and charges to third parties.

- 7.16. As such, these plots are still included within the Order to facilitate the use of Section 260 of the 1980 Act, in that there are third party rights that could jeopardise the delivery of The Scheme. In order to provide a cleansed title to the land and not stymy development in any way, these plots have been included despite the Acquiring Authority's ownership of them.

Unknown – Plot 18

- 7.17. This plot is a wooded area required for the widening of the highway in this location to house the A530 / Smithy Lane Roundabout. It was previously part of the adopted highway prior to a realignment of the highway that took place some time ago. The ownership of this land is unknown.

C E Cooke and Son Limited - Plot 30

- 7.18. This section comprises of agricultural land and hedgerow, which is required for the construction of the East - West Link.

Vernon - Plot 32

- 7.19. This plot is agricultural land and required for use as a temporary site compound in connection to construction of the Scheme.

**New Rights Required for the Scheme: Plots 5a, 7, 14, 20, 25, 28, 38 and 38a**

- 7.20. The Order Land includes land over which new rights are required, shown shaded blue on the Order Map, being Plots 5a, 7, 14, 20, 25, 28, 38 and 38a. These rights are set out in more detail in Part 1 of the Order Schedule and are summarised below:

1. A general right of access and construction, allowing surveys, making good of properties and enabling safe working practices to be followed on adjoining land;
2. Rights in respect of service media;
3. A right to amend access and egress routes, needed to facilitate safe working practices during development;
4. A right to construct a new access or accesses;
5. A right to carry out future inspections and maintenance;
6. A general right to carry out condition surveys on foot, to ensure safe working practices can be accorded with and to document the condition of properties before, during and after development, if so necessary
7. Rights in relation to deliveries, needed for construction of The Scheme or in

order to accord with safe working practices; and

8. Rights in relation to the discharge of water.

Sheridan – Plot 5a

- 7.21. Rights over Plot 5a are required to create a new access to agricultural land due to the realignment of Flowers Lane.

Harrison – Plot 7

- 7.22. Rights over Plot 7 are required to construct a new means of access/egress for the benefit of the Harrison family to Leighton Lodge. The land will not be permanently acquired.

Mid Cheshire Hospitals NHS Foundation Trust – Plot 14

- 7.23. Rights over Plot 14 are required to carry out some minor highways and drainage works to this plot as a result of the works to Smithy Lane. One side of the road will be retained open at all times to ensure the safe and continued access to Leighton Hospital and this will be discussed in full with the Hospital.

Smith – Plot 20

- 7.24. Rights over this plot are required to create a new access head from Minshull New Road into the agricultural land.

Brook Rights – Plots 25, 28, 38 and 38a

- 7.25. Rights over these plots are required to allow, amongst other things, the discharge of non-contaminated surface and highway drain waters into Leighton Brook.

## 8. NEED FOR THE COMPULSORY PURCHASE ORDER

### Appropriateness of Powers

- 8.1. The Acquiring Authority's scheme for the improvement of the road network and construction of the Scheme is clearly within the scope of the compulsory purchase powers as set out in Sections 239, 240, 246, 250 and 260 of the 1980 Act.

### The Public Interest Test

- 8.2. Paragraph 2 of the Guidance advises that a compulsory purchase order should only be made where there is a compelling case in the public interest. The Acquiring Authority is fully satisfied that this requirement is met and that this has been demonstrated within this Statement of Reasons. The Scheme will provide various benefits to the public, which are summarised below:
- a) Delivery of an improved highway network for the Town through the delivery of a key part of the Local Plan Infrastructure Programme for wider Crewe identified within the Infrastructure Delivery Plan.
  - b) Unlocking a number of housing as allocated in the Cheshire East Local Plan by improving traffic movements and transport links. This would increase the supply of new housing through the release of residential development land, making a significant contribution to maintaining Cheshire East Council's 5 year housing supply through Local Plan allocated strategic sites at Leighton West (850 homes – site ref LPS4) and Leighton (500 homes – site ref LPS5).
  - c) Unlocking a number of employment use allocated sites and, therefore, creating new jobs through the release 5 ha of land for employment uses through Local Plan allocated site Leighton West (site ref LPS4).
  - d) Improved access to Leighton Hospital, Crewe and its catchment area which includes the towns of Middlewich, Nantwich and Sandbach through reduced congestion and by putting the Hospital at the locus of the North West Crewe highway network, by establishing a “blue light” route to Leighton Hospital. These improvements to the Hospital access junction will provide capacity for the predicted growth in traffic during the Local Plan period up to 2030.
  - e) Retention of advanced manufacturing employment by supporting the Bentley Motors Development Framework and Masterplan (Appendix 10) endorsed by Cheshire East Council's Cabinet in May 2017.
  - f) The successful delivery of these sites will also support the emerging strategy development work in the Crewe Masterplan and The Constellation Partnership's HS2 Growth Strategy (Appendix 12).



- 8.3. For the reasons stated above, the Acquiring Authority considers that there is a compelling case in the public interest for the making and confirmation of the Order to secure the Order Land required for the purpose of implementing and delivering the Scheme.

#### **Need for the Order Land**

- 8.4. The Acquiring Authority is seeking to acquire the Order Land, wherever possible, by means of agreement rather than by compulsory purchase and has sought to discuss/negotiate with owners and occupiers to achieve this end. It has fully considered the Guidance, which relates to the justification for a compulsory purchase order, to determine whether there is a compelling case in the public interest to compulsorily acquire and use land for the purposes of The Scheme. It is considered that a compelling case exists here.
- 8.5. The Acquiring Authority is already the owner of the freehold interest in a number of plots or parts of plots, and its interests in the various plots or parts thereof are included in the Order under the provisions of Section 260 of the 1980 Act.
- 8.6. The Acquiring Authority's approach is only to acquire land and rights compulsorily where they are strictly needed to assure successful delivery of the Scheme in accordance with best engineering and environmental practices.
- 8.7. The Acquiring Authority has given careful consideration to the reasons as to why it is necessary to include the land and new rights shown on the Order Map and described further in Section 7 of this Statement. All freehold owners, lessees and occupiers affected by the Order have been invited to enter into discussions with a view to agreeing appropriate terms for acquisition of the land and new rights required and, where appropriate, to discuss options for relocation.
- 8.8. The Acquiring Authority has a very clear idea how it will use the land it intends to acquire and has the necessary resources to acquire the land and interests needed for the Scheme.

#### **Attempts to Acquire by Agreement**

- 8.9. In accordance with the Guidance, all owners and occupiers with an interest in land have been approached to ask if they would be prepared to enter into negotiations with the Acquiring Authority for the purchase of their respective interests.
- 8.10. Detailed negotiations are taking place with a number of landowners and occupiers, however, the Acquiring Authority has concluded that acquisition by agreement is unlikely to occur in all cases or, in any event, within sufficient time to ensure that the programme for the construction of the Scheme is met. There are also some interests where the owner is unknown and, therefore, it will not be possible to acquire the interest except by way of compulsory acquisition.
- 8.11. Discussions will continue with owners of relevant interests and new rights required, in an endeavour to secure them by agreement, wherever possible, with a view to limiting the number of interests that need to be acquired compulsorily. The approach adopted

by the Acquiring Authority is in accordance with the policy advice and recognised good practice.

- 8.12. Where the Acquiring Authority has been unable to reach agreement with landowners and occupiers it will offer alternative dispute resolution to enable agreement on compensation to be reached. The Acquiring Authority will also offer information on the Scheme, a case manager, assistance in relocation (wherever necessary), and reassurance on fees.
- 8.13. The Order will be made to secure the outstanding interests and rights required to enable implementation of the Scheme, necessary to achieve the Acquiring Authority's objectives for the area.
- 8.14. The Council has entered into negotiations with landowners affected or has offered to do so with a view to agreeing voluntary terms of acquisition, but it is also necessary to seek authority for compulsory purchase to ensure that all land required for the Scheme can be available at the appropriate time to enable The Scheme to proceed and which is in the public interest.

#### **Negotiations with Affected Landowners**

- 8.15. The Acquiring Authority has sought to engage in private treaty negotiations with key landowners. Brief details of the negotiations that have been undertaken to date are further outlined below.

##### Charlesworth - Plots 2 and 38

- 8.16. The Acquiring Authority is currently in negotiation with the freeholder, Thomas James Charlesworth, and active discussions are taking place to reach an agreement prior to confirmation of the Order.

##### Smith Family – Plots 5, 11, 12, 15, 20, 21, 22, 22a and 29

- 8.17. The Acquiring Authority has come to an agreement on compensation with the interest holders, the Smith Family, Bloor Homes and Galliford Try Partnerships Limited, but they are only prepared to release the land required for the Scheme when planning consent has been secured for the residential development contemplated on their broader land holding. The Acquiring Authority expects the agreement to exchange prior to confirmation of the Order but there is no certainty as to whether the interest holders will secure the planning consent required.

##### Sheridan – Plot 5a

- 8.18. The Acquiring Authority has sought to contact the freeholder, David Sheridan, but has not received a response.

##### Harrison – Plot 7

- 8.19. The Acquiring Authority is currently in negotiation with the freeholders, Glenys Letitia Harrison and Peter Harrison, and active discussions are taking place to reach an

agreement prior to confirmation of the Order.

Torus Homes - Plot 8

- 8.20. The Acquiring Authority is currently in negotiation with the freeholder, Torus Homes, and active discussions are taking place to reach an agreement prior to confirmation of the Order.

Mid Cheshire Hospitals NHS Foundation Trust – Plot 14

- 8.21. The Acquiring Authority is currently in negotiation with the freeholder, Mid Cheshire Hospitals NHS Foundation Trust, and active discussions are taking place to reach an agreement prior to confirmation of the Order.

C E Cooke and Son Limited – Plot 30

- 8.22. Following a period of negotiation with the freehold owner, C E Cooke and Son Limited, an agreement on compensation has been reached. The Acquiring Authority expects legal completion prior to confirmation of the Order.

Vernon - Plot 32

- 8.23. The Acquiring Authority is currently in negotiation with the freehold owners, Michael William Vernon and Vera Rosemarie Vernon, and active discussions are taking place to attempt to reach an agreement prior to confirmation of the Order.

**Conclusions**

- 8.24. As set out within this Section 8, the Acquiring Authority considers it has demonstrated that there is a compelling case in the public interest whereby the public benefit will outweigh any private loss. Interference with rights under the European Convention on Human Rights (as further set out in Section 10) is considered to be justified, in order to secure the benefits that The Scheme will bring.
- 8.25. It is, therefore, considered that the use of compulsory purchase powers is both necessary and proportionate, and that there is a compelling case in the public interest for the making and confirmation of the Order. It is considered that the Order does not constitute any unlawful interference with individual property rights. The compulsory purchase process enables objections to be submitted and a Local Public Inquiry to be held to consider those objections.
- 8.26. The parties directly affected by the Order will be entitled to compensation in accordance with the Compensation Code, which is the collective term used for the principles set out in the Land Compensation Act 1961, the Compulsory Purchase Act 1965, the Land Compensation Act 1973, the Planning & Compulsory Purchase Act 1991 and the Planning & Compulsory Purchase Act 2004. This is supplemented by case law relating to compensation for compulsory acquisition, and the recent provisions relating to compulsory purchase contained in the Housing and Planning Act 2016 and the Neighbourhood Planning Act 2017.

- 8.27. All of the Order Land is required in order to deliver the Scheme, and there is no certainty that the necessary land and interests can be assembled by agreement within a reasonable period or, where such interests have already been acquired, there is no certainty as to the existence of third party rights that could threaten delivery of the Scheme. As such, the Order is necessary to deliver The Scheme, although efforts to acquire all interests by negotiation will continue in parallel, both up to the making and confirmation of the Order, and also post-confirmation, prior to its implementation.

## **9. FINANCE OF THE SCHEME AND TIMESCALES FOR IMPLEMENTATION**

- 9.1 Paragraph 14 of the Guidance sets out the elements that will be considered by the Secretary of State when confirming an Order, and requires that evidence is provided as to the sources and timing of funding.
- 9.2 The total estimated cost of the Scheme is £36.5 million, which will be met from a combination of central government funding, reinvestment of capital receipts from sale of Council land, the potential for contributions from developers pursuant to Section 106 planning obligations and Council contributions. The Acquiring Authority will forward fund the full cost of the Scheme.
- 9.3 A Land Cost Estimate was commissioned from Sanderson Weatherall, with the total estimated value for the acquisition of land and property being assessed at £1.01M, based on current market conditions.
- 9.4 The Acquiring Authority has given proper consideration to potential blight claims being received by affected owners and occupiers. It was identified that the primary exposure would be derived from new roundabouts connecting the Scheme to the local highway network. The new carriageways (e.g. Fairfield Link, Realigned Flowers Lane and Primary Hospital Link Road) were not considered to sufficiently impair any dwellings to trigger blight. There were early concerns surrounding the dwellings located adjacent to the original location of the Minshull New Road Roundabout. The location of this roundabout was subsequently moved to the south west away from the dwellings into Council owned land to reduce its impact. The location of the Fairfield Roundabout has also been moved to the south east (as opposed to the location set-out in the Fairfield planning application), away from Leighton Lodge, to reduce its impact. Based on the information currently available, it is considered unlikely that any claims received would meet the minimum criteria set out within the statutory provisions.

### **Public Sector Funding**

#### Housing Infrastructure Fund (HIF)

- 9.5 On 1 February 2018, the Secretary of State for Housing, Communities and Local Government announced an 'in principle' contribution of £10.0 million to the Scheme from the Housing Infrastructure Fund (Marginal Viability Fund Programme).
- 9.6 The Marginal Viability Fund Programme has been set up to enable the delivery of homes where the cost of infrastructure required to facilitate house building is too great. For these types of development, HIF funding will contribute to the final, or missing, piece of infrastructure funding to get additional sites allocated or existing sites unblocked quickly. In this case, the Scheme will unlock land at Leighton and Leighton West in the north west of Crewe for the provision of homes. The funding must be spent by 31 March 2022.

National Productivity Investment Fund (NPIF)

- 9.7 On 19 October 2017, Ministers at Department for Transport announced a contribution to the Scheme of £5.0 million to the Scheme from the National Productivity Investment Fund.
- 9.8 The National Productivity Fund aims to ease congestion and provide upgrades on important national, regional or local routes to help unlock economic and job opportunities or enable the delivery of vital new housing developments. Funding was paid as grant under Section 31 of the Local Government Act 2003. The Funding was spent on Scheme development up to 31 March 2020.

Council Funding

- 9.9 The Scheme is fully funded as set out in the Acquiring Authority's Medium-Term Financial Strategy (Appendix 17) as approved by Cabinet on 4 February 2020 (Appendix 17) and is included in the 2020/24 Approved Capital Programme with a budget of £36.5m.
- 9.10 The Acquiring Authority intends to proceed with the delivery of the Scheme in early 2021, with an estimated 24-month construction period and completion during Spring 2023.

**Conclusion**

- 9.11 As set out above, the Acquiring Authority considers it has demonstrated the sources and timing of funding to deliver the Scheme.
- 9.12 Public Sector Funding for the Scheme has been secured from the Housing Infrastructure Fund and the National Productivity Infrastructure Funding, subject to compliance with conditions.
- 9.13 The Acquiring Authority has set out a funding strategy that has been endorsed by Cabinet Board on 5 December 2017 (Appendix 6) to forward fund the entire cost of the delivery of the Scheme. The Cabinet Board of [5 May 2020] (Appendix 5) [has] also endorsed powers for securing the land and interests required for the Scheme using compulsory purchase powers pursuant to the Order, where necessary as a matter of last resort.



## 10 HUMAN RIGHTS

- 10.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("the Convention"). The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.
- 10.2 The following articles of the Convention are relevant to the determination as to whether the Order should be confirmed:
- 10.2.1 Article 1 of the First Protocol protects the right of everyone to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest and subject to the relevant national and international laws. Any interference with possessions must be proportionate and, in determining whether a particular measure is proportionate, a fair balance must be struck between the public benefit sought and the interference with the rights in question;
  - 10.2.2 Article 6 entitles those affected by the powers sought in the Order to a fair and public hearing by an independent and impartial tribunal;
  - 10.2.3 Article 8 protects the right of the individual to respect for his private and family life, his home and his correspondence. A public authority cannot interfere with these interests unless such interference is in accordance with the law and is necessary in the interests of, inter alia, national security, public safety or the economic wellbeing of the country.
- 10.3 The Order has the potential to infringe the human rights of persons who own property in the Order Land. Such infringement is authorised by law provided:
- 10.3.1 the statutory procedures for obtaining the Order are followed and there is a compelling case in the public interest for the Order; and
  - 10.3.2 any intervention with the Convention right is proportionate to the legitimate aim served.
- 10.4 The Scheme has been designed to minimise interference with the peaceful enjoyment of a person's possessions under Article 1 of the First Protocol of the Human Rights Act. Under this Article, no person is to be deprived of their possessions, except in the public interest. Any interference with the right has to be provided for by law and strike a fair balance between the public interest and the protection of the rights of the individual. The public benefits associated with the Scheme are set out earlier in this Statement (Section 8) and the Acquiring Authority believes that the Scheme is in the public interest, and that this outweighs the harm caused by the use of compulsory purchase powers to acquire third party land for The Scheme.
- 10.5 In promoting the Order, the Acquiring Authority has complied with all relevant legislation and regulations. The Scheme has been extensively publicised (as detailed within the Statement of Community Involvement dated December 2018 (Appendix 16) and consultation has taken place with the communities and parties that will be affected by the Order. All those affected by the Order will be notified, will

have the right to make representations and/or objections to the Secretary of State, and to be heard at a Local Public Inquiry. It has been held that the statutory processes and associated right for those affected to pursue remedies in the High Court where relevant, are compliant with Article 6.

- 10.6 The Acquiring Authority considers that such interferences with Article 8, as may occur should the Order be confirmed, are in accordance with the law and are necessary in a democratic society in that they would be in pursuit of a legitimate aim, namely the economic well-being of the country and/or the protection of the rights and freedoms of others, and are proportionate, having regard to the public interest that the Scheme will bring, which will benefit the well-being of the area.
- 10.7 Although there is no obligation on the Acquiring Authority to establish that there are no less intrusive means available, the Order Land has been kept to the minimum necessary to construct the road and provide the associated mitigation measures.
- 10.8 Those directly affected by the Order will also be entitled to compensation, which will be payable in accordance with the Compulsory Purchase Compensation Code. This will be assessed on the basis of the market value of the property interest acquired, disturbance and statutory loss payment. The reasonable surveying and legal fees incurred by those affected will also be paid by the Acquiring Authority. The Compulsory Purchase Code has been held to be compliant with Articles 8 and Article 1 of the First Protocol.
- 10.9 The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole”. Both public and private interests are to be taken into account in the exercise of the Acquiring Authority’s powers and duties. Similarly, any interference with Article 8 rights must be “necessary in a democratic society”, i.e. proportionate.
- 10.10 The public interest can only be safeguarded by the acquisition of this land and such acquisition would not place a disproportionate burden on the affected landowners. In addition, the Scheme already has the benefit of planning permission, the grant of which involved the weighing of all material planning considerations, including the public benefit of pursuing The Scheme against any disruption and interference that would be caused to individual rights.
- 10.11 In pursuing this Order, the Acquiring Authority has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the Scheme construction. Interference with Convention rights is considered by the Acquiring Authority to be justified in order to secure the economic regeneration, environmental and public benefits which the Scheme will bring.

## **11. SIDE ROADS ORDERS**

- 11.1 The Acquiring Authority has also made the Side Roads Orders ("SROs") (Appendix 1) under Sections 14 and 125 of Highways Act 1980 and, if confirmed, they will enable the Acquiring Authority to carry out alterations to highways affected by the Scheme, which the Order is made pursuant to.
- 11.2 The SROs will authorise the stopping-up, diversion and creation of new lengths of highway or reclassification of existing highways, together with stopping up and/or amendments to private means of access, and re-provision of private means of access.
- 11.3 The impact of the Scheme will result mainly in the amendment of private access to premises and the provision of new means of access to premises, together with some small areas of stopping up where existing highway crosses the plain of new highway to be constructed. All beneficiaries of any stopped up private means of access will be provided with a reasonably convenient and commodious alternative means of access, unless there is no need for an alternative access to be provided.
- 11.4 The full title of the SROs published under the Highways Act 1980 are:
- 11.4.1 The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020;
  - 11.4.2 The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020; and
  - 11.4.3 [The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Road) Order 2020] [The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020].
- 11.5 A copy of the respective SRO plans are appended hereto (Appendix 1), which show the extent to which it is necessary to carry out works to existing highways, stopping up of existing highways, stopping up of private means of access, and the provision of new private means of access to properties that are likely to be affected by the Scheme.

### **The Need for the Side Roads Orders**

- 11.6 The SROs will, subject to confirmation of the Secretary of State, empower the Acquiring Authority to construct new lengths of classified road, carry out junction improvements with existing classified roads, generally improve the highway, and stop up existing private means of access affected by the Scheme, together with creating new private means of access because of the main Scheme works.

### **The Need for Side Roads Alterations**

- 11.7 The proposed alterations to existing highways and private means of access that would be affected by the Scheme are detailed in the Schedule attached to the SROs and shown diagrammatically on the Side Roads Order Plans (Appendix 1).

- 11.8 The Scheme will require alteration and stopping up of existing lengths of highway where they are crossed by the new classified road and will also require alterations to accommodate junction improvements and the replacement of private means of access. The SROs implements these alterations, as well as giving authority to the Order.
- 11.9 The SROs and the necessary changes to the highways affected by the SROs are an integral part of the proposed construction of the Scheme, which is designed to relieve traffic congestion, improve connectivity in north west Crewe and to unlock sites allocated for housing and employment uses under the Local Plan.

#### **Alternate Side Roads Order**

- 11.10 There is a proposal approved under planning decision reference 16/2373N to build 400 dwellings at the Fairfield site. As part of this planning decision, there is an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended), which requires that works to the existing highway in the form of the creation of a roundabout (“the Fairfield Roundabout”) will be implemented pursuant to an agreement under Section 278 of the Highways Act 1980 . These works are only necessary if the landowner, Torus Homes Ltd, implements the planning permission.
- 11.11 The line of the roundabout is not in the same location as the Fairfield Roundabout proposed by the Scheme and so it is the case that only one of the two roundabouts can physically be implemented.
- 11.12 There are alternative provisions for SROs dependent on whether the Fairfield Roundabout is delivered as part of a consented development on land owned by Torus Homes (“the Torus Development”) or the as part of the Scheme, and also dependent on whether the Fairfield Roundabout is delivered by the Acquiring Authority or by Torus Homes.
- 11.13 If the Fairfield Roundabout is delivered along the alignment as permitted as part of the planning permission for the Scheme, The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020 and The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 will be required and will authorise the Order.
- 11.14 If the Fairfield Roundabout is delivered by the Acquiring Authority along the alignment provided for as part of the Torus Development, The Cheshire East Council (A530 Middlewich Road Classified Road) (Side Roads) Order 2020, The Cheshire East Council (B5076 Flowers Lane Classified Road) (Side Roads) Order 2020 and the additional Side Roads Order referred to as The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020 will be required and will authorise the Order.
- 11.15 If the Fairfield Roundabout is delivered along the alignment of the Torus Development but by Torus Homes, neither The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 nor The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield

Roundabout B) (Side Roads) Order 2020 would be required. There may be a need for minor amendments to the Scheme's planning permission and a Section 73 variation plus Section 38/278 highways agreement, and these will be dealt with separately.

- 11.16 The alternate provision is being provided for as, at this time, it is not known which roundabout will come forward first. The Order Map provides for the widest area of Order Land in this location that may be necessary and will be finalised prior to the Order being confirmed, with modification as required to minimise the land take so as to only compulsorily purchase as much land as is required, in compliance with the Guidance.
- 11.17 Given that this matter is currently outside of the Acquiring Authority's immediate control, the Acquiring Authority is accounting for both situations at this stage but reserves the right to withdraw either or both of The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout A) (Side Roads) Order 2020 and The Cheshire East Council (B5076 Flowers Lane Classified Road Fairfield Roundabout B) (Side Roads) Order 2020, should they be found unnecessary.

## **12. RELATED ORDERS AND SPECIAL CATEGORY LAND**

### **Traffic Regulation Orders**

- 12.1 Traffic Regulation Orders will be required to amend existing, speed limits, and to prohibit or restrict turning movements at the junctions of Smithy Lane. These will be made prior to construction of the works within the area that the specific order resides and are not considered an impediment to the delivery of the Scheme. The Orders will be as follows:
- 12.1.1 No exit allowed for vehicles except ambulances and access from Leighton Hospital onto the existing stopped up Smithy Lane west of hospital A&E entrance. Left turn only on exit of old Smithy Lane alignment onto A530. No right turn from A530 onto old Smithy Lane alignment; and
  - 12.1.2 A New speed limit on the A530/Middlewich Rd. between the two proposed roundabouts south of the hospital.

### **Land Drainage Consent**

- 12.2 The consent of the Land Drainage Authority under the Land Drainage Act 1991 will be required for the discharge of drainage into identified waters. For this the Council will apply and obtain the relevant permits. Consequently, the Council and its advisers have been in constant consultation with the Land Drainage Authority during the design of the works to date and the Land Drainage Authority's comments and views have been considered in the design process to date.

### **Ecology Licence**

- 12.3 The Scheme has been identified as having adverse effects on bats and badgers. The Scheme would also result in the loss of trees with high potential to be used by roosting bats, and the loss of trees with moderate potential to be used by roosting bats. The construction of the Scheme would also result in the loss of significant areas of potential foraging and commuting habitat including hedgerows and woodland. The Scheme loss of one main sett and three outlier setts. There would also be potential for disturbance because of construction activities.
- 12.4 As a consequence of these adverse effects to bats and badgers, the Acquiring Authority will be applying to Natural England for licences in order to interfere with bats and badgers under Regulation 53(2)(e) of the Conservation of Habitats and Species Regulations 2010 (as amended), Section 16(3)(f) of the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.
- 12.5 The Conservation of Habitats and Species Regulations 2010 (as amended) ("the Habitats Regulations"), fully protect the bats and badgers and their breeding sites and resting places, making it an offence to deliberately kill, injure or capture (take) them; to deliberately disturb; damage or destroy breeding sites or resting places; possess or transport any of these species or any part of them; sell (or offer for sale) or exchange any of these species or parts of them.



- 12.6 The Council is aware that the impacts associated with the Scheme will make it necessary to apply for and obtain a European Protected Species Licence (EPSL) for bats and badgers from Natural England under Regulation 53(2)(e) of the Habitats Regulations for the Scheme to be constructed.
- 12.7 Consequently, initial consultation with Natural England (NE) was sought as part of a pre-submission screening exercise through the Discretionary Advice Service (DAS) that NE offers. Furthermore, consultation with CEC Ecologists and the Cheshire Wildlife Trust (CWT) has informed the development of the outline bat and badger mitigation strategies across the Scheme as presented in the Environmental Statement. This will be developed as part of the final EPSL submission for agreement by NE.

### **Special Category Land**

- 12.8 The Order Land does not contain land that is special category land within the meaning of the Acquisition of Land Act 1981 (open space, common land, allotments or field gardens), land held inalienably by the National Trust, consecrated land or ecclesiastical land, land in a general improvement area or land in a housing action area.

### **Statutory Undertakers' Land**

- 12.9 The Order Land includes land which has been acquired by statutory undertakers for the purposes of their undertaking. In accordance with Section 16 of the Acquisition of Land Act 1981, any acquisition of such special category land could result in a separate and additional power in favour of statutory undertakers to make representations to their Minister and, until such an objection is withdrawn, no Order can be confirmed. Section 16(2) allows the confirmation of an Order notwithstanding the presence of an extant objection if the Secretary of State for Business, Energy and Industrial Strategy is satisfied that the land in question can either be purchased without serious detriment to the carrying on of the undertaking, or that replacement land can be given.
- 12.10 Utility companies with utility assets likely to be affected by the Scheme have been identified and consulted on the Scheme proposals. Under the New Roads and Street Works Act 1991, utility companies were consulted at several stages in the development of the scheme. The responses from the utility companies at the various stages of project development are detailed in Appendix 18.
- 12.11 A list of the utility assets currently affected by the Scheme and subject to diversion or reinforcement works are detailed in Table 2 below:

Table 2 – Utility Diversions

Scheme Location	Utility owner	Description of works required
<b>Smithy Lane /A530 Roundabout</b>	United Utilities	Divert 4" main to new alignment
	SP Energy	Scheme 8 Divert 33kv and supply 132kv fibre duct for site to lay
	SP Energy	Scheme 8 Divert LV overheads to underground
<b>Minshall New Road Roundabout</b>	United Utilities	Divert and abandon old main 4"
	SP Energy	Scheme 5 Local diversion of 11KV overheads
	BT Openreach	Demolish boxes, new boxes, ducting and cable diversion
<b>Smithy Lane/Flowers Lane Roundabout</b>	United Utilities	Diversion of 90mm to new road alignment (replacing with 225 at United Utilities cost)
	SP Energy	Scheme 9 LV - move and relocate overhead pole
	BT Openreach	New pole and Overheads
<b>Hospital Roundabout</b>	United Utilities	Inc in Smithy Lane East Quote
	SP Energy	Scheme 7 - divert 6No 33kv and 4No 11kv underground cables
<b>Spine Road</b>	SP Energy	Scheme 6a - Temp divert of overhead cables 33KV South
	SP Energy	Scheme 6b - Temp divert of overhead cables 33KV North
<b>Smithy Road East</b>	United Utilities	Divert and lower 12" main through crossing point and in front of hospital entrance
	SP Energy	Scheme 9 - Divert 11KV cable in Smith Field
	SP Energy	Scheme 9 - Divert 6No 33kv and 4No 11kv cables under new road crossing of Smithy Lane
	BT Openreach	Lower Clay ducts
	Cadent	Lower 315mm MP gas Main
<b>Leighton Hall</b>	United Utilities	Main and local feed diversions

<b>Roundabout</b>		
	SP Energy	Scheme 2 Divert 33kv and supply 132kv fibre duct for site to lay
	BT Openreach	Remove poles and duct under new road alignment
<b>East/west Link</b>	SP Energy	Temporary diversion of 2No 33KV Overheads under new road alignment
<b>Middlewich Road North (flowers Lane /A530)</b>	United Utilities	Divert and lower existing Main 4"
	SP Energy	Scheme 11 - Divert 11KV underground cable
	SP Energy	Scheme 2 Divert 33kv and supply 132kv fibre duct for site to lay
	BT Openreach	Remove overheads, duct and divert cables

#### Crown / Duchy Land

- 12.12 A letter was sent on 21 March 2019 to Fisher German LLP (Appendix 19), who act as the Duchy's Land Agent, to confirm whether the Crown / Duchy had any legal interests within the area identified on the plan provided, particularly in relation to subsoils, and mines and minerals. The letter requested a response to be provided within 4 weeks of receipt, and if no response was received then the Acquiring Authority would proceed on the basis that the Crown / Duchy does not have any legal interest in any part of the Scheme.
- 12.13 This initial letter was followed up with emails to representatives at Fisher German LLP on 08 May 2019 and 20 May 2019 (Appendix 19), stating that as no response was received the Acquiring Authority would progress on the basis that the Crown / Duchy does not have any interest within the Scheme.

### **13. INSPECTION OF DOCUMENTS AND CONTACT DETAILS**

- 13.1 The following documents are available for public inspection during normal office hours at:

Cheshire East Council  
Municipal Buildings  
Earle Street  
Crewe  
Cheshire  
CW1 2BJ

- 13.2 The documents are:

- 13.2.1 the Order and Order Schedule;
- 13.2.2 the Order Map;
- 13.2.3 the Side Roads Orders; and
- 13.2.4 this Statement of Reasons.

- 13.3 The documents can also be viewed on the Acquiring Authority's website at <http://www.cheshireeast.gov.uk/nwcp>

- 13.4 Interested parties affected by the Order and / or the SROs who wish to discuss matters with the Acquiring Authority should contact the NWCP project team, by one of the following means:

- 13.4.1 by e-mail to [nwcp@cheshireeast.gov.uk](mailto:nwcp@cheshireeast.gov.uk)
- 13.4.2 by post to Cheshire East Council, 7<sup>th</sup> Floor, Delamere House, c/o Municipal Building, Earle Street, Crewe, Cheshire, CW1 2BJ marked for the attention of North West Crewe Project Team

- 13.5 Owners and occupiers of properties affected by the Order who wish to progress discussions for the acquisition of their interest should contact John Goodchild MRICS, Sanderson Weatherall on 0161 259 7023 or via email at [john.goodchild@sw.co.uk](mailto:john.goodchild@sw.co.uk)

**14. APPENDICIES**

APPENDIX 1	SIDE ROAD ORDERS
APPENDIX 2	ORDER
APPENDIX 3	ORDER MAP
APPENDIX 4	SCHEME PLAN
APPENDIX 5	MAY 2020 CABINET REPORT AND MINUTE
APPENDIX 6	DECEMBER 2017 CABINET REPORT AND MINUTE
APPENDIX 7	PLANNING PERMISSION FOR SCHEME
APPENDIX 8	PLANNING REPORT TO COMMITTEE
APPENDIX 9	INFRASTRUCTURE DELIVERY PLAN
APPENDIX 10	BENTLEY MOTORS DEVELOPMENT FRAMEWORK AND MASTERPLAN
APPENDIX 11	CREWE MASTERPLAN
APPENDIX 12	THE CONSTELLATION PARTNERSHIP HS2 GROWTH STRATEGY
APPENDIX 13	LOCAL PLAN POLICIES LPS4 AND LPS5
APPENDIX 14	TRANSPORT ASSESSMENT
APPENDIX 15	PLAN OF NETWORK
APPENDIX 16	STATEMENT OF COMMUNITY INVOLVEMENT
APPENDIX 17	MEDIUM TERM FINANCIAL STRATEGY
APPENDIX 18	CORRESPONDENCE WITH UTILITY PROVIDERS
APPENDIX 19	LETTERS AND EMAILS WITH FISHER GERMAN

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**SCHEDULE 1****THE AUTHORISED WORKS - SITE PLAN 1****LENGTHS OF HIGHWAYS TO BE IMPROVED**

1. The classified road known as A530 Middlewich Road
2. The classified road known as Minshull New Road
3. The classified road known as Smithy Lane

**LENGTHS OF HIGHWAYS TO BE STOPPED UP****PARTICULARS OF NEW HIGHWAYS**

	<b><u>Reference number of New Highway on Site Plan 1</u></b>	<b><u>Highway Authority</u></b>	<b><u>Classificati on of Highway</u></b>
Smithy Lane to be stopped up from its junctions with Flowers Lane (B5076) to its junction with Minshull New Road for a distance of 714 metres and numbered 1/S1 on the deposited plan.	1/A	Cheshire East Council	Footpath / Cycletrack / Bridalway
	1/B		Footpath / Cycletrack / Bridalway
-	1/C	Cheshire East Council	Classified
Part of footpath Leighton FP6 197 metres in a easterly direction from its junction with footpath Crewe FP20 for a distance of 37 metres and numbered 1/S3 on the deposited plan.	-	-	-
Part of footpath Crewe FP20 100 metres in a southern direction from its junction with footpath Leighton FP6 for a distance of 266 metres and numbered 1/S4 on the deposited plan.	-	-	-
Part of Minshull Road to be stopped up 64 metres north west of the property known as Leighton Primary School & Nursery for a distance of 18 metres and numbered 1/S2 on the deposited plan.	1/D	Cheshire East Council	Classified
	1/E	Cheshire East Council	Classified
Part of Minshull Road to be stopped up from its junctions with Timbrell Ave for a distance of 106 metres and numbered 1/S5 on the	1/F	Cheshire East Council	Footpath

deposited plan.			
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<b><u>PRIVATE MEANS OF ACCESS TO BE STOPPED UP</u></b>	<b><u>REFERENCE NUMBER OF NEW PRIVATE MEANS OF ACCESS</u></b>
Part of the vehicular Private Means of Access leading from its junction with the existing Middlewich Road (A530) which provides access to Leighton Hall Farm in an easterly direction for a distance of 11 metres and numbered 1/1 on the deposited plan.	1/1a
-	1/2a
-	1/3a
-	1/4a
-	1/5a
-	1/6a
Part of the vehicular Private Means of Access leading from a point 78 metres south east of its junction with Smithy Lane which provides access to Mile House and adjoining fields in a south easterly direction for a distance of 24 metres and numbered 1/2 on the deposited plan.	1/7a
	1/8a
-	1/9a
-	1/10a

## SCHEDULE 2

## THE AUTHORISED WORKS - SITE PLAN 2

**LENGTHS OF HIGHWAYS TO BE IMPROVED**

1. The Classified road known as Flowers Lane (B5076)

**LENGTHS OF HIGHWAYS TO BE STOPPED UP****PARTICULARS OF NEW HIGHWAYS**

	<b><u>Reference number of New Highway on Site Plan 2</u></b>	<b><u>Highway Authority</u></b>	<b><u>Classificati on of Highway</u></b>
-	-	-	-

<b><u>PRIVATE MEANS OF ACCESS TO BE STOPPED UP</u></b>	<b><u>REFERENCE NUMBER OF NEW PRIVATE MEANS OF ACCESS</u></b>
Part of the vehicular Private Means of Access leading from its junction with Flowers Lane which provides access to Leighton Lodge in a north easterly direction for a distance of 11 metres and numbered 2/1/ on the deposited plan.	2/1a

**SCHEDULE 3****THE AUTHORISED WORKS - SITE PLAN 3****LENGTHS OF HIGHWAYS TO BE IMPROVED**

1. The Classified road known as Flowers Lane (B5076)

**LENGTHS OF HIGHWAYS TO BE STOPPED UP****PARTICULARS OF NEW HIGHWAYS**

	<b><u>Reference number of New Highway on Site Plan 3</u></b>	<b><u>Highway Authority</u></b>	<b><u>Classificati on of Highway</u></b>
-	-	-	-

<b><u>PRIVATE MEANS OF ACCESS TO BE STOPPED UP</u></b>	<b><u>REFERENCE NUMBER OF NEW PRIVATE MEANS OF ACCESS</u></b>
Part of the vehicular Private Means of Access leading from its junction with Flowers Lane which provides access to Leighton Lodge in a north easterly direction for a distance of 11 metres and numbered 3/1 on the deposited plan.	3/1a

**SCHEDULE 4****THE AUTHORISED WORKS - SITE PLAN 4****LENGTHS OF HIGHWAYS TO BE IMPROVED**

1. The Classified road known as A530 Middlewich Road
2. The Classified road known as Flowers Lane (B5076)

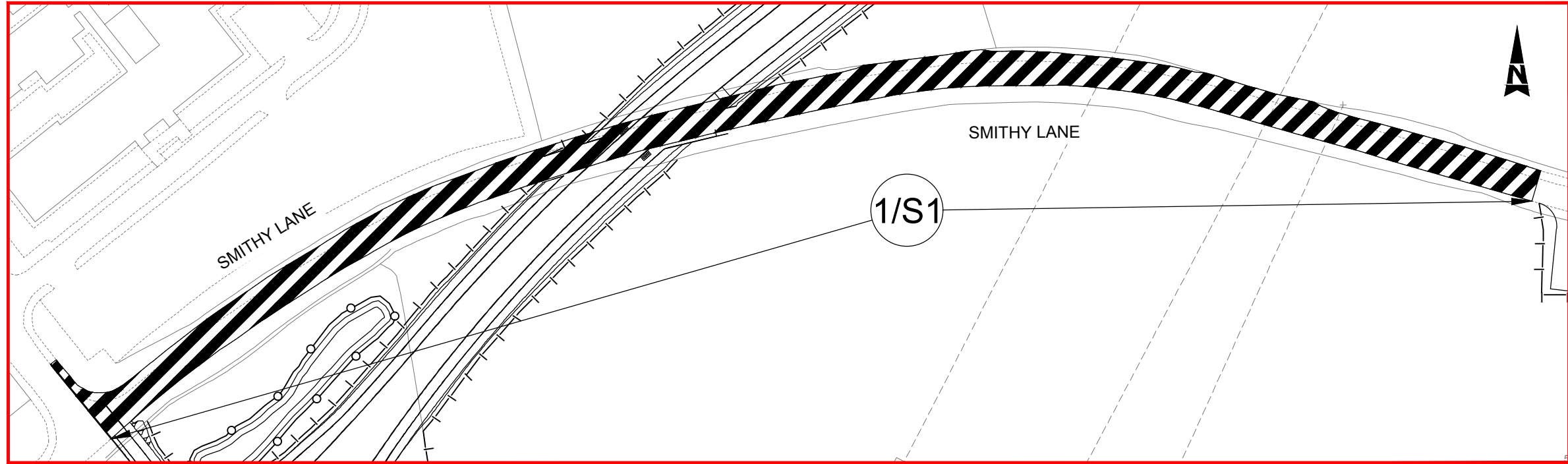
**LENGTHS OF HIGHWAYS TO BE STOPPED UP****PARTICULARS OF NEW HIGHWAYS**

	<b><u>Reference number of New Highway on Site Plan 4</u></b>	<b><u>Highway Authority</u></b>	<b><u>Classificati on of Highway</u></b>
Part of Flowers Lane (B5076) to be stopped up 208 meters from the School House for a distance of 167 metres and numbered 4/S1 on the deposited plan.	4/A	Cheshire East Council	Footpath / Cycletrack / Bridalway

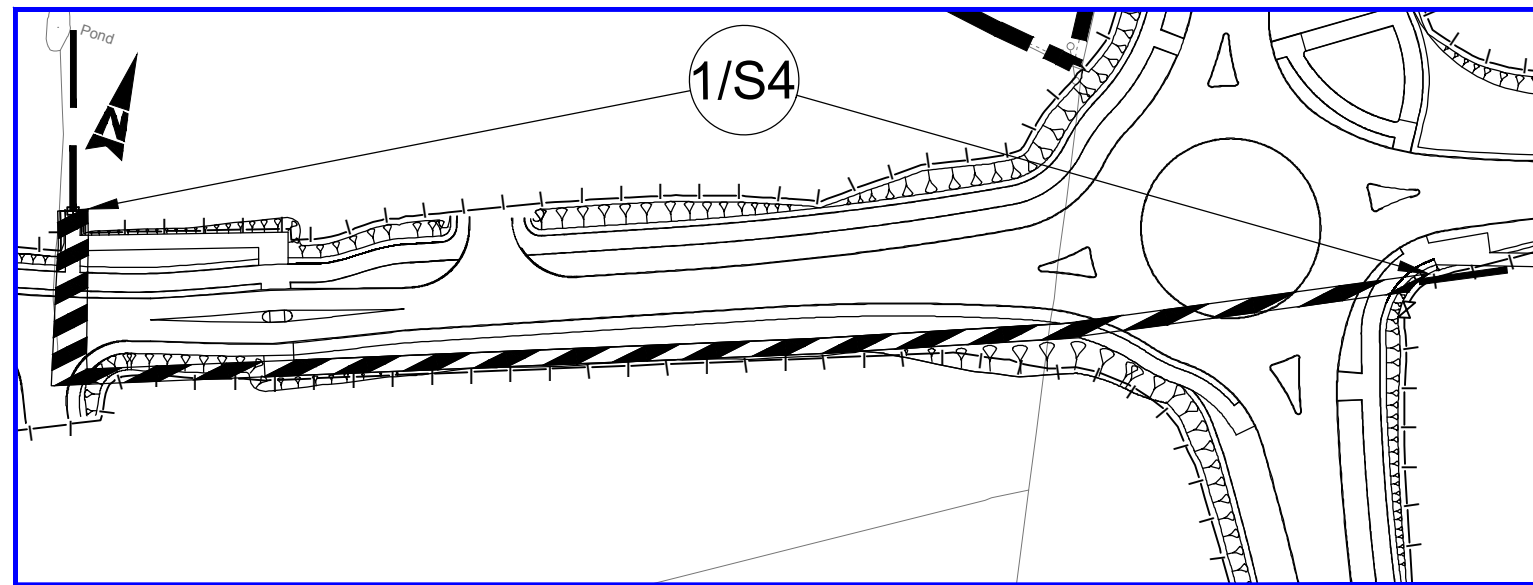
<b><u>PRIVATE MEANS OF ACCESS TO BE STOPPED UP</u></b>	<b><u>REFERENCE NUMBER OF NEW PRIVATE MEANS OF ACCESS</u></b>
-	4/1a
-	4/2a
-	4/3a
-	4/4a

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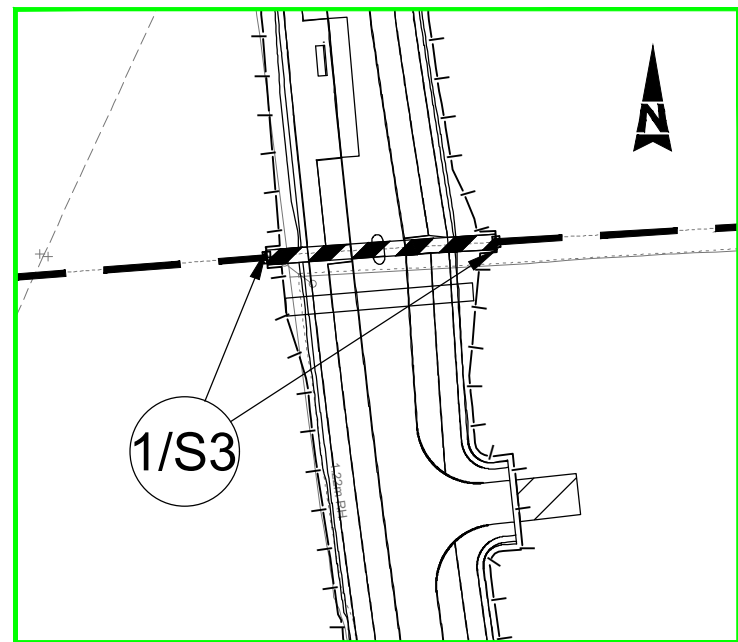




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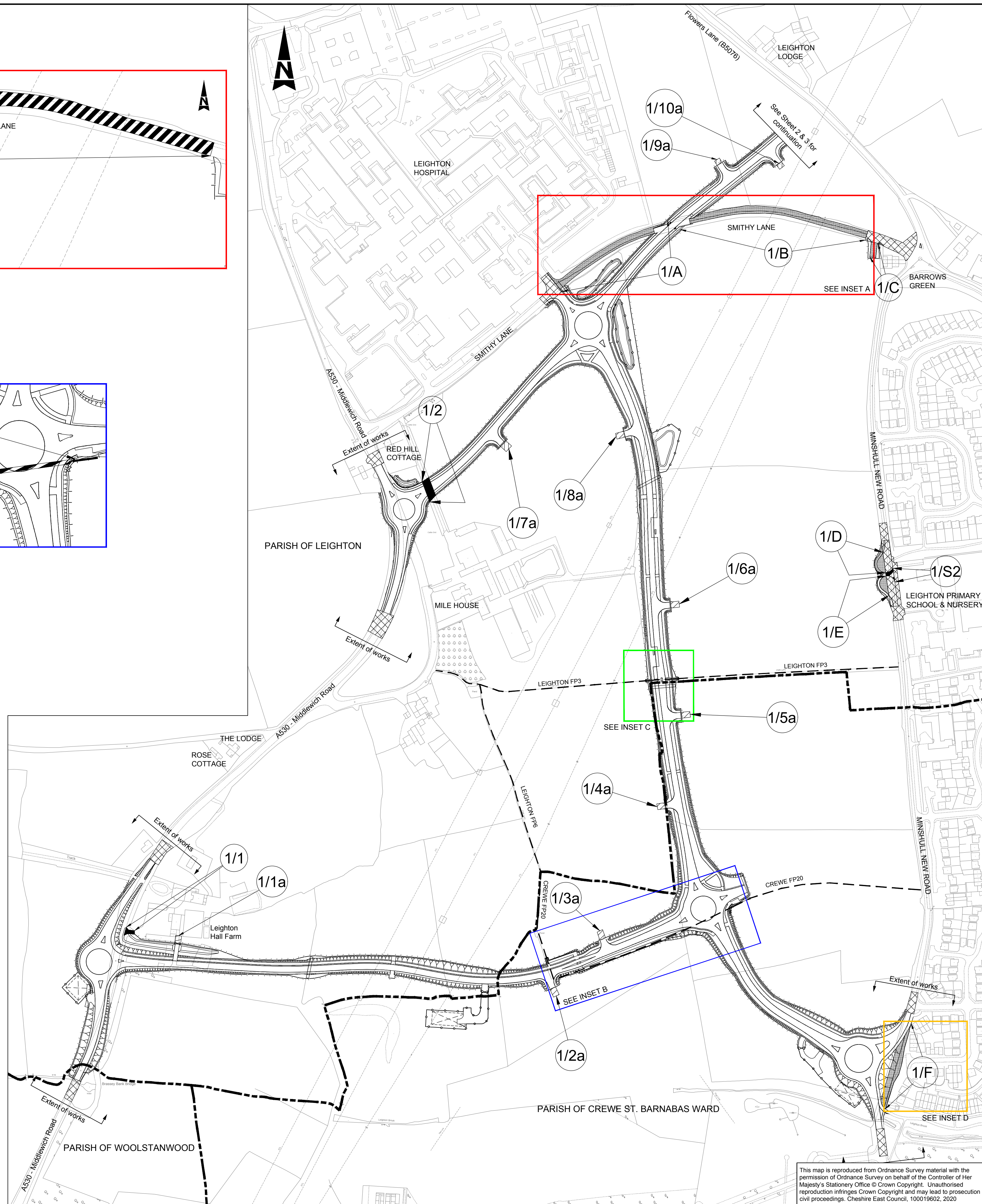
INSET B - 1:1250



INSET C - 1:1250



INSET D - 1:1250

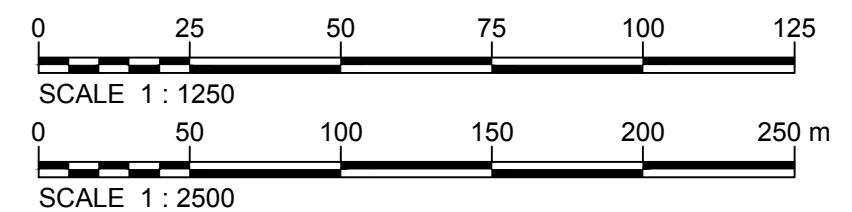


#### Notes

- Order under sections 8, 14 & 125 of the Highway Act 1980.
- This plan does not show widths or construction details.

#### Legend

- New Highway
- Highway to be improved
- Highway to be stopped up
- New private means of access
- Private means of access to be stopped up
- Classified road boundary
- Side road boundary
- Parish boundary
- Public rights of way (labelled)
- 1/1 Private means of access to be stopped up label
- 1/1a New private means of access reference label
- 1/A New side road reference label
- 1/S1 Highway to be stopped up reference label



The Common Seal for  
CHESHIRE EAST COUNCIL  
was hereunto affixed  
in the presence of

Dated this                      Day of                      202-

Drawing No. BRJ10410-DWG-9994-201 Revision R0



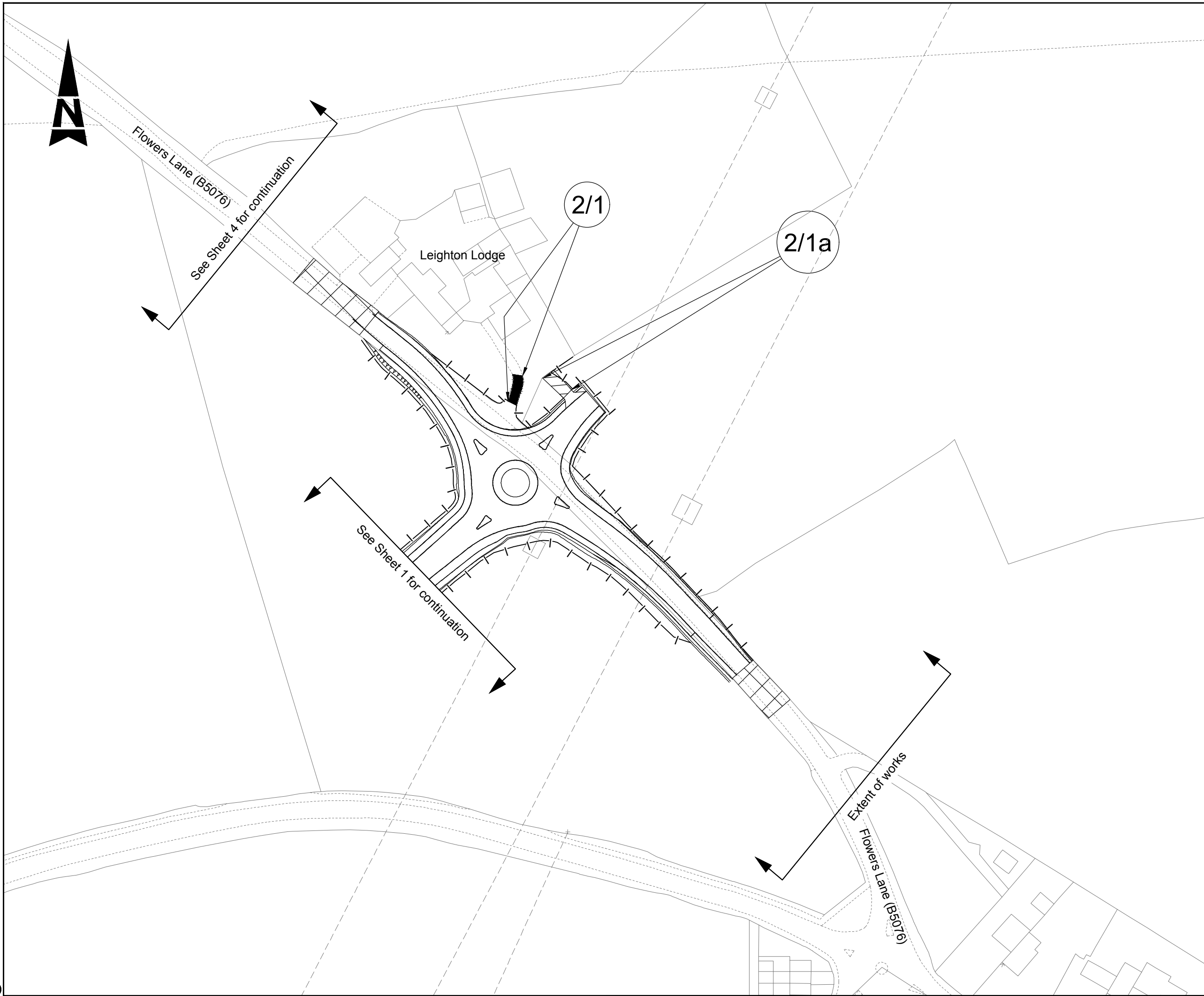
Project  
**THE CHESHIRE EAST COUNCIL  
(A530 MIDDLEWICH ROAD  
(CLASSIFIED ROAD)) (SIDE ROADS)  
ORDER 2020**

Drawing title  
**SIDE ROAD ORDER  
SITE PLAN 1 OF 4**

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Notes

- Order under sections 8, 14 & 125 of the Highway Act 1980.
- This plan does not show widths or construction details.
- Plan drawn to A3 paper size.

Legend

	New Highway
	Highway to be improved
	Highway to be stopped up
	New private means of access
	Private means of access to be stopped up
	Classified road boundary
	Side road boundary
	Parish boundary
	Public rights of way (labelled)
	Private means of access to be stopped up label
	New private means of access reference label
	New side road reference label
	Highway to be stopped up reference label

0 25 50 75 100 125  
SCALE 1 : 1250

0 50 100 150 200 250 m  
SCALE 1 : 2500

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CHESHIRE EAST COUNCIL  
was hereunto affixed  
in the presence of

Dated this                      Day of                      202-

Drawing No.	BRJ104 10-DWG-9994-202	Revision	R0
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Project

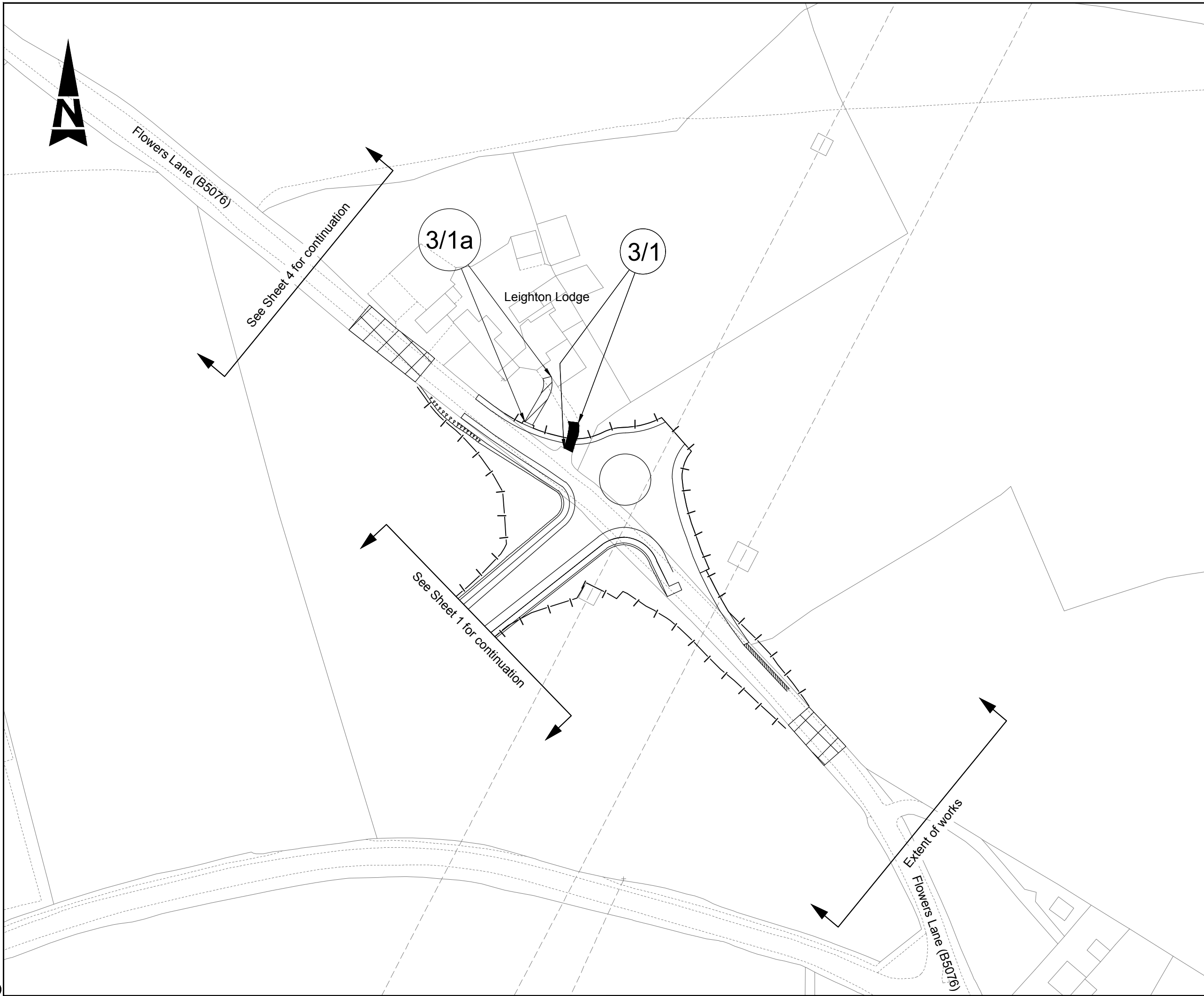
The Cheshire East Council  
(B5076 Flowers Lane Classified Road  
Fairfield Roundabout A) (Side Roads)  
Order 2020

Drawing title

SIDE ROAD ORDER  
SITE PLAN 2 OF 4

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**Notes**

- Order under sections 8, 14 & 125 of the Highway Act 1980.
- This plan does not show widths or construction details.
- Plan drawn to A3 paper size.

**Legend**

	New Highway
	Highway to be improved
	Highway to be stopped up
	New private means of access
	Private means of access to be stopped up
	Classified road boundary
	Side road boundary
	Parish boundary
	Public rights of way (labelled)
	Private means of access to be stopped up label
	New private means of access reference label
	New side road reference label
	Highway to be stopped up reference label

0 25 50 75 100 125  
SCALE 1 : 1250

0 50 100 150 200 250 m  
SCALE 1 : 2500

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CHESHIRE EAST COUNCIL  
was hereunto affixed  
in the presence of

Dated this                      Day of                      202-

Drawing No.	BRJ104 10-DWG-9994-203	Revision	R0
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Project

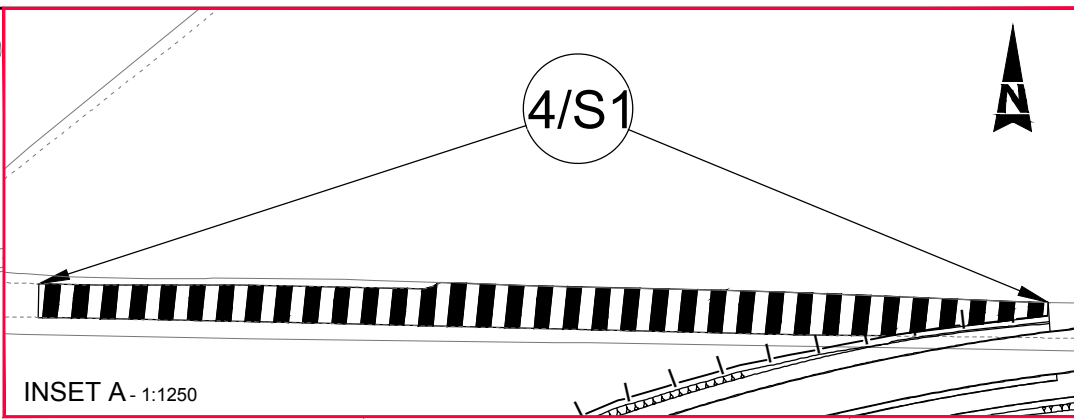
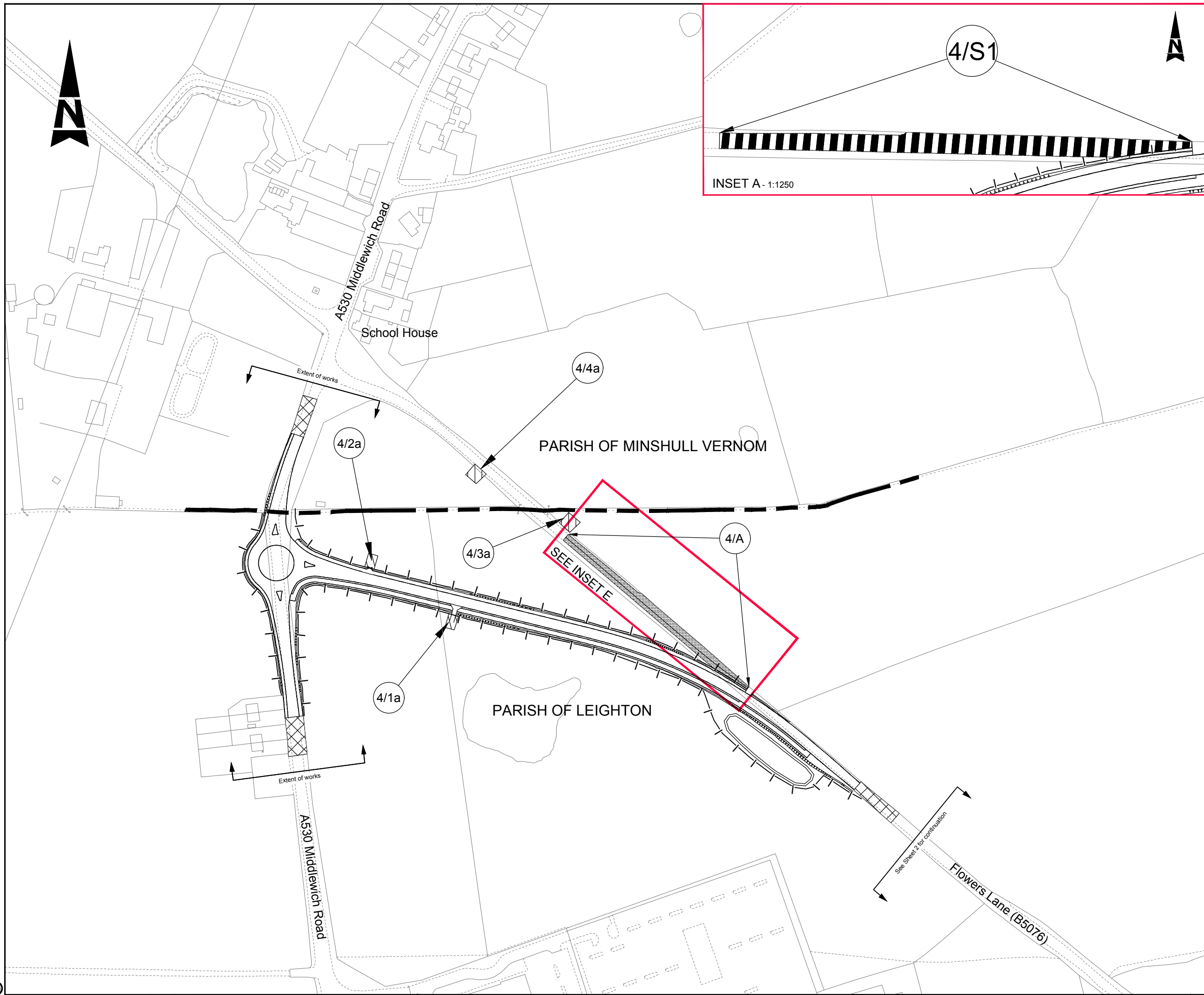
The Cheshire East Council  
(B5076 Flowers Lane Classified Road  
Fairfield Roundabout B) (Side Roads)  
Order 2020

Drawing title

**SIDE ROAD ORDER  
SITE PLAN 3 OF 4**

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**Notes**

- Order under sections 8, 14 & 125 of the Highway Act 1980.
- This plan does not show widths or construction details.
- Plan drawn to A3 paper size.

**Legend**

	New Highway
	Highway to be improved
	Highway to be stopped up
	New private means of access
	Private means of access to be stopped up
	Classified road boundary
	Side road boundary
	Parish boundary
	Public rights of way (labelled)
	Private means of access to be stopped up label
	New private means of access reference label
	New side road reference label
	Highway to be stopped up reference label

02550125

SCALE 1 : 1250

050100150200250

SCALE 1 : 2500

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in the presence of

Dated this                      Day of                      202-

Drawing No.	BRJ10410-DWG-9994-204	Revision	R0
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Project

The Cheshire East Council  
(B5076 Flowers Lane  
Classified Road) (Side Roads)  
Order 2020

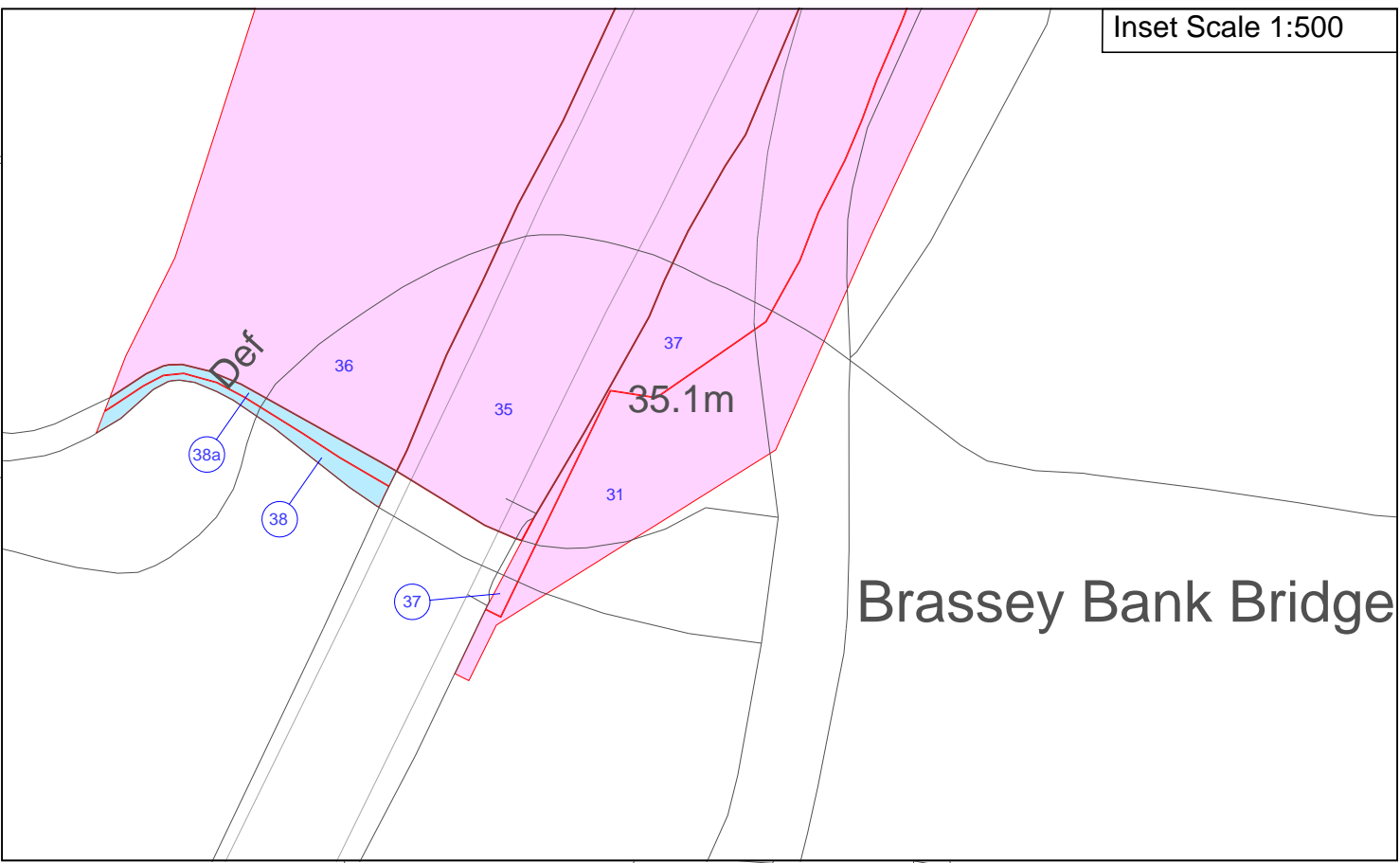
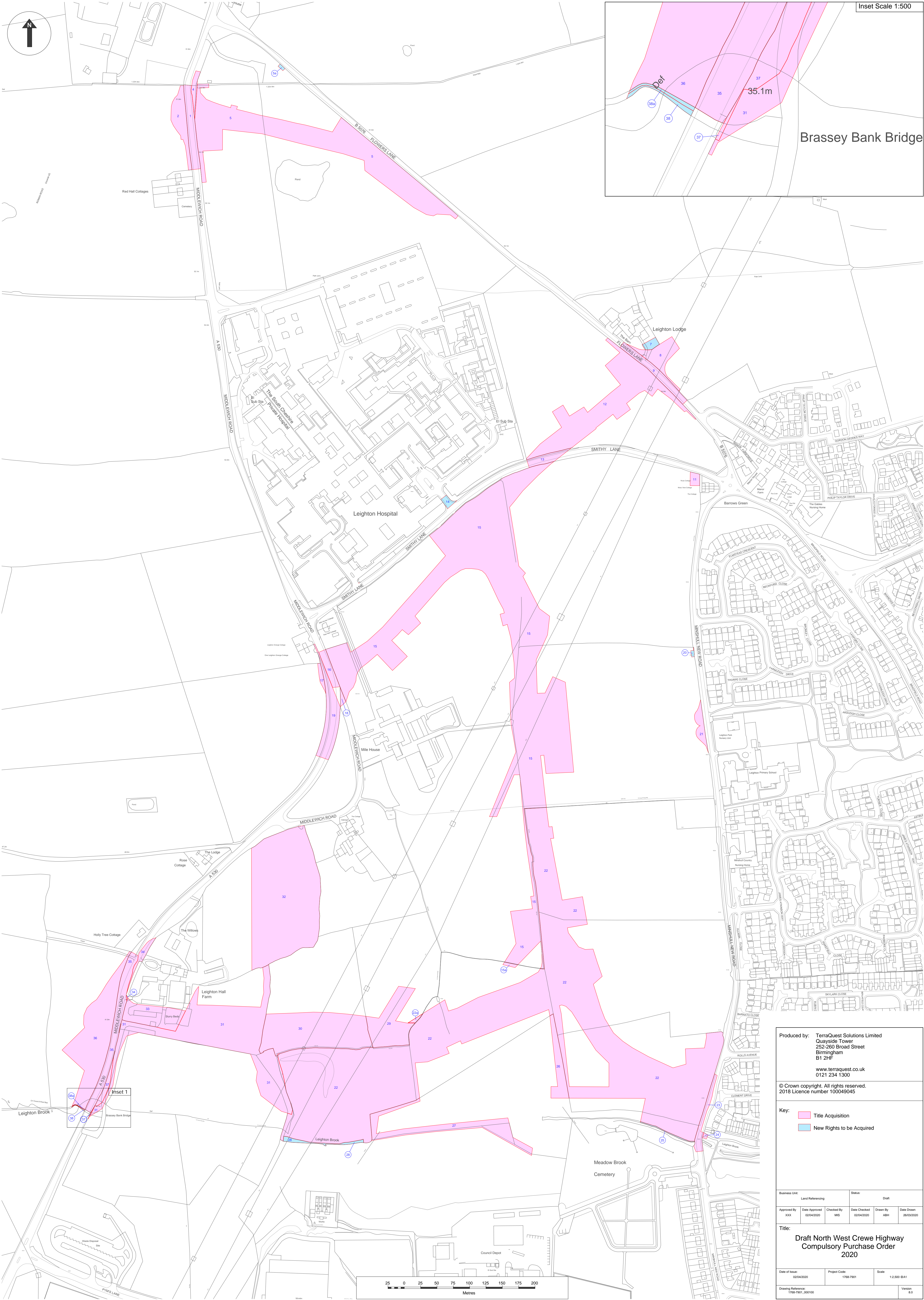
Drawing title

**SIDE ROAD ORDER  
SITE PLAN 4 OF 4**

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Key:

- Title Acquisition
- New Rights to be Acquired

Business Unit:		Land Referencing		Status:		Draft	
Approved By:	XXX	Date Approved:	02/04/2020	Checked By:	MS	Date Checked:	02/04/2020
Drawn By:	AB4	Date Drawn:	26/03/2020				

Title:

**Draft North West Crewe Highway  
Compulsory Purchase Order  
2020**

Date of Issue:	02/04/2020	Project Code:	1708-7901	Scale:	1:2,500 (BA1)
Drawing Reference:			1708-7901_000100	Version:	
			B 0		



**THE CHESHIRE EAST COUNCIL**  
**(NORTH WEST CREWE PACKAGE) COMPULSORY PURCHASE ORDER 2020**

**The Highways Act 1980**

**The Acquisition of Land Act 1981**

1 The Cheshire East Council (in this Order called the “**Acquiring Authority**”) makes the following Order:

Subject to the provisions of this Order, the Acquiring Authority is, under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (as amended) and Schedule 3 to the Acquisition of Land Act 1981, hereby authorised to purchase compulsorily the land and the new rights described in paragraph 2 for the purpose of constructing new highways and improving the existing highways in the area bounded by the A530 Middlewich Road, Smithy Lane, Flowers Lane, Pym’s Lane, Eardswick Lane and Minshull New Road in the north-west of Crewe, in the vicinity of Leighton Hospital, which are all to be highways maintainable at the public expense, comprising:

- (a) the construction of a new highways, together with a series of new roundabouts;
- (b) the improvement of and amendment to existing highway alignments and junctions;
- (c) the provision of new means of access and amendment to existing means of access;
- (d) the carrying out of drainage works, street lighting, flood defence, utility services, landscaping and all other necessary highways infrastructure and fittings in connection with the construction and improvement of highways;
- (e) the improvement or development of frontages to a highway or of the land adjoining or adjacent to that highway;
- (f) use by the Acquiring Authority in connection with the construction and improvement of highways and the provision of new means of access as aforesaid; and
- (g) the mitigation of any adverse effects which the existence or use of any highway proposed to be constructed by the Acquiring Authority.



- 2 (1) The land authorised to be purchased compulsorily under this Order is the land described in Part 2 of the Schedule and delineated and shown coloured pink on the map, prepared in duplicate, sealed with the common seal of the Acquiring Authority and marked "Map referred to in the Cheshire East Council (North West Crewe Package) Compulsory Purchase Order 2020".
- 2 (2) The new rights to be purchased compulsorily over the land under this Order are identified in Part 1 of the Schedule and the land is described in Part 2 of the Schedule and delineated and shown coloured blue on the said map.

**THE CHESHIRE EAST COUNCIL**  
**(NORTH WEST CREWE PACKAGE) COMPULSORY PURCHASE ORDER 2020**

**SCHEDULE**

**Part 1**

**Definitions of New Rights referred to in Table 1 of Part 2 of the Schedule**

The descriptions of New Rights set out in the Table of New Rights below, shall apply to the New Rights schedule to be acquired in the column headed “Extent, Description and Situation of the Land” in Table 1 of Part 2 of the Schedule. This is by reference to the number in column 1 of the Table of New Rights indicating the New Right(s) described in column 2 of the Table of New Rights, which are sought over the relevant plot:

**Table of New Rights**

The right for the acquiring authority, its lessees, licensees, all successors in title and assigns, their respective lessees and licensees (and also such person as they may authorise):

<b>Column (1)</b>	<b>Column (2)</b>
<b>Right</b>	<b>Nature of New Right Sought</b>
1	<b>ACCESS AND GENERAL CONSTRUCTION</b>

	<p>To enter the land at all times (with or without vehicles, machinery, equipment, plant and materials) for all purposes necessary in connection with the surveying, demolition, construction, maintenance, inspection, use, renewal, repair, reinstatement, cleaning, decoration, connection, removal and replacement of land, highways, watercourse channel outfall(s), property, structures and buildings adjacent to or abutting the land and the right to manage access to such parts of the land to accord with safe working practices (but without requiring exclusive possession of such land) including entering onto land, property, structures and buildings to make good and carry out protective works, boundary treatment works, to re-grade, re-surface and landscape land, carry out support works from properties adjoining the land and to carry out accommodation and reconfiguration works to land where access is reconfigured in order to modify the retained land so that it can be brought back into beneficial use.</p>
2	<p><b>SERVICE MEDIA</b></p> <p>To disconnect, install, lay, strengthen, connect to, divert, alter, use, maintain, repair, replace, renew, inspect and remove the service media in, over or under the land as necessary and to make good any damage caused in connection with the exercise of these rights.</p>
3	<p><b>AMENDMENTS TO ACCESS/EGRESS ARRANGEMENTS</b></p> <p>To alter, divert, replace and/or remove access/egress routes (either on a temporary or permanent basis) forming part of or used by the land whilst always providing an alternative means of access/egress from the land whilst carrying out such works and to grant rights for owners and occupiers of land to use said alternative access/egress routes.</p>
4	<p><b>CONSTRUCTION OF NEW ACCESS</b></p> <p>To enter the land at all times (with or without vehicles, machinery, equipment, plant and materials) for all purposes necessary in connection with the construction of a new access/egress onto or from land or used by the land, including any necessary works of fencing, boundary treatment and landscaping.</p>
5	<p><b>FUTURE INSPECTIONS AND MAINTENANCE</b></p> <p>To enter the land at all times (with or without vehicles, machinery, equipment, plant and materials) for all purposes necessary in connection with the maintenance and inspection of the new watercourse channel outfall and new roads to be constructed (and/or roads to be improved), together with any ancillary support structures, drains, earthworks, scour protection measures, structural connections and components or development on the land.</p>

6	<p><b>CONDITION SURVEYS</b></p> <p>To enter the land on foot only and temporarily remain on the land for the purposes of carrying out non-intrusive condition surveys in accordance with safe working practices and to document the condition of the land before, during and after development, if so necessary.</p>
7	<p><b>DELIVERIES</b></p> <p>To access the land at all times (with or without vehicles, machinery, equipment, plant and materials) for the purposes of delivery, removing and sorting materials, plant and machinery, and the right (from time to time) to create, divert and/or otherwise manage pedestrian and vehicular access to, on and across land to facilitate the delivery of the scheme (including the ongoing maintenance and inspection of the scheme) and to accord with safe working practices.</p>
8	<p><b>DISCHARGE OF WATER</b></p> <p>To discharge uncontaminated surface waters, land drainage waters and waters from highway drains into the new watercourse channel outfall to be constructed as part of the scheme in order to enable satisfactory operation of the channel outfall.</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	1,626 square metres of public adopted highway (Middlewich Road (A530)) situated to the north west of Leighton Hospital, Smithy Lane, Crewe	<p>Unknown</p> <p>Louise Isabella Christine Charlesworth Red Hall Farm Middlewich Road Leighton Crewe CW1 4QU <i>(in respect of subsoil fronting agricultural land situated to the north of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>Thomas James Charlesworth Red Hall Farm Middlewich Road Leighton Crewe CW1 4QU <i>(in respect of subsoil fronting agricultural land situated to the north of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p>	-	-	<p>Cheshire East Borough Council Middlewich Road Westfields Sandbach CW11 1HZ <i>(as highway authority)</i></p>

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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>Cheshire East Borough Council Middlewich Road Westfields Sandbach CW11 1HZ <i>(in respect of subsoil fronting grassed area situated to the north east of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>Faye Marguerite Pritchard 5 The Oaks Kettle Lane Buerton Crewe CW3 0BX <i>(in respect of subsoil fronting agricultural land situated to the east of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>Adam James Russell Smith 10 Roman Close Kirtlington Kidlington OX5 3EX <i>(in respect of subsoil fronting agricultural land situated to the east of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p>			



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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>Mark Edward Russell Smith 20 Rotherfield Road Henley-On-Thames RG9 1NN <i>(in respect of subsoil fronting agricultural land situated to the east of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>May Smith Mile Oak Church Minshull Nantwich CW5 6DY <i>(in respect of subsoil fronting agricultural land situated to the east of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>The Executor of the Estate of Marguerite Charlesworth Red Hall Farm Middlewich Road Crewe CW1 4QU <i>(in respect of subsoil fronting agricultural land situated to the north of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p>			

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**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>The Executor of the Estate of Thomas Marshall Charlesworth Red Hall Farm Middlewich Road Leighton Crewe CW1 4QU <i>(in respect of subsoil fronting agricultural land situated to the north of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>Unknown <i>(in respect of subsoil fronting agricultural land situated to the north of 4 Red Hall Cottages, Middlewich Road, Crewe)</i></p> <p>Cheshire East Borough Council Middlewich Road Westfields Sandbach CW11 1HZ <i>(as highway authority)</i></p>			

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

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**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
2	1,681 square metres of agricultural land situated to the north of 4 Red Hall Cottages, Middlewich Road, Crewe	<p>Thomas James Charlesworth (Address as at parcel 1)</p> <p>The Executor of the Estate of Marguerite Charlesworth (Address as at parcel 1)</p> <p>The Executor of the Estate of Thomas Marshall Charlesworth (Address as at parcel 1)</p>	-	-	Thomas James Charlesworth (Address as at parcel 1)
3	NUMBER NOT USED	-	-	-	-
4	425 square metres of public adopted highway (Middlewich Road (A530)) and scrubland situated to the north east of 4 Red Hall Cottages, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

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**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
5	16,539 square metres of agricultural land between Middlewich Road (A530) and Flowers Lane (B5076), to the north east of 4 Red Hall Cottages, Middlewich Road, Crewe	Faye Marguerite Pritchard (Address as at parcel 1)  Adam James Russell Smith (Address as at parcel 1)  Mark Edward Russell Smith (Address as at parcel 1)  May Smith (Address as at parcel 1)	-	M & S Wilson <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>	M & S Wilson <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>
5a	Acquisition of new rights 1, 2, 3, 4, 5 and 6 over 52 square metres of agricultural land south of Flowers Lane (B5076), to the south east of School House, Middlewich Road, Crewe	David Sheridan 20 Broome Road Wolverhampton WV10 9SH	-	-	Unknown
6	NUMBER NOT USED	-	-	-	-

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**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
7	Acquisition of new rights 1, 2, 3, 4, 6 and 7 over 298 square metres of garden (Leighton Lodge) situated to the south east of Leighton Lodge, Flowers Lane, Crewe	Glenys Letitia Harrison Leighton Lodge Farm Flowers Lane Crewe CW1 4QR  Peter Harrison Leighton Lodge Farm Flowers Lane Crewe CW1 4QR	-	-	Glenys Letitia Harrison Leighton Lodge Farm Flowers Lane Crewe CW1 4QR  Peter Harrison Leighton Lodge Farm Flowers Lane Crewe CW1 4QR
8	1,698 square metres of agricultural land, garden (Leighton Lodge) and overhead electricity transmission lines situated to the south of Leighton Lodge, Flowers Lane, Crewe	Torus62 Limited 4 Corporation Street St. Helens WA9 1LD	-	-	Unknown

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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
9	1,379 square metres of public adopted highway (Flowers Lane (B5076)) and overhead electricity transmission lines situated to the south of Leighton Lodge, Flowers Lane, Crewe	<p>Unknown</p> <p>Glenys Letitia Harrison (Address as at parcel 7) <i>(in respect of subsoil fronting Leighton Lodge Farm, Flowers Lane, Crewe)</i></p> <p>Peter Harrison (Address as at parcel 7) <i>(in respect of subsoil fronting Leighton Lodge Farm, Flowers Lane, Crewe)</i></p> <p>Faye Marguerite Pritchard (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south west of Leighton Lodge Farm, Flowers Lane, Crewe)</i></p> <p>Adam James Russell Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south west of Leighton Lodge Farm, Flowers Lane, Crewe)</i></p>	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>



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**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
9 (cont'd)		<p>Mark Edward Russell Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south west of Leighton Lodge Farm, Flowers Lane, Crewe)</i></p> <p>May Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south west of Leighton Lodge Farm, Flowers Lane, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i></p>			
10	NUMBER NOT USED	-	-	-	-
11	291 square metres of agricultural land situated to the west of Rose Cottage, Bradfield Road, Crewe and south of Smithy Lane, Crewe	<p>Faye Marguerite Pritchard (Address as at parcel 1)</p> <p>Adam James Russell Smith (Address as at parcel 1)</p> <p>Mark Edward Russell Smith (Address as at parcel 1)</p>	-	<p>M &amp; S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i></p>	<p>M &amp; S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i></p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

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**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
12	9,732 square metres of agricultural land, overhead electricity transmission lines and pylon situated between Flowers Lane (B5076) and Smithy Lane and to the south west of Leighton Lodge, Flowers Lane, Crewe	<p>Faye Marguerite Pritchard (Address as at parcel 1)</p> <p>Adam James Russell Smith (Address as at parcel 1)</p> <p>Mark Edward Russell Smith (Address as at parcel 1)</p> <p>May Smith (Address as at parcel 1)</p>	-	<p>M &amp; S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i></p>	<p>M &amp; S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i></p> <p>SP Manweb plc 3 Prenton Way Prenton CH43 3ET <i>(in respect of overhead electricity transmission lines and pylon)</i></p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
13	750 square metres of public adopted highway (Smithy Lane) situated to the east and south east of Leighton Hospital and to the north east of Mile House Cottage, Smithy Lane, Crewe	<p>Unknown</p> <p>Faye Marguerite Pritchard (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south east of Leighton Hospital, Middlewich Road, Crewe)</i></p> <p>Adam James Russell Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south east of Leighton Hospital, Middlewich Road, Crewe)</i></p> <p>Mark Edward Russell Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south east of Leighton Hospital, Middlewich Road, Crewe)</i></p> <p>May Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the south east of Leighton Hospital, Middlewich Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i></p>	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
14	Acquisition of new rights 1, 2, 3, 5, 6 and 7 over 222 square metres of public access road to Leighton Hospital situated to the south east of Leighton Hospital, Smithy Lane, Crewe	Mid Cheshire Hospitals NHS Foundation Trust Leighton Hospital Middlewich Road Crewe CW1 4QJ	-	-	Mid Cheshire Hospitals NHS Foundation Trust Leighton Hospital Middlewich Road Crewe CW1 4QJ
15	50,934 square metres of agricultural land, public footpath (Leighton FP3) and overhead electricity transmission lines situated to the south of Leighton Hospital, and bounded by Middlewich road (B5076) to the west and Smithy Lane to the North, Crewe	Faye Marguerite Pritchard (Address as at parcel 1)  Adam James Russell Smith (Address as at parcel 1)  Mark Edward Russell Smith (Address as at parcel 1)	-	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>  Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of public footpath Leighton FP3)</i>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
15a	99 square metres of agricultural land situated to the south of Mile House, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	-	J. K. Smith & Son Mile Oak Church Minshull Natwich CW5 6DY	J. K. Smith & Son Mile Oak Church Minshull Natwich CW5 6DY  SP Manweb plc (Address as at parcel 12) <i>(in respect of overhead electricity transmission lines and pylon)</i>  Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of public footpath Leighton FP20)</i>

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
16	670 square metres of public adopted highway (Middlewich Road (A530)) situated to the south west of Leighton Hospital, Smithy Lane, Crewe	<p>Unknown</p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the east of Leighton Grange Cottage, Middlewich Road, Crewe)</i></p> <p>Faye Marguerite Pritchard (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the north of Mile House, Middlewich Road, Crewe)</i></p> <p>Adam James Russell Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the north of Mile House, Middlewich Road, Crewe)</i></p> <p>Mark Edward Russell Smith (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the north of Mile House, Middlewich Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i></p>	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>



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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
17	229 square metres of agricultural land situated to the south of Leighton Grange Cottage, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	Thomas James Charlesworth (Address as at parcel 1)	Thomas James Charlesworth (Address as at parcel 1)
18	129 square metres of wooded area, being part of stopped up public adopted highway (Middlewich Road) situated to the north west of Mile House, Middlewich Road, Crewe	Unknown	Unknown	Unknown	Unknown  Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i> <i>(in respect of former public adopted highway (Middleway Road))</i>
19	2,524 square metres of public adopted highway (Middlewich Road (A530)) situated to the west and north west of Mile House, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>
20	Acquisition of new rights 1, 2, 3, 4, 5 and 6 over 53 square metres of wooded area to the west of Minshall New Road and situated to the west of 14 Thorpe Close, Crewe	Faye Marguerite Pritchard (Address as at parcel 1)  Adam James Russell Smith (Address as at parcel 1)  Mark Edward Russell Smith (Address as at parcel 1)	-	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>

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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
21	672 square metres of agricultural land situated to the west of Minshull New Road and to the west of Leighton Park Nursey Unit, Minshull New Road, Crewe	Faye Marguerite Pritchard (Address as at parcel 1)  Adam James Russell Smith (Address as at parcel 1)  Mark Edward Russell Smith (Address as at parcel 1)	-	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>
22	76,954 square metres of agricultural land, grassland, public footpath (Leighton FP20) and overhead electricity transmission lines and pylon situated to the east of Leighton Hall Farm, Middlewich Road, Crewe and to the north of Meadow Brook Cemetery, Minshull New Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)  Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	-	J. K. Smith & Son Mile Oak Church Minshull Natwich CW5 6DY	J. K. Smith & Son Mile Oak Church Minshull Natwich CW5 6DY  SP Manweb plc (Address as at parcel 12) <i>(in respect of overhead electricity transmission lines and pylon)</i>  Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of public footpath Leighton FP20)</i>

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
22a	98 square metres of agricultural land situated to the south of Mile House, Middlewich Road, Crewe	<p>Faye Marguerite Pritchard (Address as at parcel 1)</p> <p>Adam James Russell Smith (Address as at parcel 1)</p> <p>Mark Edward Russell Smith (Address as at parcel 1)</p>	-	<p>M &amp; S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i></p>	<p>M &amp; S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i></p>

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
23	870 square metres of public adopted highway (Minshull New Road) situated to the north east of Meadow Brook Cemetery, Minshull New Road, Crewe	<p>Unknown</p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting Meadow Brook Cemetery, Minshull New Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting grassland situated to the east of Meadow Brook Cemetery, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land and wooded area situated to the west of Leighton Primary School, Minshull New Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i></p>	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>
24	50 square metres of public footpath, cycleway and grassland situated to the north west of Leighton Brook, Minshull New Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of cycleway and footpath)</i>

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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
25	Acquisition of new rights 1, 5, 6, 7 and 8 over 143 square metres of brook, bed and bank (Leighton Brook) situated to the north of Meadow Brook Cemetery, Minshull New Road, Crewe	Unknown  Cheshire East Borough Council (Address as at parcel 1) <i>(as riparian owner)</i>	Unknown	Unknown	Unknown
26	1,629 square metres of grassland situated to the north west of Meadow Brook Cemetery, Crewe	Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	Unknown	Unknown	Unknown
27	3,889 square metres of agricultural land situated to the west of Meadow Brook Cemetery, Crewe and to the south east of Leighton Hall Farm, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	Unknown	Unknown	Unknown
28	Acquisition of new rights 1, 5, 6, 7 and 8 over 402 square metres of brook, bed and bank (Leighton Brook) situated to the west of Meadow Brook Cemetery, Minshull New Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)  Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	-	J. K. Smith & Son Mile Oak Church Minshull Natwich CW5 6DY	J. K. Smith & Son Mile Oak Church Minshull Natwich CW5 6DY  Cheshire East Borough Council (Address as at parcel 1)

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**Table 1**

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
29	3,939 square metres of agricultural land and overhead electricity transmission lines situated to the east of Leighton Hall Farm, Middlewich Road, Crewe	Faye Marguerite Pritchard (Address as at parcel 1)  Adam James Russell Smith (Address as at parcel 1)  Mark Edward Russell Smith (Address as at parcel 1)	-	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>	M & S Wilson (Address as at parcel 5) <i>(short term agricultural tenancy - contact information to be confirmed by Land Law LLP)</i>
30	8,953 square metres of agricultural land, overhead electricity transmission lines and pylon situated to the south east of Leighton Hall Farm, Middlewich Road, Crewe	C E Cooke and Son Limited Oakleigh Farm Middlewich Road Crewe CW1 4QG	-	-	C E Cooke and Son Limited Oakleigh Farm Middlewich Road Crewe CW1 4QG  SP Manweb plc (Address as at parcel 12) <i>(in respect of overhead electricity transmission lines and pylon)</i>
31	14,787 square metres of agricultural land, overhead electricity transmission lines situated to the south and the east of Leighton Hall Farm, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	Unknown	Unknown	Unknown



# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
32	18,971 square metres of agricultural land situated to the north east of Leighton Hall Farm, Middlewich Road, Crewe	<p>Michael William Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p> <p>Vera Rosemarie Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p>	-	-	<p>Michael William Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p> <p>Vera Rosemarie Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p>
33	2,768 square metres of farm buildings, yard and slurry beds (Leighton Hall Farm, Middlewich Road), Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	-	Unknown
34	454 square metres of public adopted highway (Middlewich Road (A530)) situated to the west of Leighton Hall Farm, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
35	3,074 square metres of public adopted highway (Middlewich Road (A530)) situated to the west of Leighton Hall Farm, Middlewich Road, Crewe	<p>Unknown</p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting agricultural land situated to the west of Leighton Hall Farm, Middlewich Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting Leighton Hall Farm, Middlewich Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting public adopted highway (Middlewich Road) situated to the west of Leighton Hall Farm, Middlewich Road, Crewe)</i></p> <p>Unknown <i>(in respect of subsoil fronting agricultural land and track situated to the west of Leighton Hall Farm, Middlewich Road, Crewe)</i></p> <p>Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i></p>	-	-	Cheshire East Borough Council (Address as at parcel 1) <i>(as highway authority)</i>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
36	7,840 square metres of agricultural land and private access track situated to the west of Leighton Hall Farm, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	Thomas James Charlesworth (Address as at parcel 1)	Thomas James Charlesworth (Address as at parcel 1)
37	421 square metres of agricultural land, track, bed and bank (Leighton Brook) and overhead electricity transmission lines (Leighton Hall Farm, Middlewich Road), Crewe	Cheshire East Borough Council (Address as at parcel 1) <i>(in respect of pending application under registered title number CH530303)</i>	Unknown	Unknown	Unknown
38	Acquisition of new rights 1, 5, 6, 7 and 8 over 20 square metres of half width of brook, bed and bank (Leighton Brook) situated to the west of Brassey Bank Bridge, Middlewich Road, Crewe	Louise Isabella Christine Charlesworth (Address as at parcel 1)  Thomas James Charlesworth (Address as at parcel 1)	-	-	Louise Isabella Christine Charlesworth (Address as at parcel 1)  Thomas James Charlesworth (Address as at parcel 1)
38a	Acquisition of new rights 1, 5, 6, 7 and 8 over 18 square metres of half width of brook, bed and bank (Leighton Brook) situated to the west of Brassey Bank Bridge, Middlewich Road, Crewe	Cheshire East Borough Council (Address as at parcel 1)	-	Thomas James Charlesworth (Address as at parcel 1)	Thomas James Charlesworth (Address as at parcel 1)



# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1	-	-	-	-
2	<p>Lloyds Bank plc 25 Gresham Street London EC2V 7HN</p> <p>The Agricultural Mortgage Corporation plc Charlton Place Charlton Road Andover SP10 1RE</p> <p>The Agricultural Mortgage Corporation plc Charlton Place Charlton Road Andover SP10 1RE</p> <p>The Agricultural Mortgage Corporation plc Charlton Place Charlton Road Andover SP10 1RE</p>	<p>As mortgagee to Thomas James Charlesworth, The Executor of the Estate of Thomas Marshall Charlesworth and The Executor of the Estate of Marguerite Charlesworth in respect of a legal charge dated 8 October 2004 registered under title CH528158</p> <p>As mortgagee to Thomas James Charlesworth, The Executor of the Estate of Thomas Marshall Charlesworth and The Executor of the Estate of Marguerite Charlesworth in respect of a legal charge dated 25 March 1998 registered under title CH528158</p> <p>As mortgagee to Thomas James Charlesworth, The Executor of the Estate of Thomas Marshall Charlesworth and The Executor of the Estate of Marguerite Charlesworth in respect of a legal charge dated 12 September 1990 registered under title CH528158</p> <p>As mortgagee to Thomas James Charlesworth, The Executor of the Estate of Thomas Marshall Charlesworth and The Executor of the Estate of Marguerite Charlesworth in respect of a legal charge dated 12 July 1984 registered under title CH528158</p>	Unknown	Unknown rights as contained in a Conveyance dated 1 May 1937 for the benefit of unknown land
3	-	-	-	-

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4	-	-	Unknown	Restrictive covenant to only use the land for agricultural land or equestrian pursuits or horticultural purposes as contained in a Transfer dated 20 July 1989 for the benefit of unknown land
			Unknown	Covenant to erect and maintain a stock proof fence for the benefit of unknown land
5	Bloor Homes Limited Ashby Road Measham Swadlincote DE12 7JP	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited 320 St. Vincent Street Glasgow G2 5AD	Restrictive covenant relating to construction of buildings and restrictive covenant not to alter the level of the ground as contained in a Deed dated 19 April 1962
	Bloor Homes Limited Ashby Road Measham Swadlincote DE12 7JP	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited 320 St. Vincent Street Glasgow G2 5AD	Right to erect and maintain electrical lines as contained in a Deed dated 19 April 1962
	Galliford Try Homes Limited Cowley Business Park Cowley Uxbridge UB8 2AL	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited 320 St. Vincent Street Glasgow G2 5AD	Right of entry and to lop trees as contained in a Deed dated 19 April 1962
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
	Galliford Try Homes Limited Cowley Business Park Cowley Uxbridge UB8 2AL	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of adjoining land
			Unknown	Rights relating to construct and laying of channels, pipes and water courses and construction of septic tanks or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of adjoining land



# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

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**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
5a	-	-	-	-
6	-	-	-	-
7	-	-	<p>Rachel Sarah Moss The Barn Flowers Lane Crewe CW1 4QR</p> <p>Trevor David Moss The Barn Flowers Lane Crewe CW1 4QR</p> <p>Unknown</p> <p>Unknown</p>	<p>Rights relating to construction of a drain and septic tank as contained in a Transfer dated 10 September 1998 for the benefit of CH430771</p> <p>Rights relating to construction of a drain and septic tank as contained in a Transfer dated 10 September 1998 for the benefit of CH430771</p> <p>Unknown rights as contained in a Deed of Grant dated 26 September 2000 for the benefit of unknown land</p> <p>Unknown rights as contained in a Wayleave Agreement dated 31 December 1993 for the benefit of unknown land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
8	-	-	<p>Rachel Sarah Moss (Address as at parcel 7)</p> <p>Trevor David Moss (Address as at parcel 7)</p> <p>Unknown</p> <p>Unknown</p>	<p>Rights relating to construction of a drain and septic tank as contained in a Transfer dated 10 September 1998 for the benefit of CH430771</p> <p>Rights relating to construction of a drain and septic tank as contained in a Transfer dated 10 September 1998 for the benefit of CH430771</p> <p>Unknown rights as contained in a Deed of Grant dated 26 September 2000 for the benefit of unknown land</p> <p>Unknown rights as contained in a Wayleave Agreement dated 31 December 1993 for the benefit of unknown land</p>
9	-	-	-	-
10	-	-	-	-
11	<p>Bloor Homes Limited (Address as at parcel 5)</p> <p>Galliford Try Homes Limited (Address as at parcel 5)</p>	<p>Unilateral notice in respect of an Option Agreement dated 24 August 2010</p> <p>Unilateral notice in respect of an Option Agreement dated 24 August 2010</p>	<p>Scottish Power Limited (Address as at parcel 5)</p> <p>Scottish Power Limited (Address as at parcel 5)</p> <p>Unknown</p>	<p>Restrictive covenant not to erect any buildings within eighteen feet of the electrical lines or apparatus as contained in a Deed dated 19 April 1962</p> <p>Rights to erect, retain, use, maintain, repair, renew, inspect and remove electrical lines as contained in a Deed dated 19 April 1962</p> <p>Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
12	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Unknown	Restrictive covenants not to cause nuisance as contained in a Conveyance dated 19 October 1973 for the benefit of adjoining land
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Right of entry and to lop trees as contained in a Deed dated 19 April 1962
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 19 October 1973 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 17 October 1961 for the benefit of unknown land
13	-	-	-	-

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
14	-	-	<p>Unknown</p> <p>Scottish Power Limited (Address as at parcel 5)</p> <p>Unknown</p> <p>Unknown</p>	<p>Unknown restrictive covenants as contained in a Conveyance dated 1 March 1966 for the benefit of unknown land</p> <p>Right to lay down, erect, install, and construct, use, maintain, repair, renew, inspect, remove and replace electrical lines as contained in a Deed of Grant dated 11 June 1998</p> <p>Rights relating to drainage as contained in a Conveyance dated 1 March 1966 for the benefit of unknown land</p> <p>Right of way relating to services as contained in a Transfer dated 7 April 1993 for the benefit of unknown land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

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**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Restrictive covenant not to erect any buildings within eighteen feet of the electrical lines or apparatus as contained in a Deed dated 19 April 1962
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	National Grid plc Grand Buildings 1-3 Strand London WC2N 5EH	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963
			Scottish Power Limited (Address as at parcel 5)	Rights to erect, retain, use, maintain, repair, renew, inspect and remove electrical lines as contained in a Deed dated 19 April 1962
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Rights relating to construct and lay channels, pipes and water courses and septic tank or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of unknown land

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15a	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Restrictive covenant not to erect any buildings within eighteen feet of the electrical lines or apparatus as contained in a Deed dated 19 April 1962
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 10 December 1924
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 23 December 1925
			Scottish Power Limited (Address as at parcel 5)	Rights to erect, retain, use, maintain, repair, renew, inspect and remove electrical lines as contained in a Deed dated 19 April 1962
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land



# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
16	-	-	-	-
17	-	-	<p>Biowise Limited Albion Lane Willerby Hull HU10 6TS (trading as Wastewise)</p> <p>Robert Gibson Leighton Grange Cottage Middlewich Road Crewe CW1 4QQ</p> <p>Robert Wallace Gibson 2 Leighton Grange Cottage Middlewich Road Leighton Crewe CW1 4QQ</p> <p>Shirley Gibson Leighton Grange Cottage Middlewich Road Crewe CW1 4QQ</p> <p>Shirley Amanda Gibson 2 Leighton Grange Cottage Middlewich Road Leighton Crewe CW1 4QQ</p>	<p>Unknown rights for the benefit of Biowise Limited</p> <p>Rights relating to drain water and soil into the septic tank and relating to services as contained in a Conveyance dated 22 July 1997 for the benefit of 1 Leighton Grange Cottage</p> <p>Rights relating to drain water and soil into the septic tank and relating to services as contained in a Conveyance dated 30 August 1996 for the benefit of 2 Leighton Green Cottage</p> <p>Rights relating to drain water and soil into the septic tank and relating to services as contained in a Conveyance dated 22 July 1997 for the benefit of 1 Leighton Grange Cottage</p> <p>Rights relating to drain water and soil into the septic tank and relating to services as contained in a Conveyance dated 30 August 1996 for the benefit of 2 Leighton Green Cottage</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
17 (cont'd)			<p>Antony Law 1 Leighton Grange Cottage Middlewich Road Crewe CW1 4QQ</p> <p>Rhona Patricia Law 1 Leighton Grange Cottage Middlewich Road Crewe CW1 4QQ</p> <p>Unknown</p> <p>Unknown</p> <p>Unknown</p> <p>Unknown</p>	<p>Rights relating to drain water and soil into the septic tank and relating to services as contained in a Conveyance dated 22 July 1997 for the benefit of 1 Leighton Grange Cottage</p> <p>Rights relating to drain water and soil into the septic tank and relating to services as contained in a Conveyance dated 22 July 1997 for the benefit of 1 Leighton Grange Cottage</p> <p>Rights relating to construct, place, lay, maintain, cleanse, repair, remove, replace sluice and air valves as contained in a Deed of Surrender and Grant dated 20 December 1944 for the benefit of unknown land</p> <p>Right of way relating to services as contained in a Conveyance dated 29 December 1915 for the benefit of unknown land</p> <p>Rights relating to construct, maintain, cleanse, repair, inspect, remove, replace and use an Inspection Chamber as contained in a Deed of Grant dated 7 July 1945 for the benefit of unknown land</p> <p>Unknown rights as contained in a Deed of Grant dated 4 December 1940 for the benefit of unknown land</p>
18	-	-	Unknown	Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
19	-	-	Unknown	Right of way relating to services as contained in a Conveyance dated 29 December 1915 for the benefit of unknown land
20	<p>Bloor Homes Limited (Address as at parcel 5)</p> <p>Galliford Try Homes Limited (Address as at parcel 5)</p>	<p>Unilateral notice in respect of an Option Agreement dated 24 August 2010</p> <p>Unilateral notice in respect of an Option Agreement dated 24 August 2010</p>	<p>Unknown</p> <p>Unknown</p> <p>Unknown</p>	<p>Rights relating to construct and lay channels, pipes and water courses and septic tank or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of unknown land</p> <p>Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land</p> <p>Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
21	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Restrictive covenant not to erect any buildings within eighteen feet of the electrical lines or apparatus as contained in a Deed dated 19 April 1962
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Rights to erect, retain, use, maintain, repair, renew, inspect and remove electrical lines as contained in a Deed dated 19 April 1962
			Unknown	Rights relating to construct and lay channels, pipes and water courses and septic tank or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
22	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Restrictive covenant not to erect any buildings within eighteen feet of the electrical lines or apparatus as contained in a Deed dated 19 April 1962
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 10 December 1924
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 23 December 1925
			Scottish Power Limited (Address as at parcel 5)	Rights to erect, retain, use, maintain, repair, renew, inspect and remove electrical lines as contained in a Deed dated 19 April 1962
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)			Unknown	Rights relating to construct and lay channels, pipes and water courses and septic tank or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of unknown land
			Unknown	Right of way relating to drainage and use of sewers as contained in a Conveyance dated 31 December 1919 for the benefit of unknown land
22a	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Scottish Power Limited (Address as at parcel 5)	Restrictive covenant not to erect any buildings within eighteen feet of the electrical lines or apparatus as contained in a Deed dated 19 April 1962
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	National Grid plc Grand Buildings 1-3 Strand London WC2N 5EH	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963
			Scottish Power Limited (Address as at parcel 5)	Rights to erect, retain, use, maintain, repair, renew, inspect and remove electrical lines as contained in a Deed dated 19 April 1962
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Rights relating to construct and lay channels, pipes and water courses and septic tank or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of unknown land

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
23	-	-	National Grid plc (Address as at parcel 15)	Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 23 December 1925
24	-	-	Unknown  Unknown	Rights relating to the passage of service media  Right of way over roads and pathways
25	Unknown	Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land	National Grid plc (Address as at parcel 15)  National Grid plc (Address as at parcel 15)  Unknown  Unknown	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963  Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 23 December 1925  Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land  Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land
26	-	-	National Grid plc (Address as at parcel 15)  Unknown	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963  Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land



# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
27	-	-	<p>National Grid plc (Address as at parcel 15)</p> <p>National Grid plc (Address as at parcel 15)</p> <p>Unknown</p>	<p>Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963</p> <p>Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950</p> <p>Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land</p>
28	-	-	<p>National Grid plc (Address as at parcel 15)</p> <p>National Grid plc (Address as at parcel 15)</p> <p>National Grid plc (Address as at parcel 15)</p> <p>Unknown</p> <p>Unknown</p>	<p>Rights relating to electric lines and cables as contained in a Wayleave Agreement dated 10 December 1924</p> <p>Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963</p> <p>Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950</p> <p>Right of way relating to drainage and use of sewers as contained in a Conveyance dated 31 December 1919 for the benefit of unknown land</p> <p>Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
29	Bloor Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Unknown	Rights relating to construct and lay channels, pipes and water courses and septic tank or other means of disposing of sewerage as contained in a Deed of Grant dated 28 April 1977 for the benefit of unknown land
	Galliford Try Homes Limited (Address as at parcel 5)	Unilateral notice in respect of an Option Agreement dated 24 August 2010	Unknown	Right of way relating to services as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
			Unknown	Unknown rights as contained in a Conveyance dated 30 May 1941 for the benefit of unknown land
30	-	-	Unknown	Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land
31	-	-	National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950
			Unknown	Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land
32	-	-	National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963
			National Grid plc (Address as at parcel 15)	Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
33	-	-	<p>Michael William Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p> <p>National Grid plc (Address as at parcel 15)</p> <p>National Grid plc (Address as at parcel 15)</p> <p>Unknown</p>	<p>Restrictive covenant relating to construction as contained in a Transfer dated 7 October 2016 for the benefit of adjoining land</p> <p>Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963</p> <p>Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950</p> <p>Rights relating to services as contained in a Transfer dated 7 October 2016 for the benefit of adjoining land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
34	-	-	<p>Michael William Vernon (Address as at parcel 33)</p> <p>Michael William Vernon (Address as at parcel 33)</p> <p>Vera Rosemarie Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p> <p>Vera Rosemarie Vernon The Willows Leighton Hall Farm Middlewich Road Crewe CW1 4QH</p>	<p>Personal covenant relating to road widening scheme as contained in a Transfer dated 4 November 1989 for the benefit of adjoining land</p> <p>Right of way, water and other rights as contained in a Transfer dated 4 November 1989 for the benefit of adjoining land</p> <p>Right of way, water and other rights as contained in a Transfer dated 4 November 1989 for the benefit of adjoining land</p> <p>Personal covenant relating to road widening scheme as contained in a Transfer dated 4 November 1989 for the benefit of adjoining land</p>
35	-	-	-	-
36	-	-	<p>Biowise Limited (Address as at parcel 17) <i>(trading as Wastewise)</i></p> <p>Unknown</p>	<p>Unknown rights for the benefit of Biowise Limited</p> <p>Rights relating to the free and uninterrupted passage and running of water and sewerage along a drain as contained in a Deed dated 16 December 1994 for the benefit of unknown land</p>

# North West Crewe Highways Compulsory Purchase Order Schedule Draft Referencing Schedule

## Draft Referencing Schedule v8.0 02/04/2020

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
37	-	-	National Grid plc (Address as at parcel 15)  National Grid plc (Address as at parcel 15)  Unknown	Rights relating to electric lines as contained in a Wayleave Agreement dated 29 July 1963  Rights relating to electric lines as contained in a Wayleave Agreement dated 18 January 1950  Unknown easements, rights and/or restrictions that may be in effect over this unregistered parcel of land
38	Lloyds Bank plc (Address as at parcel 2)	As mortgagee to Thomas James Charlesworth, Louise Isabella Christine Charlesworth and The Executor of the Estate of Marguerite Charlesworth in respect of a legal charge dated 10 December 2013 registered under title CH625114	-	-
38a	-	-	Biowise Limited (Address as at parcel 17) (trading as Wastewise)  Unknown	Unknown rights for the benefit of Biowise Limited  Rights relating to the free and uninterrupted passage and running of water and sewerage along a drain as contained in a Deed dated 16 December 1994 for the benefit of unknown land



*Working for a brighter future together*

Key Decision: Yes

Date First  
Published:  
5/11/19

## **Cabinet**

**Date of Meeting:** 05 May 2020

**Report Title:** A500 – Approval to Proceed with Compulsory Purchase Order Powers to Acquire Revised Land Take for the Scheme

**Portfolio Holder:** Cllr Craig Browne – Deputy Leader

**Senior Officer:** Frank Jordan - Executive Director - Place

### **1. Report Summary**

- 1.1. The Dualling of the A500 is a key component of the Council's overall plan to support the regeneration and development of Crewe. The scheme supports the aim to deliver environmental, social and economic benefits to residents of the Town.
- 1.2. The A500 is a key route which connects Crewe and Nantwich to the M6 at Junction 16; and to Stoke and Staffordshire. The section of the A500 between Junction 16 and the junction with the A531 and B5472 at Meremoor Moss Roundabout is single carriageway and is the only section of the A500 corridor that isn't built to dual carriageway standard.
- 1.3. The A500 will serve as the main route from the M6 to the centre of Crewe and the Hub Station. Without dualling there would be significant congestion on this part of the road network. The dualling therefore facilitates the council's plans for Crewe, will reduce congestion and improve air quality as a result.
- 1.4. This report seeks approval for Cabinet to authorise the use of powers of Compulsory Purchase to undertake the acquisition of land and new rights required for the construction of the Scheme reflecting the revised land requirement that has now been established as being necessary to deliver the Scheme.

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- 1.5. The factors referred to in paragraphs 1.1 to 1.3 demonstrate that it is in the public interest to make the CPO (see also Legal Implications in paragraph 6.1).
- 1.6. The current programme (subject to DfT final funding approval) is for the main works to start in 2021, with an estimated construction period of 27 months.
- 1.7. Cabinet approved a report regarding this scheme in July 2019. Since that meeting the design development work has established that a revision of the extent of the works is required for the Scheme.
- 1.8. There is therefore a need to acquire additional land. Accordingly, it is necessary to seek Cabinet authority to authorise the acquisition of the required land for the Scheme.

## **2. Recommendations**

That Cabinet:-

- 2.1. Authorises the making of an Order (or Orders) under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and all other powers as appropriate for the compulsory purchase of land and rights required for the construction of the Scheme as shown on the CPO Plan (Appendix A).
- 2.2. Authorises the making of a Side Roads Order (or Orders) under Sections 8, 14 and 125 of the Highways Act 1980 and all other necessary powers to improve, stop up existing highways, construct lengths of new highway and stop up and provide replacement private means of access as required to deliver the Scheme.
- 2.3. Authorises the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance Services to make any amendments necessary to the contemplated CPO and/or SRO (“the Orders”) arising as a result of further design work or negotiations with landowners or affected parties or for any connected reasons in order to enable delivery of the Scheme.
- 2.4. Authorises the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance Services to take all appropriate actions to secure the confirmation of the contemplated orders including:
  - 2.4.1. Authority to take all necessary action to secure the making, submission to the Secretary of State for confirmation and (if confirmed) implementation, of the Orders including the publication and service of all relevant notices and the finalisation



of the Statement of Reasons and for the Director of Governance and Compliance to secure the presentation of the Council's case at any public inquiry and the subsequent service of Notices to Treat and Notices of Entry or, as the case may be the execution of General Vesting Declarations;

- 2.4.2. Authority to negotiate and enter into agreements and undertakings with the owners of any interest in the required land under the Orders and any objectors to the confirmation of the Orders setting out the terms for the withdrawal of objections to the Orders including where appropriate, the inclusion in and/or exclusion from the CPO of land or new rights or the amendments of the SRO and to authorise the Director of Governance and Compliance to agree, draw up, and to sign all necessary legal documents to record such agreements and undertakings;
- 2.4.3. In the event that any question of compensation is referred to the Upper Tribunal (Lands Chamber) the Director of Governance and Compliance is authorised to take all necessary steps in connection with the conduct and, if appropriate, settlement of such proceedings;
- 2.4.4. Authorises the Director of Governance and Compliance Services to appoint suitable counsel to advise and represent the Council at any Public Inquiry held in respect of the Orders and to provide legal support to the team through the process;
- 2.5. Authorises the Head of Estates to seek to acquire the land and rights (or extinguish the same) required for the Scheme by agreement and to instruct the Director of Governance and Compliance to negotiate and enter into the agreements necessary to complete such acquisitions.
- 2.6. Authorises the Head of Estates to negotiate and approve the payment of relevant and reasonable professional fees incurred by landowners and others with compensable interests in taking professional advice in connection with the acquisition of their interests required for the scheme and related compensation claims and also in advancing the development or implementation of the Scheme.

### 3. Reasons for Recommendations

- 3.1. The acquisition of the land enables the Council to proceed with the development and delivery of the Scheme. This is a vital road connection as it provides a key strategic transport link between Crewe and Nantwich to the M6 at Junction 16.
- 3.2. Acquiring the necessary land and rights by negotiation is preferable and the Council must be able to demonstrate by the time of the public inquiry that it has made reasonable efforts in this regard. However, it is not realistic to assume that voluntary acquisitions could be concluded with all affected parties and for all land title issues to be dealt within the funding window for this Scheme. Accordingly, the renewed authorisation of compulsory purchase action is sought so that the project programme can be maintained and to demonstrate the Council's intent to proceed with the Scheme.
- 3.3. The Scheme CPO will include a total of c46 hectares of land. This includes c11 hectares for full title for the new road and environmental mitigation areas, and a further c1 hectare of land over which new rights are to be created. C15ha of the land is the existing highway land, currently registered to Highways England, plus a small parcel of land that is already owned by CEC. The remaining 19 hectares is required for site compounds, temporary haul routes, and proposed private means of accesses, and the intention would be to return this land to the pre-existing landowner on completion of the scheme. The interests of 6 owners, including the Duchy of Lancaster, are affected. The plan to accompany the CPO will be available for inspection by members at the meeting and a reduced size version is annexed to this report (Appendix A).
- 3.4. The land over which full title is to be acquired is predominantly agricultural land and the Scheme does not require the acquisition of any residential property (save for part of the garden at Bluemire Farm). The Scheme does not require the acquisition of land in any of the categories where land has to be provided in exchange, such as common land or public open space.
- 3.5. Some of the areas over which full title is to be acquired will not be required for the permanent works and, subject to negotiation, may be offered back to the current owners along with the payment of compensation in due course. The areas that may be subject to offers back to the owners are shown shaded green, orange and yellow on the non-statutory land acquisition plans which will be available for inspection by members at the meeting.

- 3.6. The SRO will authorise the stopping-up, diversion and creation of new lengths of highway or reclassification of existing highways and the CPO will include land that is required to enable the works authorised by the SRO to be carried out.
- 3.7. In addition, the SRO makes provision for the stopping-up of numerous private means of access to premises and agricultural land and the CPO makes provision for the acquisition of land and new rights to enable new, replacement private means of access to be provided as part of the Scheme.
- 3.8. The plans of the proposed highway and alterations to be authorised by the Side Roads Order will be available for inspection by Members at the meeting (Appendix B).
- 3.9. The land that is proposed to be acquired is the minimum considered to be reasonably required to achieve the selected design option. Discussions are proceeding with the Statutory Undertakers and these may disclose additional requirements for service diversions for which land or rights may require to be obtained under the CPO.
- 3.10. In the event that the Scheme is not completed, the A500 will continue to be a congestion constraint for traffic travelling between the south of Crewe and the M6 and the wider Cheshire East, Stoke and Staffordshire region.

#### **4. Other Options Considered**

##### **4.1. Land Acquisition by Negotiation**

Land acquisition could be pursued solely by negotiation and subsequent agreement. However, relying on land acquisition by agreement alone does not guarantee that the land required for the scheme will be secured. Although the freehold of the Duchy of Lancaster land can only be acquired by agreement, due to Crown Immunity, there are other land interests that can be subject to CPO; including other private holdings and the Duchy of Lancaster tenancies (subject to Duchy of Lancaster agreement). It is intended to acquire all the land for the Scheme by agreement where possible and to only use the powers under the Highway Act to compulsory purchase land and interests (where these powers are applicable) that cannot be acquired through agreement beforehand to support deliverability of the scheme.

##### **4.2. Cancel the Scheme**

If a decision is made to cancel the Scheme there will be no benefit from the Local Contribution spent to date (£4.7m up to March 2020).

Furthermore, the benefits attributed to the scheme will not be delivered and the Council's reputation with the DfT and TfN will be seriously compromised.

## **5. Background**

5.1. As a result of the development of the scheme, some changes to the original design have affected the land required for the Scheme as outlined below.

5.1.1. The re-design of Meremoor Moss Roundabout has resulted in a net reduction in land take for the Scheme. However, there is a small movement of the highway boundary to the north east of the roundabout and this has resulted in a small increase in land take at that location. The overall saving to the Scheme from the re-design of the roundabout is expected to be in the region of £1,000,000.

5.1.2. At the cutting near Bluemire Farm the detail has been re-designed to the earthworks solution, removing the need for piling operations. This is expected to provide a saving of approximately £650,000; however additional land take is required for this change.

5.2. To meet the programme for the Scheme, the Council will need to undertake further work i.e.:

5.2.1. Negotiations with affected land owners to secure land required for the Scheme by agreement whilst proceeding with the making of a CPO and SRO should agreements fail and statutory powers of acquisition need to be used ;

5.2.2. A market-tested cost estimate for the main works is required for inclusion in the Full Business Case to be submitted to DfT to obtain the Large Local Majors scheme grant funding;

5.2.3. Advance works are required to be completed in sufficient time to ensure ecological mitigations and utilities diversions are sufficiently progressed to enable the main works to commence on time;

5.2.4. A suitable supply chain is required, including local companies as far as is possible, to ensure timely commencement of the main works.

5.3. The majority of the land required for the Scheme is in the ownership of the Duchy of Lancaster. The Council cannot rely on powers of compulsory purchase to acquire crown land and must secure this land

by agreement. The following arrangement has been agreed with the Duchy. The Duchy has agreed to the inclusion in the CPO of the land interests of any of its tenants that are within the A500 CPO boundary and to the Council exercising its powers of compulsory acquisition to acquire new rights and/or other interests in this land.

- 5.4. The remainder of the land required to deliver the Scheme can be acquired compulsorily but the Council is required to demonstrate that it has sought to engage with landholders to agree acquisition only relying on CPO powers as a last resort.
- 5.5. The Council has appointed external solicitors to undertake preparatory work including drafting the Statutory Orders required to deliver the Scheme. Chartered surveyors have also been appointed to deal with negotiations on land acquisition by agreement with a view to securing all land necessary to deliver the Scheme by agreement. However, voluntary acquisitions of all of the land affected and rights required may not be possible.
- 5.6. Whilst acquisition by agreement will be pursued, initiating the CPO process over the third-party land holdings required for the Scheme affords greater certainty that the Scheme will proceed in the event that negotiations break down. This is in line with national guidance on the use of CPO powers set out in “Guidance on Compulsory Purchase Process and the Crichel Down Rules” (July 2019) (The Guidance).
- 5.7. If a CPO is required it is expected that it will be made in May 2020 subject to funding from DfT. The Secretary of State for Transport will consider whether the CPO should be confirmed and such confirmation may be considered following a public inquiry to deal with objections.
- 5.8. At the east end of the Scheme, close to the M6 Junction 16 roundabout there is part of the proposed highway infrastructure (part of a permanent drainage attenuation pond and part of a proposed temporary site compound) that lie within the Staffordshire County Council (SCC) area. An agreement under Section 8 of the Highways Act 1980 has been entered into with SCC. This will enable Cheshire East to promote the Scheme and progress the CPO and SRO on behalf of both authorities
- 5.9. A Side Roads Order (SRO) will also be required as existing accesses directly onto the A500 will be stopped up on safety grounds. Alternative, replacement means of access will be provided and where existing public rights of way cross the A500, those rights of way will be diverted to maintain connectivity.

- 5.10. It is the intention that proposed developments in the local area that will benefit from the Scheme will provide a financial contribution to the overall cost of the Scheme. For example, the South Cheshire Growth Village, which is on Duchy of Lancaster land, is a strategic development which has been allocated in the Council's recently adopted Local Plan Strategy. The Local Plan Strategy contains a policy for the development to contribute to the improvement of the A500. It is therefore expected that contributions will be made to this Scheme (and others) by way of planning obligations secured in section 106 agreements if the associated development is consented.
- 5.11. The Duchy of Lancaster is major owner of the land required for the Scheme. The Duchy has submitted a letter of support for the Scheme and has said that they will be a supportive partner as the Scheme takes shape. Accordingly, there is every prospect that the land that is not capable of being acquired compulsorily will be made available for the Scheme from the Duchy.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. In resolving to make a Compulsory Purchase Order and a Side Roads Order for the Scheme the Council would be proceeding under powers contained in the Highways Act 1980 authorising the compulsory purchase of land and the rights required to deliver the Scheme, together with improvements, stopping up of highways, rights of way and private means of access and providing replacement of private means of access.
- 6.1.2. Part XII of the Highways Act 1980 includes a number of CPO powers to support the delivery of highways. These include the following:
- 6.1.3. Section 239 of the 1980 Act pursuant to which the highway authority for the area may acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense, as well as any land required for the improvement of a highway.
- 6.1.4. Section 240 of the 1980 Act, pursuant to which the highway authority may acquire land required for use in connection with construction or improvement of a highway and the carrying out of a diversion or other works to watercourses.
- 6.1.5. Section 246 of the 1980 Act pursuant to which the highway authority can acquire land for the purpose of mitigating any adverse effect which the existence or use of a highway

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constructed or improved by them has or will have on the surroundings of the highway.

- 6.1.6. Section 249 of the 1980 Act prescribes distance limits from the highway for the acquisition of land for certain purposes.
- 6.1.7. Section 250 of the 1980 Act allows the highway authority to acquire rights over land, both by acquisition of those that are already in existence, and by the creation of new rights.
- 6.1.8. Section 260 authorises the clearance of the title to land already held by the Council and required for the scheme and which might otherwise interfere with the Council's activities in exercising its statutory powers to construct the works.
- 6.1.9. The delivery of the Scheme will require the Council to make a CPO using the powers set out above.
- 6.1.10. According to the Guidance, compulsory purchase order should only be made where there is a compelling case in the public interest. Compulsory purchase powers are only to be used as a last resort and that the land proposed to be acquired should be the minimum considered to be reasonably required to achieve the selected design option.
- 6.1.11. In submitting the CPO to the Secretary of State for Transport for confirmation, the Council must demonstrate that there are no impediments to implementation of the CPO. To do so, the Council must provide substantive information as to the sources of funding available for both acquiring the land and implementing the Scheme for which the land is required.
- 6.1.12. The Council must also show that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation; including any need for planning permission or any other consent or licence and completion of an Agreement with Staffordshire County Council to ensure that Cheshire East Council can exercise highway functions within the specified land within their area. In addition to the Guidance, guidance included in Department of Transport Circular 2/97 is also relevant to CPOs made under Highways Act powers. This provides that the Secretary of State for Transport will not confirm a CPO unless he is satisfied that planning permission has been granted.
- 6.1.13. An order under section 14 of the 1980 Act authorises a highway authority to stop up, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified



road. It also provides for the construction of new highways for purposes concerned with any such alterations or related purposes. Section 125 of the 1980 Act provides that a SRO may authorise the highway authority to stop up private means of access to premises and to provide new means of access to premises. In all instances where stopping up of either highway or private means of access is proposed, the Secretary of State must be satisfied that either no access to premises is reasonably required or that other reasonably convenient means of access to the premises are available to the premises or will be provided.

6.1.14. Included as Appendix C is the draft of the statement of reasons that provide a detailed justification for the Orders and sets out why officers believe there is a compelling case in the public interest for making the CPO. Cabinet is requested to take into account the matters set out in the draft statement in coming to a decision on whether to authorise the use of CPO powers and proceed with the SRO's.

6.1.15. Section 8 of the Highways Act 1980 provides that local highway authorities may enter into agreements with an adjoining highway authority to transfer the functions of one highway authority to another and this includes the power to acquire land compulsorily.

## **6.2. Finance Implications**

6.2.1. The scheme has a £6.8m approved budget in the main capital programme which has been secured from £5.0m local contributions and £1.8m DfT contributions.

6.2.2. This budget covers the costs of the project up to May 2020. If DfT decide not to include the scheme in the programme at any point during that period, expenditure can be stopped immediately and the contract with the delivery team through the SCAPE framework can be terminated at any time.

6.2.3. The revised Outline Business Case submitted to DfT in May 2019 is based on a total scheme cost of £68.7m. The total requested contribution from the DfT is £55.1m and the total local contribution is £13.6m.

6.2.4. In addition to the approved budget of £6.8m in the main programme, a budget of £61.9m is held in the addendum to the capital programme to cover the total scheme cost.

- 6.2.5. A detailed cost estimate has been prepared by specialist engineering and property consultants. The following table summarises the main cost elements for the Scheme.

<b>Scheme Element</b>	<b>Estimated Outturn Costs (2018 Q1 prices)</b>
Scheme expenditure up to end May 2019	£4.50m
Construction incl. Preliminary works	£38.60m
Supervision costs	£3.70m
Land acquisition	£2.40m
Part 1 Claims	£0.46
Statutory utilities	£6.50m
Preparation costs	£2.30m
Inflation allowance	£6.54m
Risk Allowance	£3.70m
<b>Total</b>	<b>£68.7m</b>

- 6.2.6. The Scheme funding relies on local funding sources, referred to as the Local Contribution, secured from both the Council and third party (developer) sources. The following table summarises the funding sources.

<b>Funding Source</b>	<b>Value £ (2018 Q1 prices)</b>
DfT Grant  (including £1.8m already received for scheme development and the future contribution £53.3m))	£55.1m
Whole scheme local contribution  This figure includes the end Oct 2019 sunk costs local contribution £2.9m and the future expected local contribution £10.7m	£13.6m
<b>Total Scheme costs</b>	<b>£68.7m</b>

- 6.2.7. The revised land requirements outlined in Section 5.1 of this report amount to a relatively small change in the overall area of land required for the scheme. It is expected that there will only be limited changes to land costs with no direct impact on the affordability of the scheme. Some of the proposed land changes will support construction cost savings which will have a net financial benefit for the scheme.
- 6.2.8. At this stage, the current estimate of funding from S106 developer contributions is in the range of £2.2m to £6.5m based on developments that may be released by the Scheme as set out in the Local Plan Strategy. The funding strategy for the scheme is to maximise the value of S106 contributions however, there is no guarantee that these developments will come forward or even if they do, that all predicted funding will be collected.
- 6.2.9. Officers are continuing to pursue alternative funding sources, including developer contributions, which could be used towards the Local Contribution. This approach will be retained, ensuring that the call on Council resources is minimised. The total scheme cost will be revised in the Capital Programme in a future report to Cabinet following the outcome of the revised OBC submission to the DfT.
- 6.2.10. In the scenario where a Full Business Case is submitted but grant funding is not approved by DfT and the Scheme cannot progress, the Council will be exposed to funding all the costs to that point of scheme development, excluding the £1.8m provided by DfT to develop the Outline Business Case.

### **6.3. Policy Implications**

- 6.3.1. The need for the Scheme is clearly established in the Cheshire East Local Plan Strategy, identifying from the outset the need to improve transport connections to deliver the Plan, including the Scheme.
- 6.3.2. By providing additional highway capacity to cater for additional traffic from development, the Scheme would support the Local Plan Strategy and the objectives of the Constellation Partnership. The Scheme is thus considered to be in line with local policy and essential for the delivery of the future economic growth plans of Cheshire East Council.

#### **6.4. Equality Implications**

- 6.4.1. All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. In exercising their compulsory purchase and related powers (e.g. powers of entry) these acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.
- 6.4.2. Equality implications have been considered in the options appraisal and are incorporated into the Outline Business Case. An Equalities Impact Assessment was prepared to accompany the planning application for the Scheme and considered in determining to grant planning permission.
- 6.4.3. In progressing the Orders and carrying out consultations the Council will take into account the needs of persons with protected characteristics as set out in equalities legislation.

#### **6.5. Human Rights Implications**

- 6.5.1. In deciding whether to proceed with a Compulsory Purchase Order (CPO) and a Side Roads Order (SRO), Members will need to consider the Human Rights Act 1998 and Article 1 of the First Protocol and Article 8 to the European Convention on Human Rights.
- 6.5.2. Article 1 protects the rights of everyone to the peaceful enjoyment of their possessions. No person can be deprived of their possessions except in the public interest and subject to national and international law.
- 6.5.3. Article 8 protects private and family life, the home and correspondence. No public authority can interfere with this interest except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well-being of the country.
- 6.5.4. Members will need to balance whether the exercise of these powers are compatible with the European Convention on Human Rights. In weighing up the issues it is considered that the acquisition of land which will bring benefits to the residents and businesses that could not be achieved by agreement and this outweighs the loss that will be suffered by existing landowners. The CPO and SRO will follow existing legislative procedures.

- 6.5.5. All parties have the right to object to the making of the Orders and attend a public inquiry arranged by the Secretary of State. Parties not included in the CPO may be afforded that right to make representations to the inquiry if the inspector agrees.
- 6.5.6. The decision of the Secretary of State can be challenged in the High Court, an independent tribunal, for legal defects. Those whose land is acquired will receive compensation based on the Land Compensation Code and should the quantum of compensation be in dispute the matter can be referred to the Lands Tribunal for independent and impartial adjudication.
- 6.5.7. The Courts have held that this framework complies with the Convention on Human Rights. Accordingly, a decision to proceed with the recommendation on the basis that there is a compelling case in the public interest would be compatible with the Human Rights Act 1998.

#### **6.6. Human Resources Implications**

- 6.6.1. It shall be necessary to ensure that sufficient resource is allocated in Assets, Highways, Legal, and Planning Services to support delivery of the Scheme. If additional temporary resources are required these will be met from the project budget.

#### **6.7. Risk Management Implications**

- 6.7.1. Key risks to the Council continue to relate to the affordability of the Scheme and this will be addressed through the continued development of the funding strategy.
- 6.7.2. A revised Outline Business Case was submitted to the DfT in May 2019 and the scheme has not yet been granted DfT programme entry. Although DfT programme entry is expected, it is not yet certain.
- 6.7.3. The Council will be required to accept all responsibility for cost increases beyond the cost envelope stated in the Business Case that is approved for funding by DfT. This decision is at the Full Business Case stage, which is currently anticipated to be early 2021.
- 6.7.4. For the purposes of the Financial Case, optimism bias has not been included due to the fact that the scheme costs have been derived based upon a well developed highways design and are inclusive of a risk allowance of £3.7m. For the purposes of economic appraisal, a level of Optimism Bias is applied to uplift

estimated costs by 15%, in accordance with DfT guidance, to ensure that the value-for-money of the Scheme is not overstated.

- 6.7.5. Until the point at which DfT make their final investment decision based on the Full Business Case, any council funding of Scheme development is at risk, although this risk decreases significantly once the DfT approve the Outline Business Case.
- 6.7.6. The majority of land that would be required to widen the A500 is owned by the Duchy of Lancaster. The land cannot be subject to a CPO unless the Duchy agrees to it. Alternatively an agreement would have to be negotiated for the acquisition of their land. The Duchy has however submitted a letter of support for the Scheme and has said that they will be a supportive partner as the Scheme takes shape.
- 6.7.7. A Planning Application reflecting the revisions to scheme has been submitted and this is under consideration by the planning authority. As indicated in the Legal Implications Section above, the Secretary of State's policy is not to confirm the CPO before planning approval is granted.
- 6.7.8. There are some significant services that cross the Scheme, such as a Mainline Fuels oil pipeline, and high pressure gas mains. An initial cost estimate, including risk, is included in the overall Scheme Cost Estimate, but further work is required to confirm those estimates, and to understand the requirements of the utility companies as Statutory Undertakers.
- 6.7.9. The Council will be required to forward fund the whole of the local contribution and to underwrite third party contributions expected through Section 106 (S106) agreements, as developer contributions may take many years to collect. The current estimate of funding from S106 agreements is in the range £2.2m to £6.5m, based on developments that could be released by the Scheme as set out in the Local Plan Strategy. The funding strategy for the scheme is to maximise the value of S106 contributions however, there is no guarantee that these developments will come forward or even if they do, that all predicted funding will be collected.
- 6.7.10. Should the Scheme not be completed the A500 will continue to be a congestion constraint for traffic travelling between the south of Crewe and the M6 and the wider Cheshire East, Stoke and Staffordshire region.

## **6.8. Rural Communities Implications**

- 6.8.1. As the Scheme is a widening of an existing road, it will not introduce any new severance of existing farms or communities. There are some existing field gates that access directly on to the A500 and these will have to be closed once the road becomes a dual carriageway on safety grounds. However, the farm tenants have said that they already no longer use the gates because of the high volume of traffic on the A500. Appropriate alternative accesses will be provided, as required, as part of the Scheme.
- 6.8.2. Similarly, there are crossing points for public rights of way that will be closed. The Scheme includes diversions for these footpaths to maintain connectivity, and the stopping up of paths where they lead directly to the road.
- 6.8.3. There may be some impact during the construction phase, because the two bridges over the A500 will need to be demolished and replaced. Consideration will be given to how connectivity can be maintained during construction.
- 6.8.4. The scheme planning applications provide a comprehensive Environmental Assessment which takes into account the effect on the rural community. This assessment will include impacts such as noise, air quality, visual impact plus the Scheme's effects of Public Rights of Way and non-motorised users i.e. pedestrians, cyclists and equestrians.

## **6.9. Implications for Children & Young People / Looked After Children**

- 6.9.1. The Delivery Agreement included a comprehensive framework to capture local Social and Community Value throughout the project. Opportunities to engage with local schools and colleges will arise as the Scheme progresses for education and training purposes. The means by which young people can be encouraged to participate in the consultation process will be considered as part of the Consultation and Engagement Plan.

## **6.10. Public Health Implications**

- 6.10.1. The recommendations have no immediate impact on public health. Issues associated with noise and air quality will be assessed as part of the programme of works associated with preparing an Environmental Assessment to accompany the planning application.



- 6.10.2. The Scheme will have environmental benefits, through reducing traffic congestion, improving travel times and reliability and encouraging multi modal forms of transport such as cycling and walking.

#### **6.11. Climate Change Implications**

- 6.11.1. The proposed scheme has been subject to a comprehensive Environmental Appraisal as part of the statutory planning process. This has demonstrated the wider environmental and ecological impact of the bypass. The Council has resolved to consent the Scheme subject to conditions.
- 6.11.2. The proposed scheme is embedded in the Local Plan Strategy, which has been subject to Examination in the Public by the Planning Inspectorate. The Local Plan has been deemed to be a robust plan for sustainable development across the borough. The scheme contributes to this overall plan for sustainable growth in Cheshire East by enabling growth through improved connectivity and reducing adverse impacts of traffic and travel.
- 6.11.3. The existing habitat affected by the scheme is of limited ecological value with the largest areas comprising broad-leaved plantation woodland created during the original construction of this stretch of the A500 in the 1980s. The impact of the scheme has been determined through the planning approval process and the planning conditions include the provision of a commuted lump sum to offset the ecological impact.

#### **7. Ward Members Affected**

- 7.1. The strategic nature of the Scheme will mean that journeys from multiple wards will be affected.
- 7.2. The Scheme itself is situated in Haslington Ward. The local ward members for Haslington are Cllr Mary Addison and Cllr Steven Edgar.

#### **8. Consultation & Engagement**

- 8.1. The Pre-Planning Application Consultation has been undertaken; the consultation report is available on request.

#### **9. Access to Information**

- 9.1. The background papers relating to this report can be inspected by contacting the report writer.
- 9.2. For this scheme reports have previously been submitted to Cabinet as follows:

- 9<sup>th</sup> May 2017 A500 Dualling
- 12<sup>th</sup> Jun 2018 A500 dualling Scheme
- 15<sup>th</sup> Jan 2019 A500 Dualling Funding & Delivery Strategy
- 9<sup>th</sup> July 2019 A500 Approval to Acquire Land

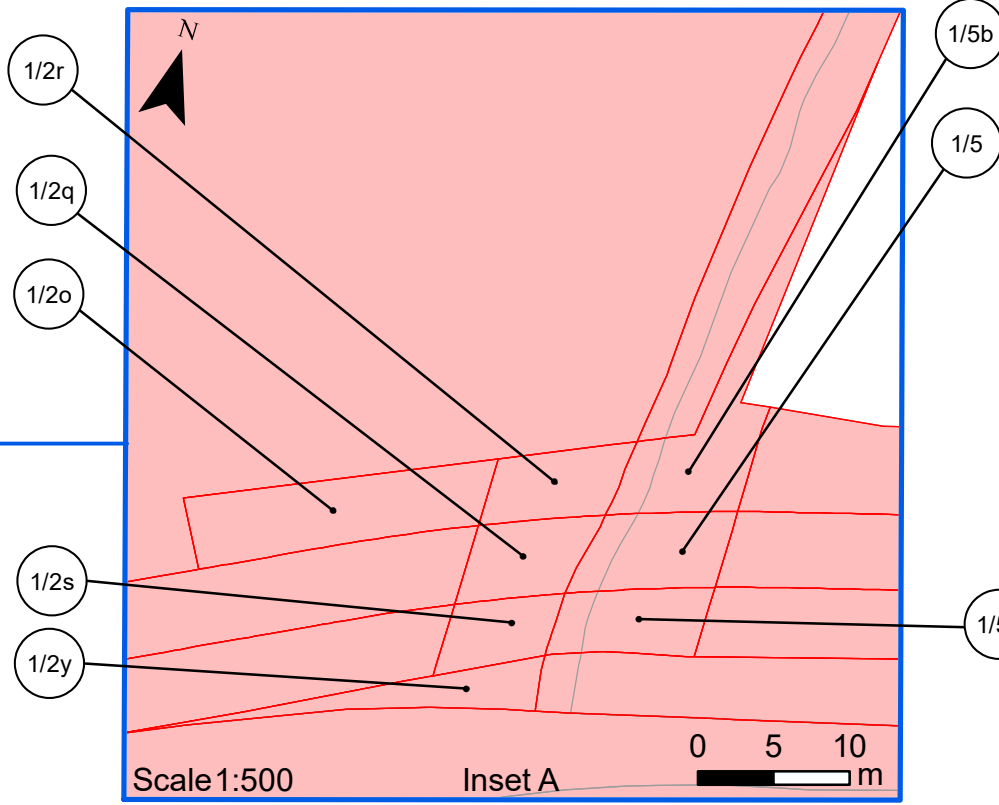
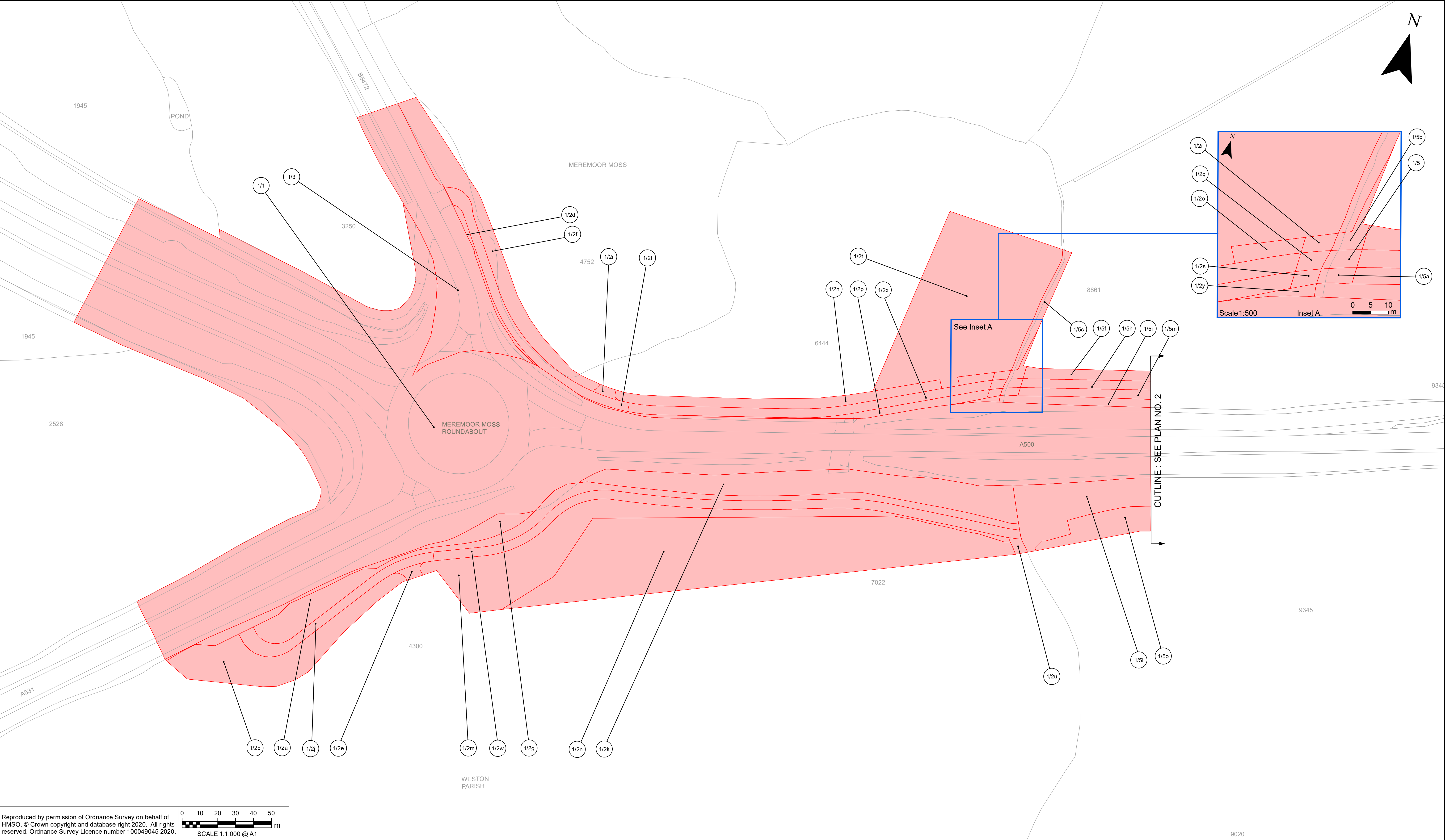
## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

Name: Chris Hindle

Job Title: Head of Infrastructure

Email: [chris.hindle@cheshireeast.gov.uk](mailto:chris.hindle@cheshireeast.gov.uk)



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0 10 20 30 40 50 m  
SCALE 1:1,000 @ A1

- NOTES:**
- Order under sections 8, 239, 240, 246, 250 and 260 of the Highways Act 1980.
  - This plan does not show widths or construction details.

**KEY**

- Title
- S250 Right
- • • Local authority boundary
- Parish boundary
- - - - - Public right of way
- 0038 Ordnance Survey field numbers

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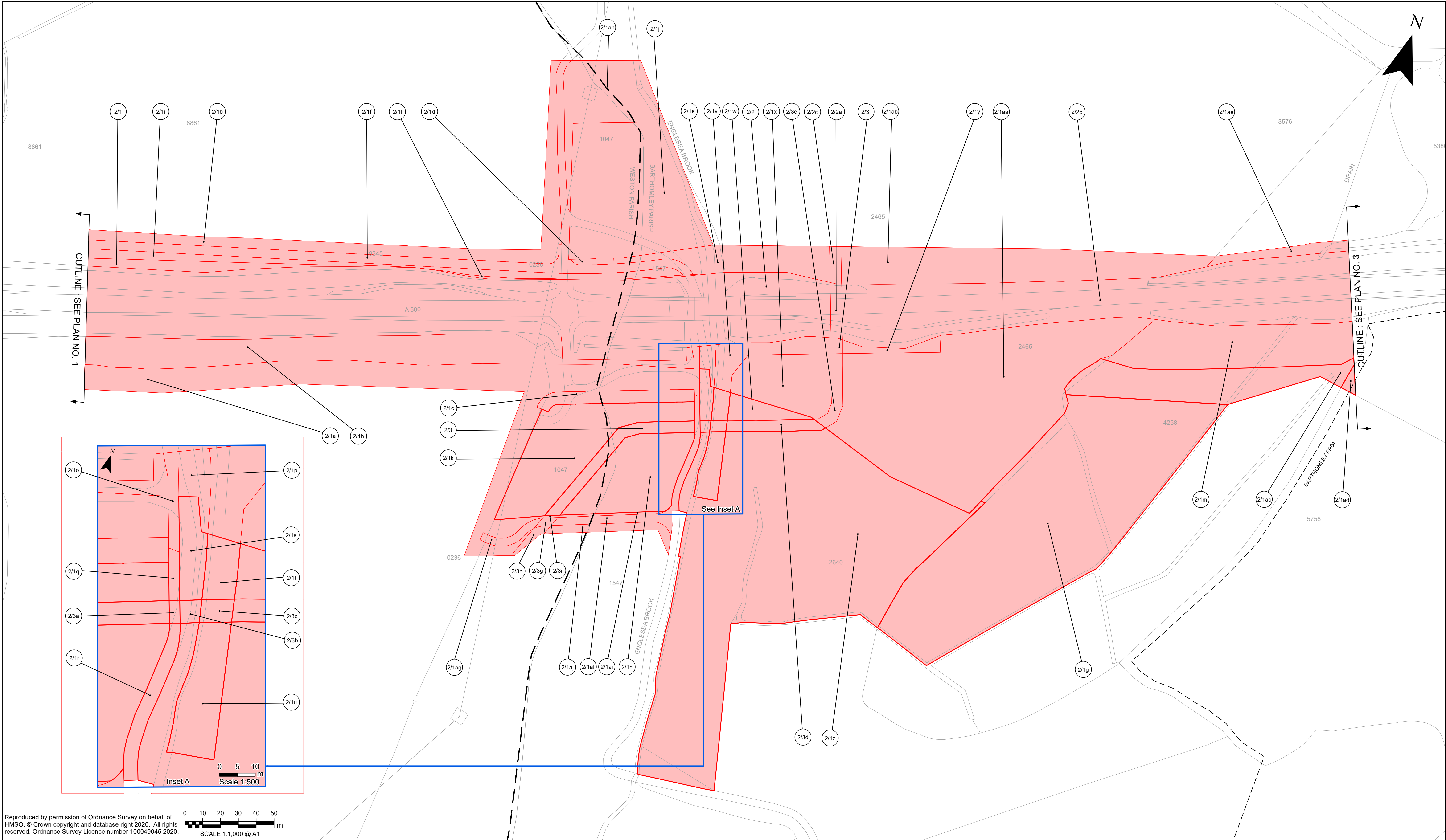


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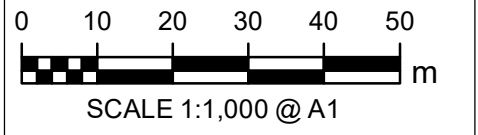
CHESHIRE EAST BOROUGH COUNCIL  
(A500 DUALLING)  
COMPULSORY PURCHASE ORDER  
PLAN 2020

MEREMOOR MOSS  
ROUNDABOUT AND  
OTHER ALTERATIONS  
SITE PLAN NO.1





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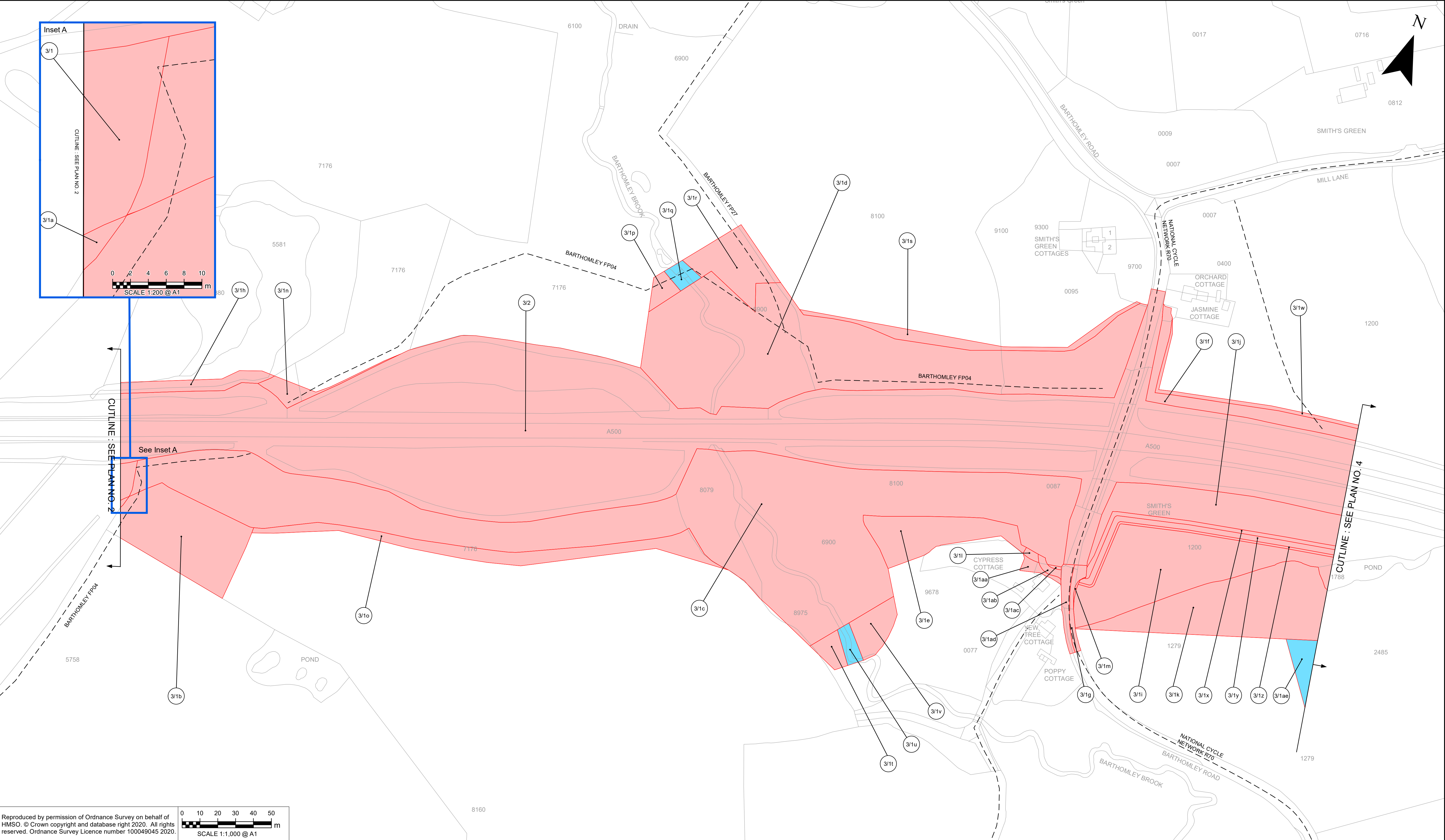


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CHESHIRE EAST BOROUGH COUNCIL  
(A500 DUALLING)  
COMPULSORY PURCHASE ORDER  
PLAN 2020

ENGLESEA BROOK,  
THE DUCKERIES  
AND OTHER ALTERATIONS  
SITE PLAN NO. 2





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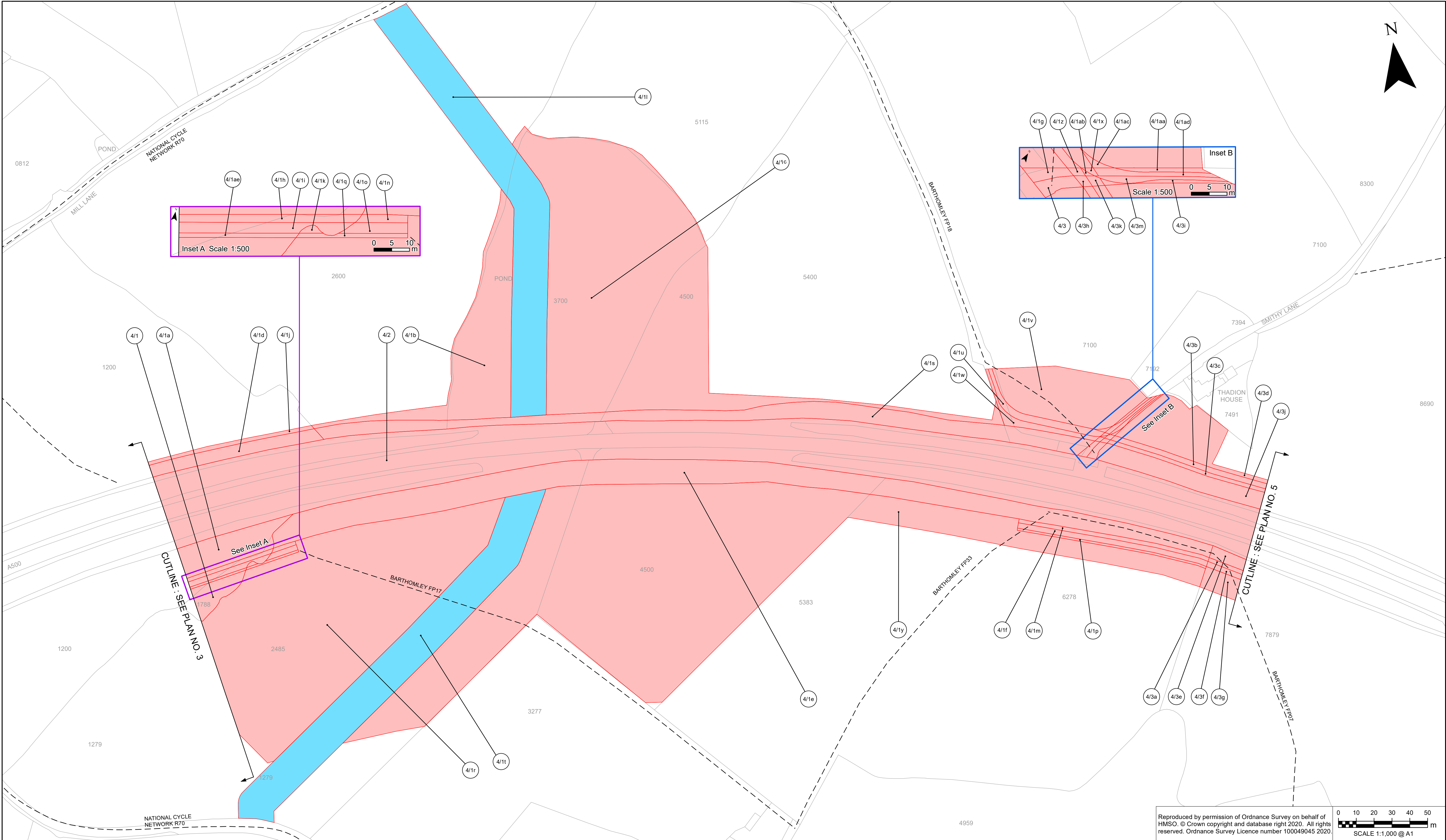
**Cheshire East**  
Council

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CHESHIRE EAST BOROUGH COUNCIL  
(A500 DUALLING)  
COMPULSORY PURCHASE ORDER  
PLAN 2020

BARTHOMLEY BROOK,  
BARTHOMLEY ROAD AND  
OTHER ALTERATIONS  
SITE PLAN NO. 3





**NOTES:**

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**KEY**

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- Local authority boundary
- Parish boundary
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- 0038 Ordnance Survey field numbers

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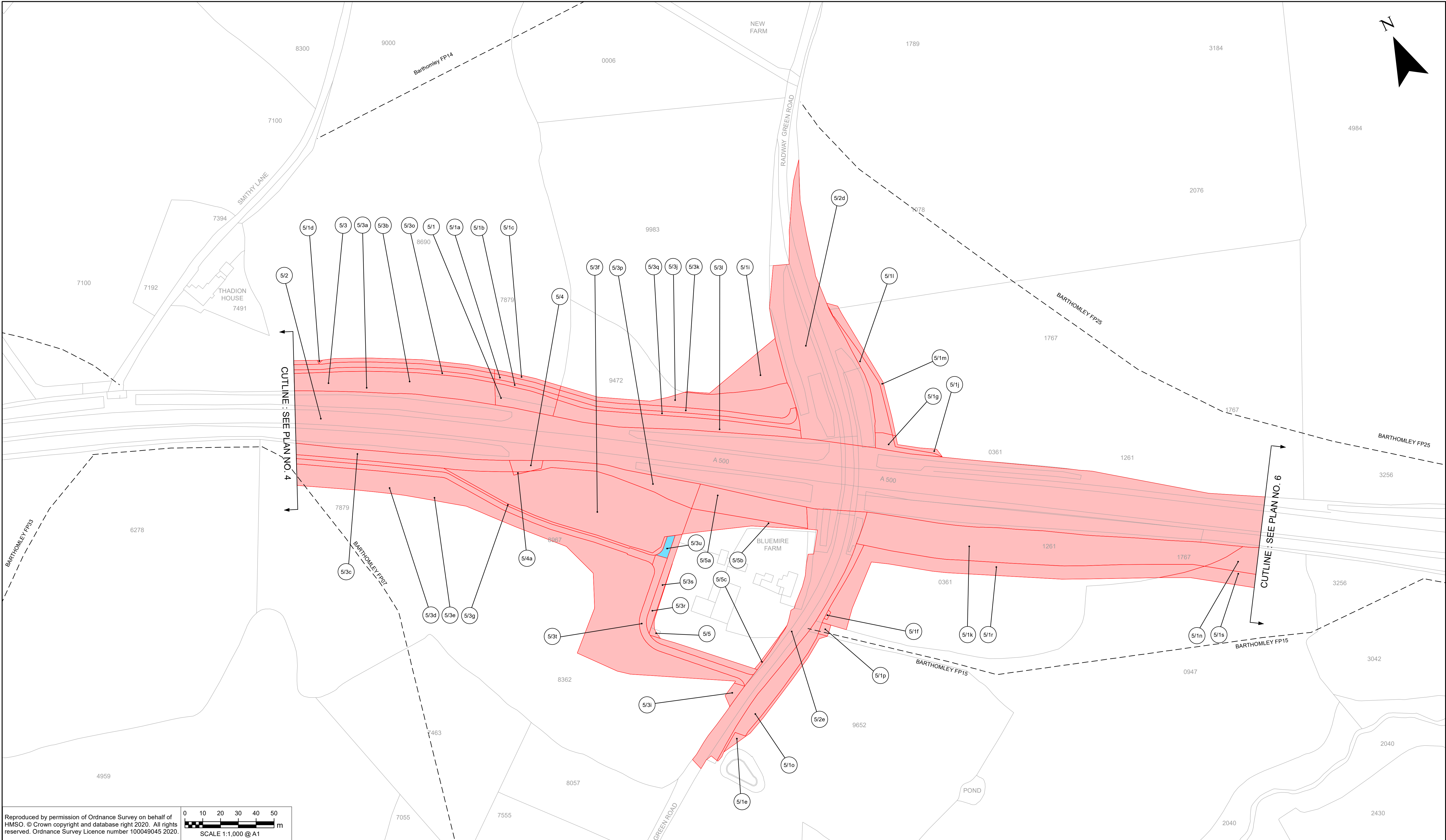
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Revision 6

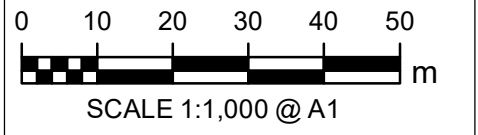
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(A500 DUALLING)  
COMPULSORY PURCHASE ORDER  
PLAN 2020

LAND AT DAISY BANK  
FARM, SMITHY LANE AND  
OTHER ALTERATIONS  
SITE PLAN NO. 4





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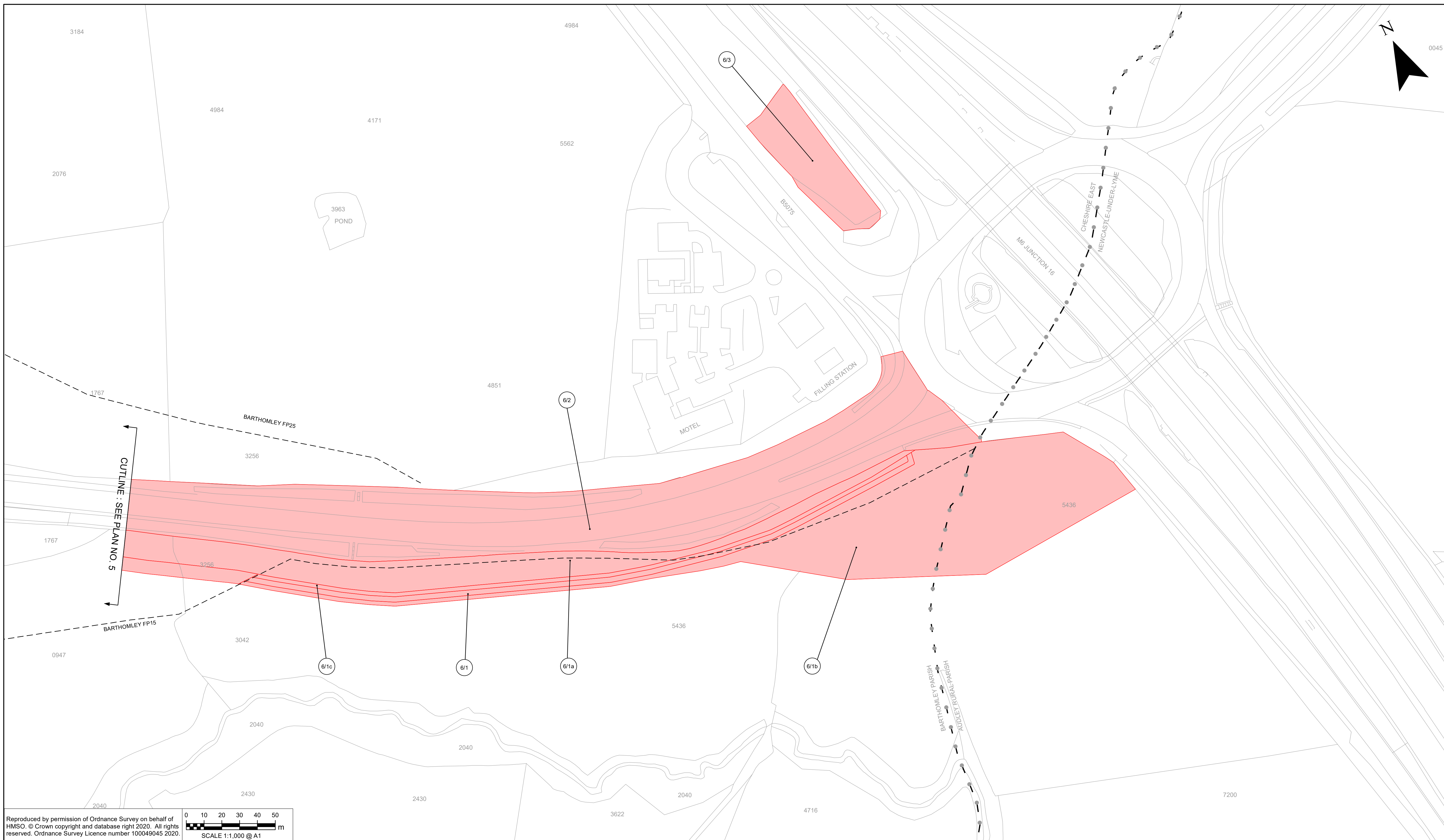


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PLAN 2020

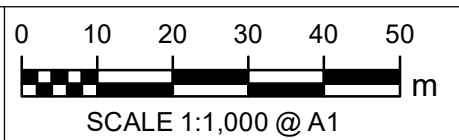
BLUEMIRE FARM,  
RADWAY GREEN ROAD  
AND OTHER ALTERATIONS  
SITE PLAN NO. 5





Page 378






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KEY

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 S250 Right  
 Local authority boundary  
 Parish boundary  
 Public right of way  
0038 Ordnance Survey field numbers

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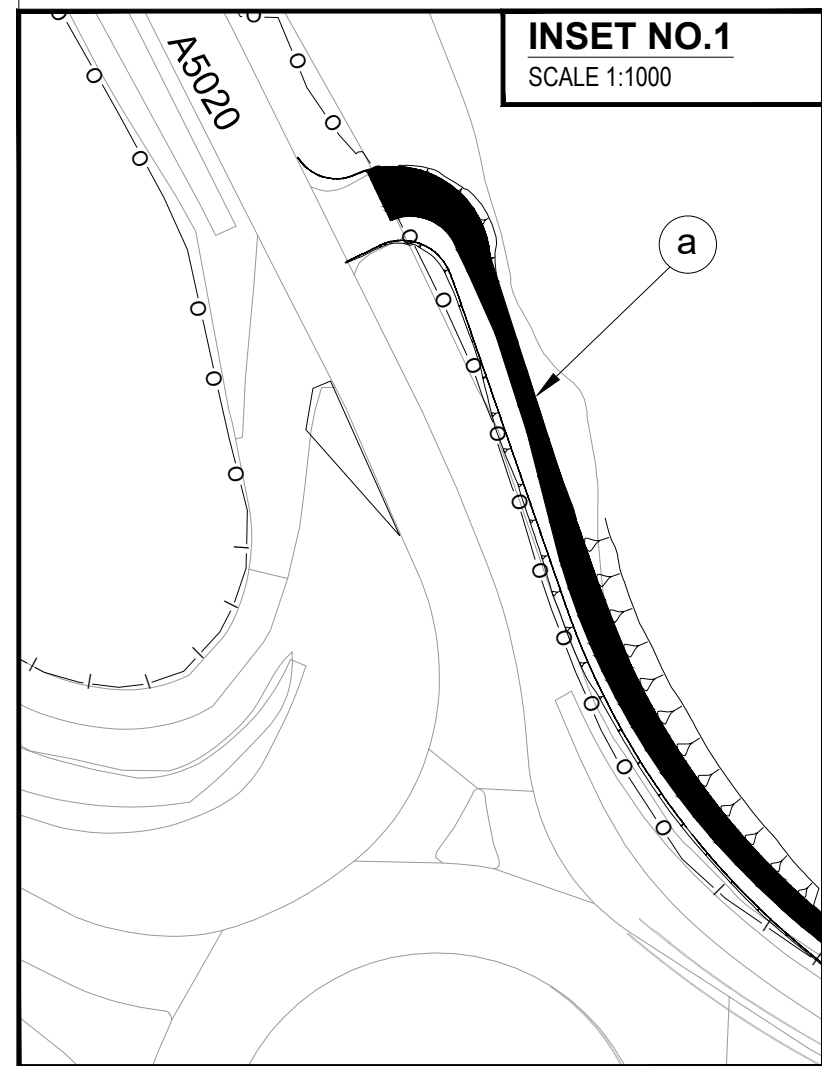
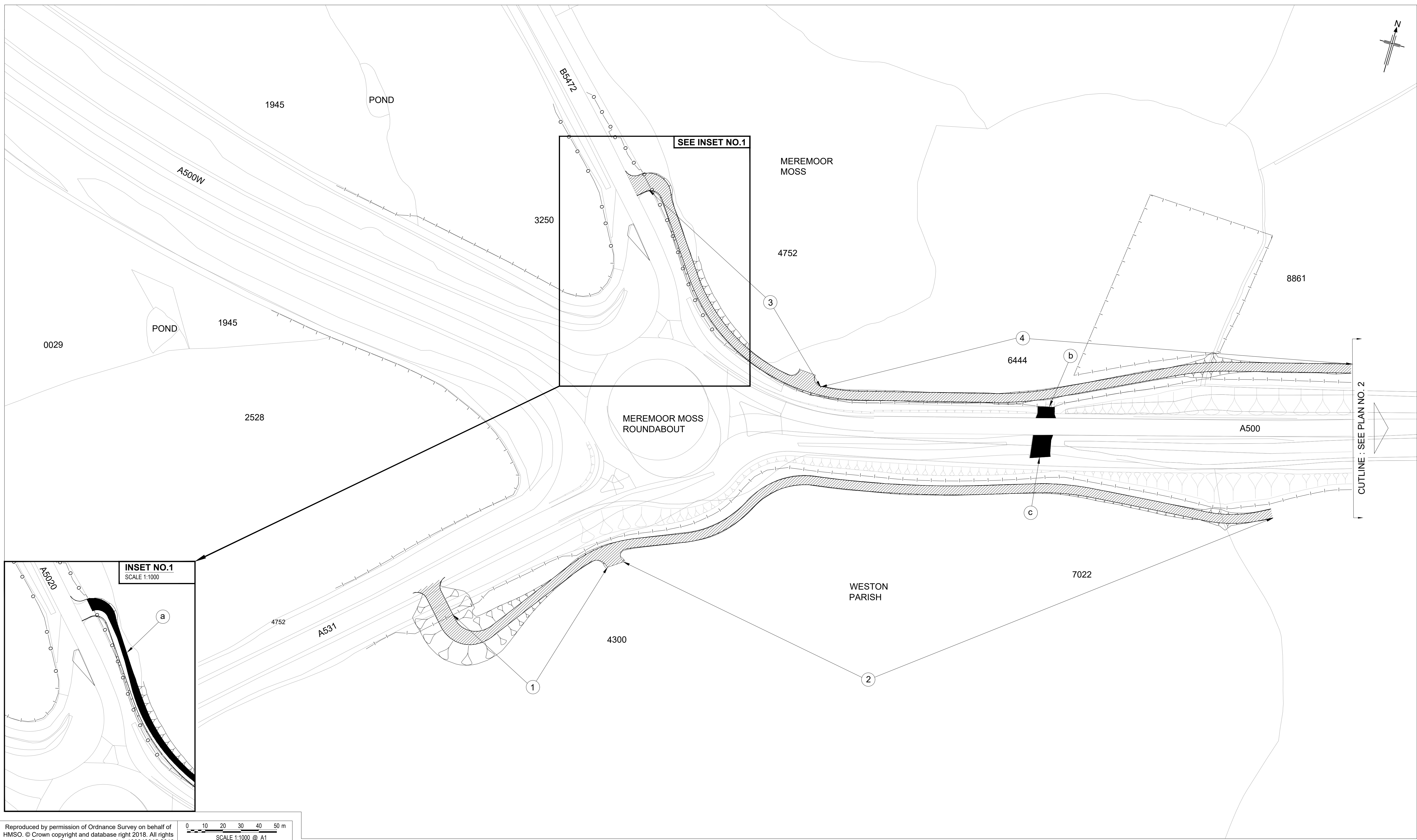
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(A500 DUALLING)  
COMPULSORY PURCHASE ORDER  
PLAN 2020

M6 JUNCTION 16  
 ROUNDABOUT AND  
 OTHER ALTERATIONS  
 SITE PLAN NO. 6

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NOTES:  
1. Orders under section 14 & 125 of the Highways Act 1980.  
2. This plan does not show widths or construction details.

KEY:			
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	Highway to be improved		Existing Public rights of way (labelled)
	Highway to be stopped up	0038	Ordnance Survey field numbers
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	New private means of access		New private means of access reference label
	Classified road boundary		New side road reference label
	Side road boundary		

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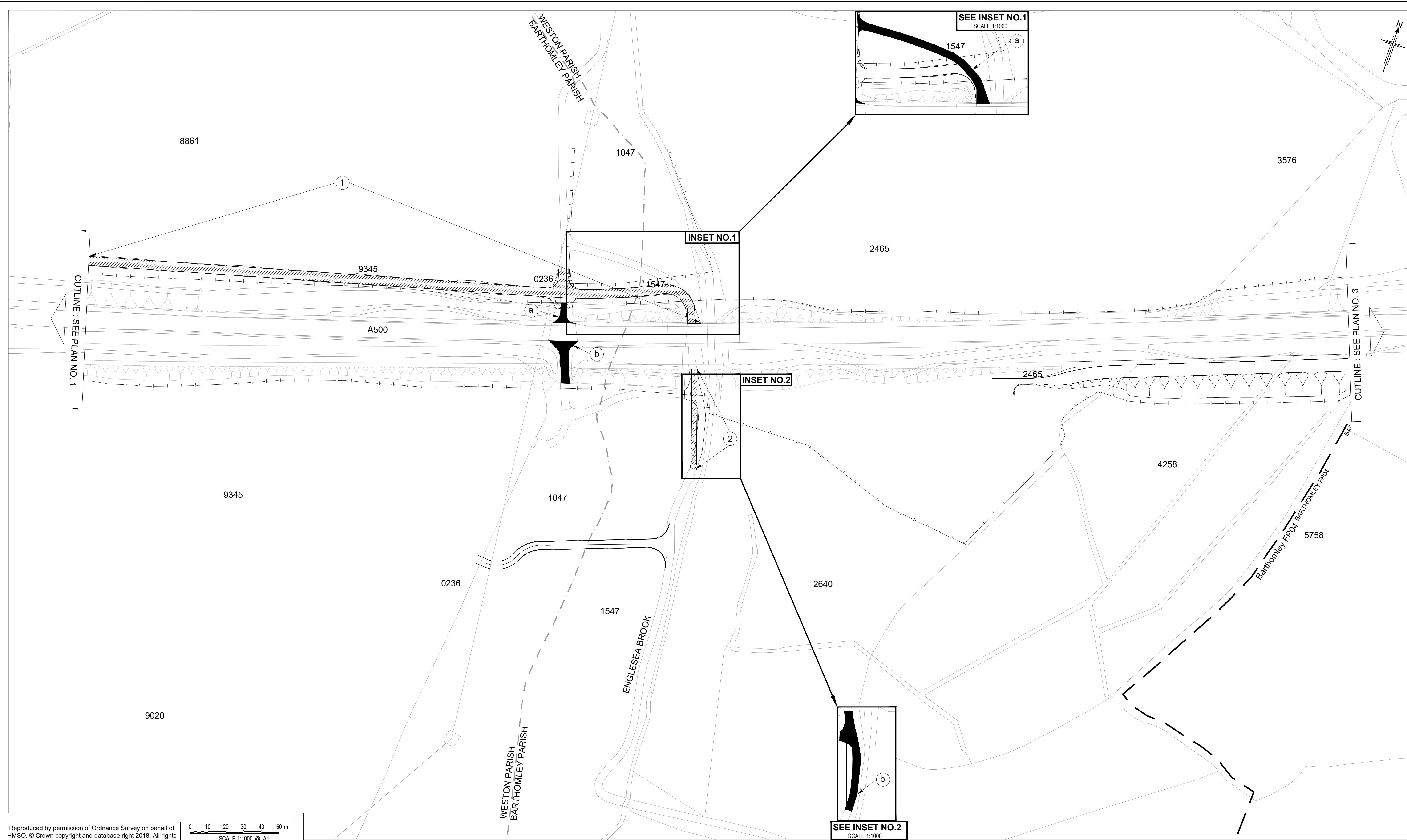
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CHESHIRE EAST COUNCIL  
(A500 DUALLING)  
(SIDE ROADS) ORDER 2020

MEREMOOR MOSS  
ROUNDAABOUT AND  
OTHER ALTERATIONS  
SITE PLAN NO. 1





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- KEY:**
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  - Side road boundary
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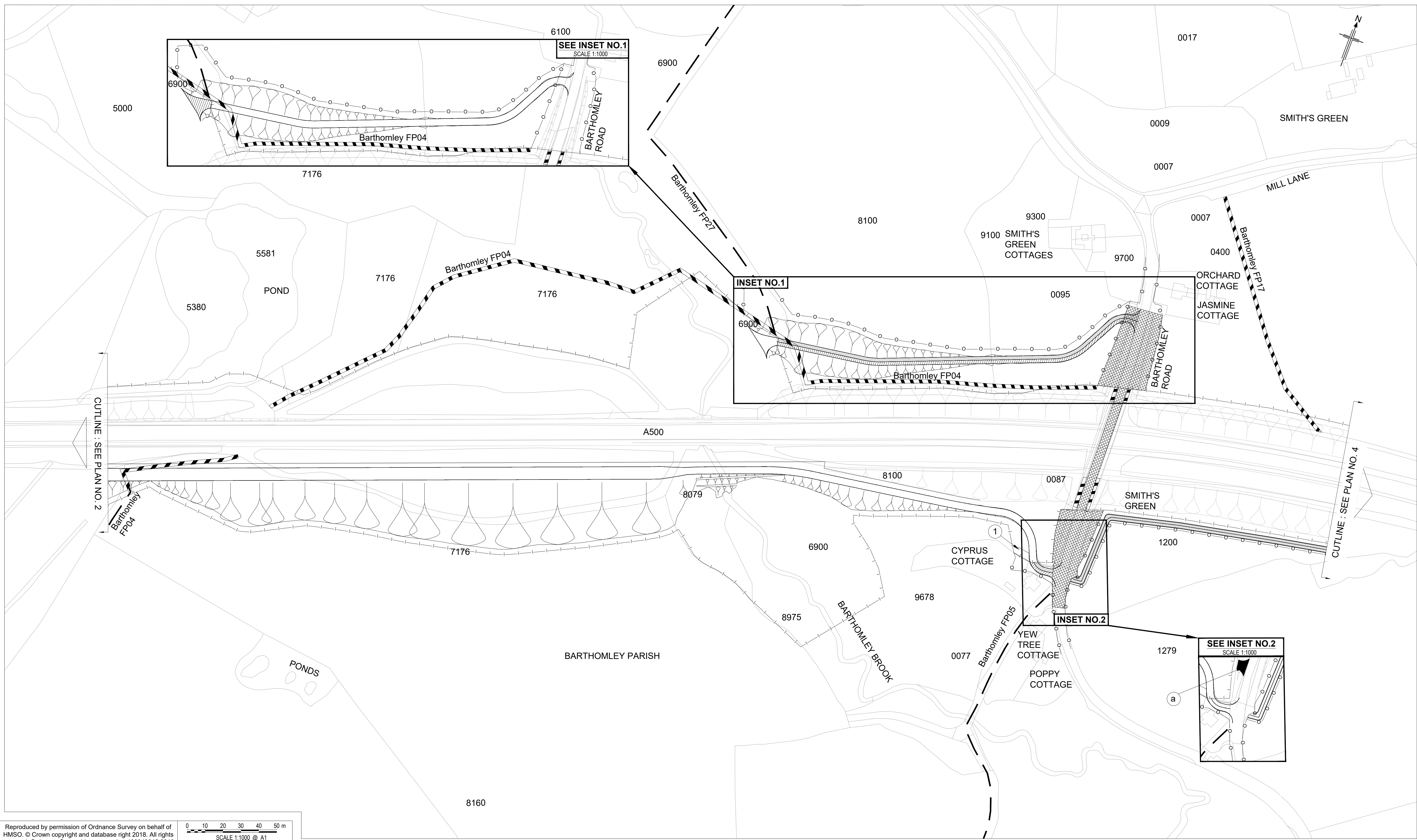
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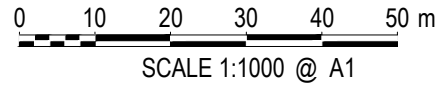
CHESHIRE EAST COUNCIL  
(A500 DUALLING)  
(SIDE ROADS) ORDER 2020

ENGLESEA BROOK,  
THE DUCKERIES AND  
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KEY:

New Highway

Highway to be improved

Highway to be stopped up

Private means of access to be stopped up

New private means of access

Classified road boundary

Side road boundary

Parish boundary

Existing Public rights of way (labelled)

0038 Ordnance Survey field numbers

(a) Private means of access to be stopped up reference label

(1) New private means of access reference label

(A) New side road reference label

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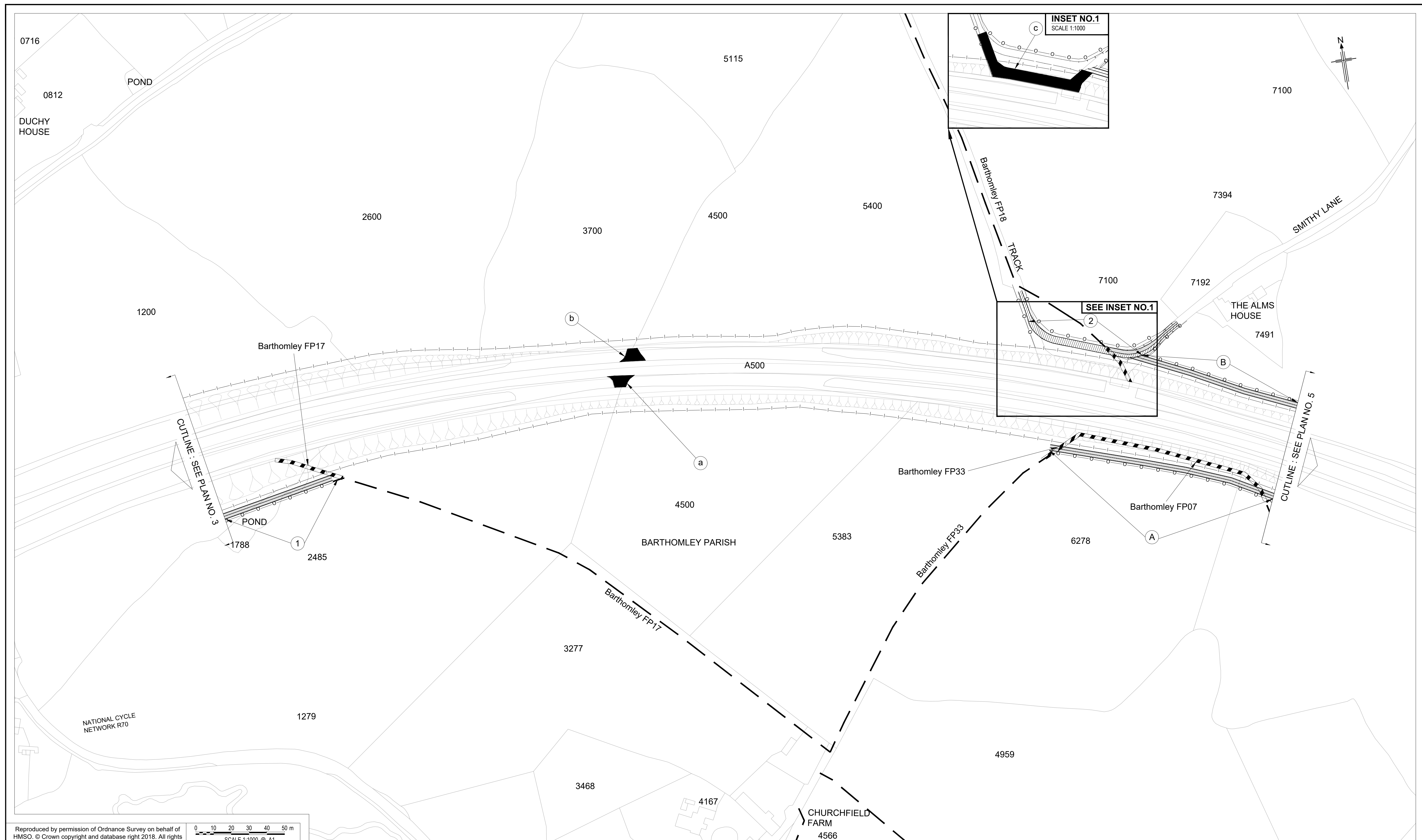
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CHESHIRE EAST COUNCIL  
(A500 DUALLING)  
(SIDE ROADS) ORDER 2020










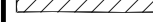

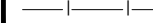
BARTHOMLEY BROOK,  
BARTHOMLEY ROAD AND  
OTHER ALTERATIONS  
SITE PLAN NO. 3





**NOTES:**

1. Orders under section 14 & 125 of the Highways Act 1980.
2. This plan does not show widths or construction details.

KEY:			
	New Highway		Parish boundary
	Highway to be improved		Existing Public rights of way (labelled)
	Highway to be stopped up	0038	Ordnance Survey field numbers
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	Side road boundary		

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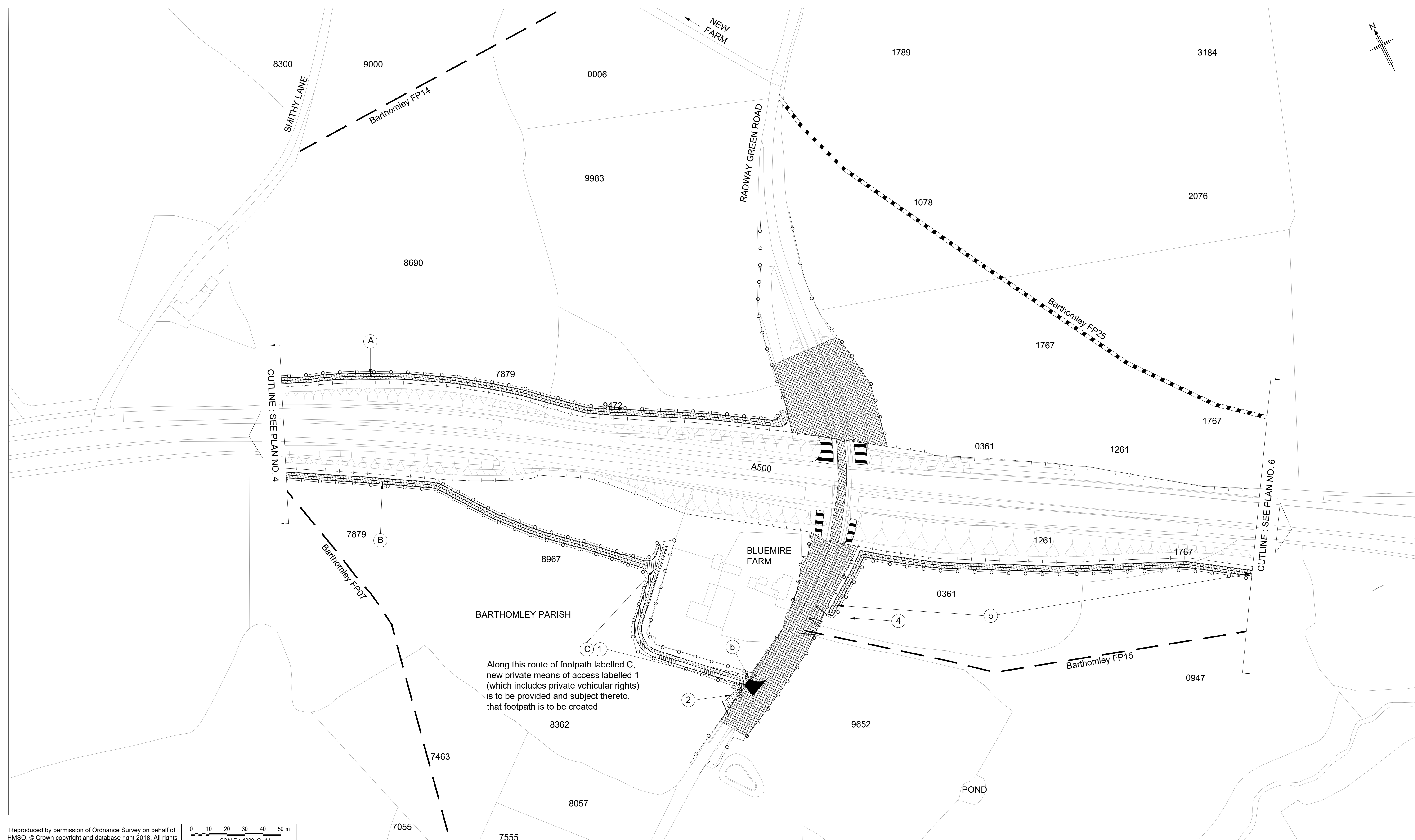
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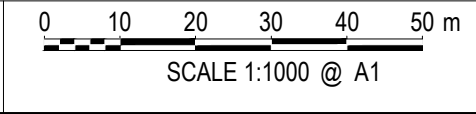
CHESHIRE EAST COUNCIL  
(A500 DUALLING)  
(SIDE ROADS) ORDER 2020

DAISY BANK FARM,  
SMITHY LANE AND OTHER  
ALTERATIONS SITE PLAN NO. 4





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- KEY:**
- New Highway
  - Highway to be improved
  - Highway to be stopped up
  - Private means of access to be stopped up
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  - Side road boundary
  - Parish boundary
  - Existing Public rights of way (labelled)
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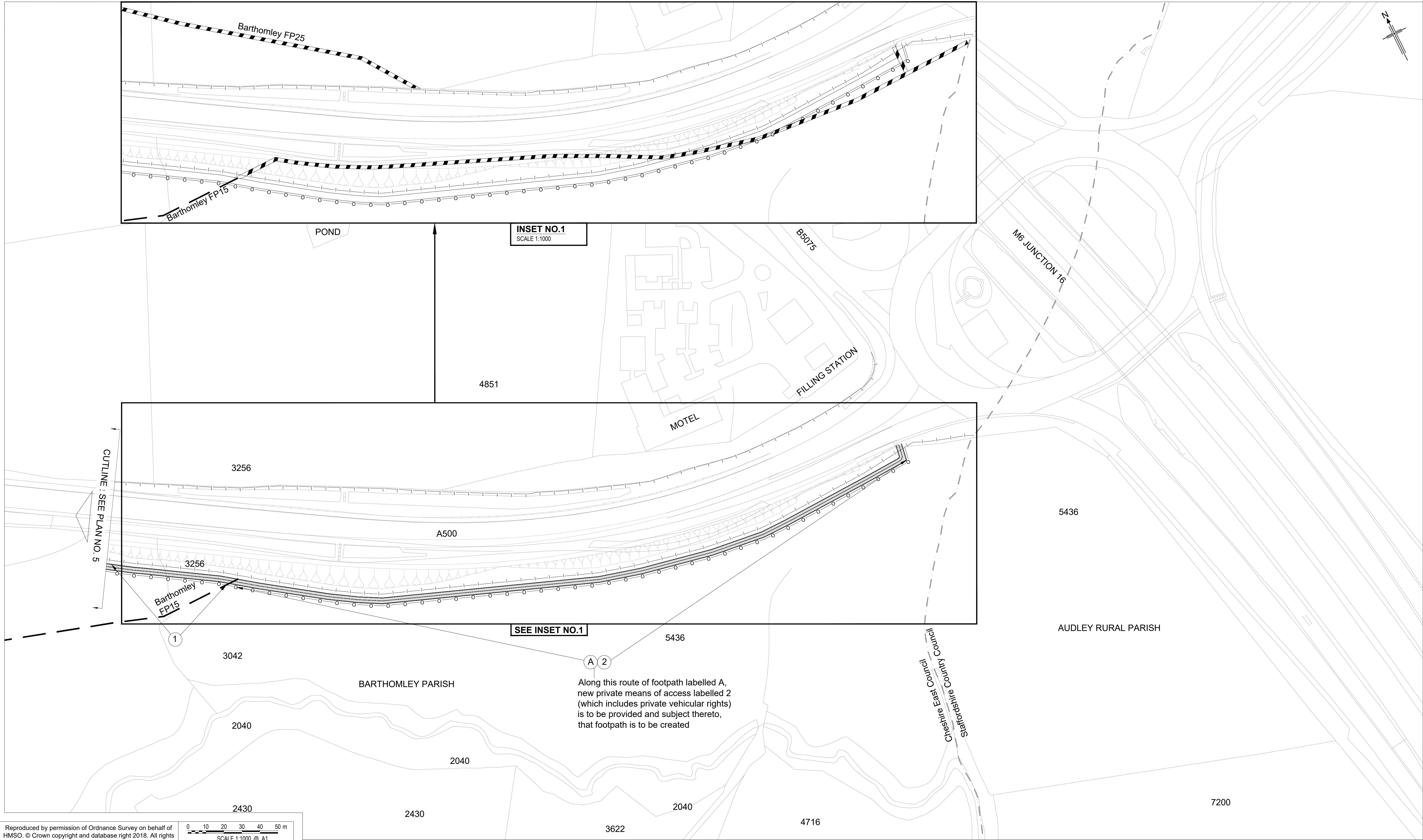
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CHESHIRE EAST COUNCIL  
(A500 DUALLING)  
(SIDE ROADS) ORDER 2020

BLUEMIRE FARM,  
RADWAY GREEN ROAD  
AND OTHER ALTERATIONS  
SITE PLAN NO. 5





NOTES:  
1. Orders under section 14 & 125 of the Highways Act 1980.  
2. This plan does not show widths or construction details.

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- |  |  |  |  |
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|  | Classified road boundary                 |  | New side road reference label                            |
|  | Side road boundary                       |  |  |

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CHESHIRE EAST COUNCIL  
(A500 DUALLING)  
(SIDE ROADS) ORDER 2020

M6 JUNCTION 16  
ROUNDAABOUT AND  
OTHER ALTERATIONS  
SITE PLAN NO. 6



**THE CHESHIRE EAST BOROUGH COUNCIL  
(A500 DUALLING)  
(CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020**

**AND**

**THE CHESHIRE EAST BOROUGH COUNCIL  
(A500 DUALLING)  
COMPULSORY PURCHASE ORDER 2020**

**COMBINED STATEMENT OF REASONS**

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## 1 INTRODUCTION

### 1.1 Purpose of Statement

1.1.1 Cheshire East Borough Council (“the Council” or “CEC”) has made the following orders in exercise of its powers under the Highways Act 1980:

- The Cheshire East Council (A500 Dualling) (Classified Road) (Side Roads) Order 2020 (“the SRO”); and
- The Cheshire East Council (A500 Dualling) Compulsory Purchase Order 2020 (“the CPO”)

1.1.2 In this Statement the SRO and the CPO are together referred to as “the Orders”.

1.1.3 The Orders have been made to enable the construction of a new carriageway to upgrade the existing A500 to a dual carriageway (“Dualling” or “the Scheme”) and they are about to be submitted to the Secretary of State for Transport for confirmation before they come into force.

1.1.4 The purpose of this Statement is to describe the proposals, the objectives of the Scheme and the justification for the route and design options selected, and it addresses:

- the need for and justification for the Dualling;
- alternative options considered;
- the consultation process undertaken by the Council and how third parties’ interests have been considered;
- the Land Use Planning position;
- the availability of funding;
- the land required for the construction of the Dualling and the mitigation measures proposed;
- other consents required before construction can start; and
- the absence of legal impediments to the Scheme being implemented.

1.1.5 This Statement is provided in accordance with the guidance set out in:

- Department for Communities and Local Government “Guidance on Compulsory purchase process and the Crichel Down Rules for the disposal

of surplus land acquired by, or under the threat of, compulsion” (February 2018);

- Department of Transport Circular 1/97 “Highways Act 1980: Orders Under Section 14 of the Highways Act 1980 and Opposed Orders Under Section 124 of that Act” (June 1997); and
- Department of Transport Circular 2/97 “Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority” (June 1997).

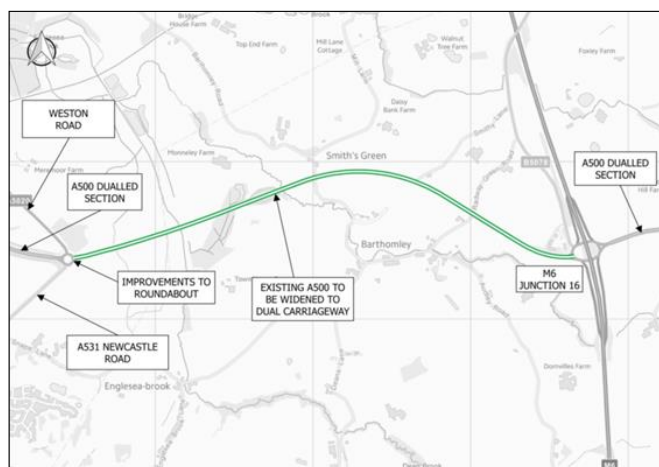
## 1.2 Statutory powers

- 1.2.1 The majority of the Scheme is within the boundary of Cheshire East, and a small part of the Scheme is within the boundary of Staffordshire County Council. The Councils are the local highway authorities for their areas.
- 1.2.2 An agreement is in place between Cheshire East and Staffordshire County Councils under Section 8 of the Highways Act, found in Appendix A, that delegates Staffordshire County Council’s function as a highway authority to Cheshire East for the purposes of this Scheme.
- 1.2.3 The SRO is made under sections 14 (powers of highway authorities as respects roads that cross or join classified roads) and 125 (further powers to stop up private access to premises), and in accordance with Schedule 1, of the Highways Act 1980.
- 1.2.4 The making and confirmation of the SRO will enable the Council to improve, raise, lower, divert or otherwise alter highways; stop up highways; construct new highways; stop up private means of access to premises required as a consequence of the construction of the Dualling; and to provide new private means of access to premises.
- 1.2.5 The CPO is made under the following provisions of the Highways Act 1980: sections 239 and 240 (general powers of highway authorities to acquire land for the construction and improvement of highways), section 246 (power to acquire land for mitigating adverse effects of constructing or improving highways), section 250 (land acquisition powers to extend to creation as well as acquisition of rights) and section 260 (clearance of title to land acquired for statutory purposes).

## 2 BACKGROUND AND SCHEME DEVELOPMENT

### 2.1 Regional Growth

- 2.1.1 The Cheshire and Warrington Local Enterprise Partnership (LEP) has a vision to increase the region's economy GVA to £50 billion per annum by 2040, creating 120,000 new jobs and building 127,000 new homes across the region. There is also an ambition to be 20% more productive per resident than the UK average by 2040.
- 2.1.2 To meet such growth aspirations, existing capacity constraints on the local highway network need to be overcome. This is particularly important since car ownership levels in Cheshire East are significantly higher than the national average and demand on the local highway network is expected to increase as a result of future developments and expansions.
- 2.1.3 The dualling of the A500 has been promoted by CEC in order to achieve the growth aspirations of the area, improve access between urban centres and unlock the economic growth potential of the area. The section of the A500 between the Meremoor Moss Roundabout and M6 Junction 16 is currently of a single carriageway standard and experiences extensive congestion in peak periods. Dualling is proposed for this section to enable future development across the region and to support major investment opportunities, including High Speed Two (HS2) and the Crewe Hub. A number of sites from the Cheshire East Local Plan Strategy 2010-2030 (adopted July 2017) ("the Local Plan") are also located within close proximity to the Scheme including; Basford East/West (LPS2/LPS3), the South Cheshire Growth Village (LPS8), the Radway Green Extension (LPS24) and the White Moss Quarry in Alsager (LPS20).
- 2.1.4 A visual outline of the proposed Scheme is shown in Figure 1.



**Figure 1 - A500 Dualling Scheme Design**

## 2.2 Local Context

- 2.2.1 The A500 is a principal route that runs in an east/west alignment, connecting into the M6 at Junction 16 for locations north and south and with connections to Crewe. As the largest town in the borough, the role of Crewe in the economy of Cheshire East and the wider Cheshire and Warrington sub-region is crucial. The connections which the A500 provides to Crewe and the M6 make the route a popular choice for those living and commuting outside of Cheshire East into the Potteries, Warrington and Greater Manchester.
- 2.2.2 CEC has ambitious growth plans and the Scheme is considered to be important when it comes to the success of several strategies and plans for the area, including the Constellation Partnership's Growth Strategy and supporting the development of HS2 and the Crewe Hub Station. The Local Plan is accompanied by an extensive Infrastructure Delivery Plan (2015-2030) which sets out the infrastructure needs for the area, explicitly identifying the A500 as a key strategic corridor requiring works to improve traffic flow at Junction 16 of the M6 and link capacity on the A500 Barthomley Link Road<sup>1</sup>. If traffic conditions continue to worsen as forecast and the highway remains unchanged without the Scheme being implemented this could affect the full achievement of regional growth aspirations and the full development potential may not be reached.
- 2.2.3 Crewe is benefiting from a link to HS2, the new rail line connecting London to the West Midlands, Crewe and Manchester. Passenger numbers at Crewe station are expected to grow to 6.3 million annual passengers by 2036 with journey times between Crewe and London to reduce by 35 minutes. This is predicted to generate 120,000 jobs by 2040 and inject £10bn a year into the wider region's economy<sup>2</sup>. The Scheme is important when it comes to improving connectivity to

facilitate this forecasted growth, whilst increasing the capacity of the highway network to ensure the full potential of HS2 is achieved.

- 2.2.4 Closely linked to this is the Constellation Partnership, which comprises of two Local Enterprise Partnerships (Cheshire and Warrington, and Stoke-on-Trent & Staffordshire) and seven local authorities. The Partnership aspires to unlock major new growth and investment opportunities to deliver more than 100,000 new homes and 120,000 new jobs by 2040<sup>3</sup> by creating a new growth zone at the gateway to the Northern Powerhouse and Midlands Economic Engine. Crewe is a cornerstone of the partnership with clear growth opportunities, with the Scheme being a key contributor to unlocking such growth aspirations.

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<sup>1</sup> Cheshire East Local Plan: Infrastructure Delivery Plan Update 2015-2030

<sup>2</sup> Crewe HS2 Hub Draft Masterplan Vision October 2017

<sup>3</sup> <http://constellationpartnership.co.uk/>

- 2.2.5 There is a robust case for investment in the Scheme to allow for the potential of the region to be achieved and this is set out further in this Statement.

## 2.3 Scheme History

- 2.3.1 The A500 is a former national trunk road and a key route which connects Crewe and Nantwich to the M6 at Junction 16 and to Stoke and Staffordshire in the east. The A500 between M6 J16 and Meremoor Moss Roundabout was constructed in the mid-1980s but developments in eastern Crewe and the construction of the A500 Hough Shavington Bypass immediately to the west (opened to traffic in 2003) have generated a significant increase in traffic flows, causing congestion.
- 2.3.2 A study was undertaken in 2014, 'A500 Dualling and Widening – Preliminary Cost Study Report', which considered three design options and provided a cost estimate for each.
- 2.3.3 In 2015 the three different options were considered for widening the existing A500 to a dual carriageway; adding a new carriageway to the north of the existing (Option 1); adding a new carriageway to the south of the existing (Option 2), and; adding a new carriageway that alternates between the north and south to avoid constraints (Option 3).
- 2.3.4 In April 2016, the Scheme Assessment Report was issued and concluded that all three options were viable and deliverable from an engineering perspective.

- 2.3.5 The three options were then assessed against engineering and environmental factors, as reported in the Scheme Assessment Report. The report concluded that Option 3, to alternate the dualling between the north and south should be discounted, because of the significant impact it would have on traffic flows during construction, the environmental impact that would be caused by removing banks of trees on both sides of the A500, the impact on existing structures beneath the road, and a greater cost.
- 2.3.6 The choice between widening to the north and south was a finely balanced decision, and so both options were taken to consultations with key stakeholders. This included consultations with landowners and tenants that have land on both sides of the A500, Barthomley and Weston & Basford Parish Councils, environmental specialists, and Highways England (HE). The consultation exercise confirmed that the preferred option was Option 2, to widen to the south as this would have least impact on statutory undertaker's equipment, least impact on the recently constructed infrastructure associated with the M6 J16 Pinch Point scheme and minimal impact on ecological features.
- 2.3.7 In July 2016 an application was made to the Department for Transport (DfT) for Scheme Development Costs for preparation of a planning application and business case. In November 2016, it was announced that the bid had been successful.
- 2.3.8 In March 2017 the Scheme Assessment Report was updated to include a summary of the consultations undertaken with selected stakeholders on the options. As described in the section above, the report concluded that 'Option 2 – Widening to the South' was the preferred option.

### **3 EXISTING AND FUTURE CONDITIONS**

#### **3.1 Local Network Description**

- 3.1.1 A qualitative overview of the form and function of the local highway network is provided below.

##### **3.1.2 A500 Mainline**

The A500 mainline covers the 3.3 km section of existing single carriageway which is proposed for upgrade to dual carriageway standard. This section is approximately 9.5m in width and connects to the Meremoor Moss roundabout to the west and the M6 Junction 16 roundabout to the east. Localised widening to two lanes exists on the approach to Meremoor Moss roundabout and significant

gradual widening to three lanes exists on the approach to the M6 J16 over a distance of around 650m.

There is no footway provision for the full extent of this section. The A500 is subject to the national speed limit; aside from the approaches to roundabout junctions at both ends of the Scheme, there is no street lighting.

Access points to undeveloped land are located at three points along the A500 section;

- Entry point on both sides of the carriageway to the east of the Meremoor Moss roundabout;
- Access tracks on both sides of the carriageway at Englesea Brook, with the northern access track leading to a cluster of farm buildings (Monneley Farm);
- Entry point on both sides of the carriageway east of Barthomely Road bridge, south of Daisy Bank Farm

The Radway Green Road overbridge and Barthomley Road overbridge extend across the A500. Laybys are located west of the Englesea Brook on the eastbound carriageway and located east of Englesea Brook on the westbound carriageway each with an approximate capacity of 6 cars or 3 HGVs.

Four existing PRoWs cross this section of the A500 carriageway and are outlined in greater detail in Section 3.5.

### 3.1.3 **M6 Junction 16**

The M6 Junction 16 is a fully signal controlled grade separated roundabout which controls the intersection between the following:

- A500 east;
- M6 southbound merge;
- M6 northbound diverge;
- A500 west;
- B5078;
- M6 northbound merge; and
- M6 southbound diverge.



(a) A500 East

The A500 east leads east from the M6 J16 roundabout towards Stoke-on-Trent and Newcastle-under-Lyme via the A34; it is a four-lane dual carriageway approximately 19m in width and has no footway provision.

The A500 east is subject to the national speed limit and the road has street lighting positioned in the central reserve. The land surrounding the carriageway is predominantly undeveloped land.

(b) M6 Southbound Merge

The M6 southbound merge is classified as a Parallel Merge, which includes an Auxiliary Lane approximately 120m in length. This additional lane at the side of the mainline carriageway provides increased merge opportunity for drivers of vehicles joining the M6 southbound.

(c) M6 Northbound Diverge

The M6 northbound diverge is classified as a Parallel Diverge, which includes an Auxiliary Lane to provide increased diverge opportunity for drivers of vehicles leaving the M6 for Junction 16.

(d) M6 Northbound Merge

The M6 northbound merge is classified as a Parallel Merge, which includes an Auxiliary Lane to provide increased merge opportunity for drivers of vehicles joining the M6 northbound.

(e) M6 Southbound Diverge

The M6 southbound diverge is classified as a Parallel Diverge, which includes an Auxiliary Lane to provide increased diverge opportunity for drivers of vehicles leaving the M6 for Junction 16.

f) B5078

The B5078 leads north from the roundabout towards Alsager, it is a two-lane single carriageway approximately 7.0m in width, with localised widening to two lanes on the southbound approach to the roundabout. There is no footway provision.

The B5078 is subject to the national speed limit and, aside from the approach to the roundabout and the entrance to the M6 J16 services, there is no street lighting. An access road leading to a petrol station and hotel is located

immediately west on the B5078. The B5078 continues through undeveloped land to connect with the Radway Green Road overbridge to the west over the A500 and a separate overbridge over the M6 to the east.

#### 3.1.4 **Radway Green Road**

Radway Green Road is located slightly west of the J16 roundabout and extends via a bidirectional, single carriageway overbridge connecting to Barthomley in the south and Radway Green in the north. The route is surrounded by undeveloped land with access to agricultural buildings immediately south of the A500.

There is no street lighting present and the road is connected to the following PRoWs; Barthomley FP14, Barthomley FP15 and Barthomley FP25 via stiles.

#### 3.1.5 **Barthomley Road/Mill Lane**

The Barthomley Road overbridge is located at the centre of the Scheme, extending north-south above the A500. The road is a single carriageway, bidirectional route with access to both agricultural and residential buildings to both the north and south.

Slightly to the north of the A500, the road intersects with Mill Lane which extends in a north-east direction from the Barthomley Road/Mill Lane junction. Mill Lane is also surrounded by undeveloped land on both sides of the carriageway with no footway or street lighting provision. The road intersects with the following PRoWs; Barthomley FP27, Crewe Green FP2 and Crewe Green FP3.

#### 3.1.6 **Meremoor Moss Roundabout**

Meremoor Moss roundabout has an Inscribed Circle Diameter of approximately 80m, with a two-lane circulatory carriageway width of approximately 11.4m. The roundabout controls the intersection between the A500 east (the Scheme) on the eastern arm, the B5472 on the northern arm, the A531 on the southern arm and the A500 on the western arm. The roundabout is surrounded by undeveloped land with street lighting provided on the immediate entry/exit to/from the roundabout.

#### 3.1.7 **B5472**

The B5472 leads north-west from the roundabout towards Crewe Hall Enterprise Park and links to the road network accessing Weston and Englesea Brook to the south. It is a two-lane single carriageway approximately 9.1m in width, with localised widening to two lanes on the approach to the roundabout. There is no footway provision.

The B5472 is subject to the national speed limit and, aside from the approach to the roundabout, there is no street lighting. Slightly north of the A500, the B5472 intersects with Jack Lane which provides an access track on both sides of the carriageway to a cluster of agricultural and residential buildings.

#### 3.1.8 **A531**

The A531 leads south-west from the roundabout towards Keele via the A525. It is a two-lane single carriageway approximately 9.6m in width, with localised widening to two lanes on the approach to the roundabout. There is no footway provision.

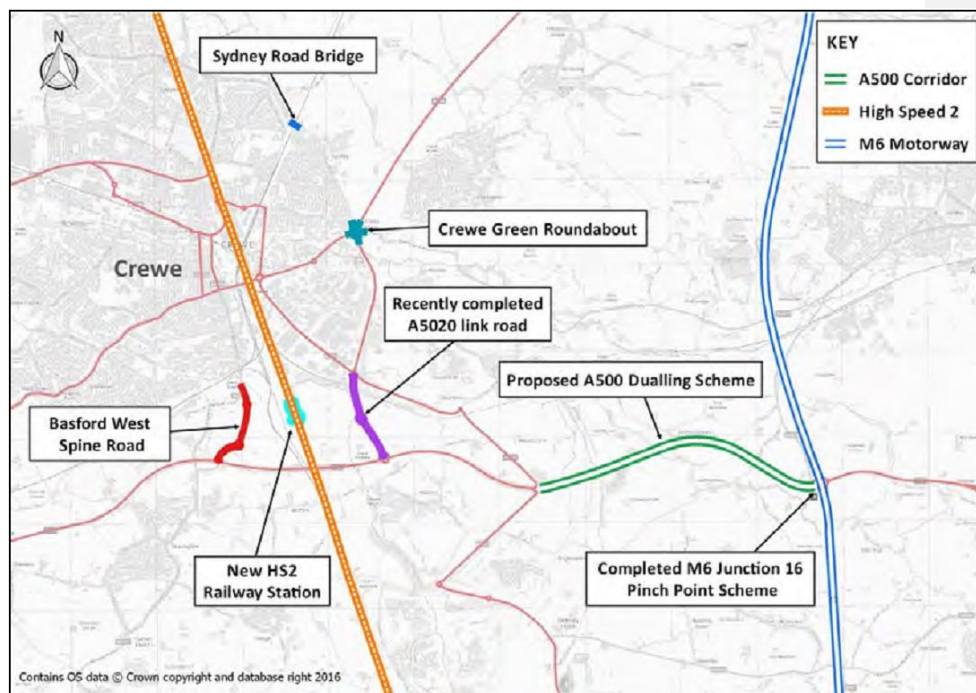
The A531 is subject to the national speed limit and, aside from the approach to the roundabout, there is no street lighting. The road passes under Snape Lane (R70), to the south of the A500 mainline, which leads to agricultural buildings to the east, and the village of Weston to the west. The A531 continues in a south-westerly direction towards Newcastle Road from which junction access can be gained to the village of Weston via Main Road.

#### 3.1.9 **A500 West**

The A500 west forms part of the trunk road network and leads west from the roundabout towards Crewe via the new David Whitby Way, to Nantwich via the B5074 and to Chester via the A51; it is a four-lane dual carriageway approximately 20m in width and has no footway provision or street lighting. The national speed limit is enforced with the route largely surrounded by undeveloped land.

#### 3.1.10 **Wider Network Improvements**

Other recently completed highway schemes in Crewe include capacity upgrades of the Crewe Green roundabout and Sydney Road bridge to improve links in the north of the town displayed in Figure 2.



**Figure 2 - Locally Committed Highway Schemes**

## 3.2 Travel Patterns

- 3.2.1 Data collated during the 2011 census shows that there are approximately 53,000 trips each day travelling in to Cheshire East to work from neighbouring authorities and 52,500 travelling outwards. Of these trips, 85% of them are made by car with over 25% of them to / from the neighbouring districts of Newcastle Borough, Staffordshire Moorlands, Stoke on Trent City and the High Peak.
- 3.2.2 The A500 experiences an Average Annual Daily Traffic (AADT) Flow of 28,528 vehicles in both directions. The Congestion Reference Flow is 20,536 in the Do-Minimum (DM) 2021 opening year showing the route is predicted to be operating over capacity by approximately 8000 vehicles daily. When combined with the percentage of residents within Cheshire East owning two or more cars currently at 8% above the national average and the average commuter distance at almost 2 km above the national average, there is significant demand for an increase in network capacity. Demand in the region will increase further with Local Plan development and HS2 growth. The Dualling is key to meeting such growth demand.
- 3.2.3 The Scheme is also supportive of wider highway improvements across the HE network. The route benefits from connections to Nantwich and the A51 towards Chester and North Wales and will offer a key increase in capacity across the wider

network, particularly as a relief road if incidents are to occur on the surrounding network.

### 3.3 Traffic Volumes and Congestion Issues

- 3.3.1 The information displayed in Table 1 below shows the changes in distance travelled, total travel time and average speed between the three forecast years.

DS Simulation Area Assignment Statistics: pre-VDM <sup>*</sup> and post-VDM							
Model	Measurement	pre-VDM			post-VDM		
		2021	2036	2051	2021	2036	2051
AM	Distance Travelled ('000 PCU <sup>**</sup> km)	853002.5	977373.8	1072159.5	856161.8	998120.9	1102858.1
	Total Travel Time (PCU Hrs)	16503.7	19809.5	23295.3	16531.7	20250.0	24146.5
	Average Speed (Km/Hr)	51.7	49.3	46.0	51.8	49.3	45.7
IP <sup>***</sup>	Distance Travelled ('000 PCU km)	751979.1	853994.9	933974.3	751013.1	873134.1	969515.6
	Total Travel Time (PCU Hrs)	12546.9	14937.1	17090.2	12497.3	15367.1	17990.3
	Average Speed (Km/Hr)	59.9	57.2	54.6	60.1	56.8	53.9
PM	Distance Travelled ('000 PCU km)	857525.6	984628.4	1077943.0	859894.8	1006761.0	1110806.1
	Total Travel Time (PCU Hrs)	15765.7	18880.7	21667.1	15786.9	19392.0	22715.1
	Average Speed (Km/Hr)	54.4	52.1	49.8	54.5	51.9	48.9

**Table 1 - Comparison of three forecast years**

*\* Variable Demand Model, \*\*Passenger Car Unit, \*\*\* Interpeak*

- 3.3.2 This shows that as a result of more trips in future years, there will be an increase in both the total distance travelled and total journey time. Average speed also reduces with each forecast future year.
- 3.3.3 The traffic volumes at the Automatic Traffic Counter (ATC) data collection sites within the Scheme area are displayed in Table 2 below.

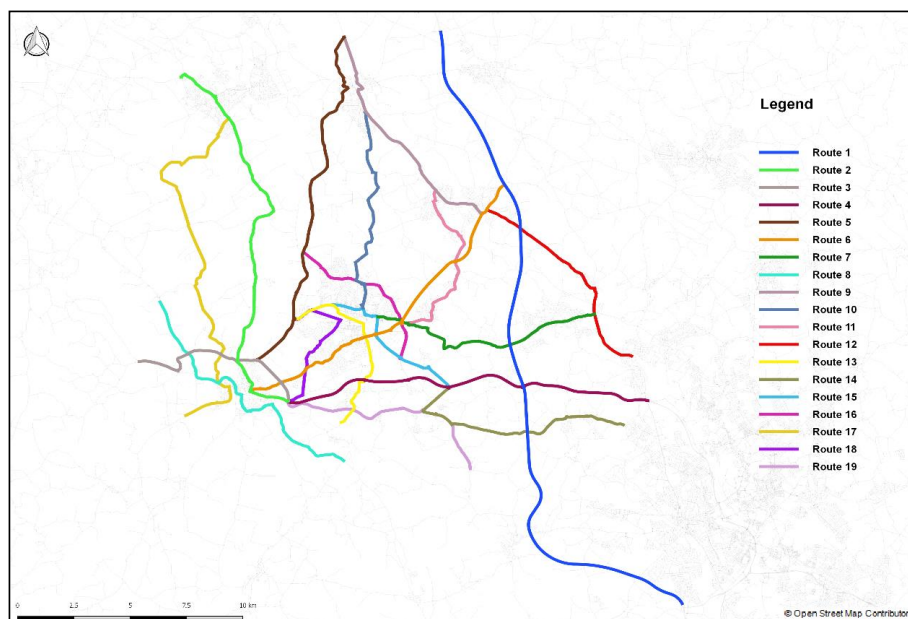
Site Location	Traffic Volume	
	AM (08:00-09:00)	PM (17:00-18:00)
A500 Shavington Bypass	844	1825
A5020 Weston Road	1534	1688
A5020 Weston Road	586	763

A5020 University Way	1107	1311
A500 West: EB	1331	1289
A500 West: WB	1178	1699
A500 Proposed Scheme EB	1328	1752
A500 Proposed Scheme WB	1598	1722
A500 West: EB	833	1278
A500 West: WB	1184	1232
A532 Weston Road	780	565

**Table 2 - A500 Traffic Volumes**

### 3.4 Observed Speeds and Travel Times

- 3.4.1 The latest set of data available for a 12-month period of TrafficMaster Journey Time Link Data was obtained from the DfT for the fully modelled area.
- 3.4.2 A total of 20 routes were selected all of which lie within the simulation area of the model, as outlined in Figure 3.



**Figure 3 - Journey Time Routes**

- 3.4.3 The routes were specifically designed to cover as a wide a range of route types as possible, with a description of the routes shown below.
- 3.4.4 The greatest level of congestion is experienced at:
- Route 4 (A500 westbound) shows the largest variation in average speed across the peak periods;



- Route 5 (both northbound and southbound on the A530) experiences the largest variation in journey times across both directions;
- Route 6 (westbound on the A54) shows the largest variation in journey times across the peak periods; and
- Route 15 (eastbound on the B5500) experiences the least variation in average journey times across the peak period.

3.4.5 Several other routes display no variation in their average speeds including; Warmingham Road southbound, A533 northbound, and both northbound and southbound on Welshmens Lane/Wettenhall Road/Winsford Road/Hall Lane.

3.5 Bus Services

3.5.1 There are currently no public transport services along the stretch of the A500 which is proposed for upgrade.

3.5.2 The study area adapted for the purpose of identifying available public transport services includes a buffer of at least 1km around the Scheme. This involves the area to the north extending to the Crewe-Alsager railway line, the area to the east extending to M6 Junction 16, the area to the south to Snape Lane/R70 and the area to the west towards Weston.

3.5.3 Bus services which are operating within this study area at the time of writing are

Service	Route	Weekday First Service	Weekday Final Service	Weekday Frequency	Saturday Frequency	Sunday Frequency
3 The Potteries	To the Potteries along the B5077 to the north of the Scheme	06:31	21:30	Approx. every 30 mins	Every 30 mins	Hourly
85/85A	Crewe to Weston	06:20	18:40	Approx. hourly	Approx. hourly	Every 2 hours

n Table 3 below.

Table 3 - Current Bus Services

3.5.4 At present, and prior to the recent bus review changes being implemented, bus travel is not a viable option to access surrounding economic centres which are key for investment including Stoke and Crewe. In particular there is a lack of transport

provision for east-west trips which the increased capacity of the A500 has the potential to support.

### 3.6 Rail Services

3.6.1 The nearest rail station is Crewe Railway station which offers frequent services to major economic centres including Manchester, Liverpool, Birmingham and London. Table 4 shows the growth, in recent times, of the Crewe Railway Station. Areas across Cheshire East can also be reached with services to the nearby towns of Nantwich, Sandbach, Holmes Chapel, Alderley Edge and Alsager, which vary in frequency.

3.6.2 Current facilities at Crewe rail station include:

- Cycle parking; 190 storage spaces at various points around the station;
- Ticket office opening hours; Monday-Friday 05:30-20:30; Saturday 05:30-20:30; Sunday 08:10-20:30; and
- Car park capacity; two car parks offering a total of 749 spaces, plus a number of other local parks.

Year	Total Entries & Exits	Percentage Growth from previous year
2012/2013	2,443,714	1%
2013/2014	2,511,958	1%
2014/2015	2,650,534	1%
2015/2016	2,843,396	1%
2016/2017	3,085,604	2%

**Table 4 - Crewe Rail Station Statistics 2012-2017**

3.6.3 However east-west rail connectivity in Cheshire East is limited, which contributes towards the reliance on private car travel and subsequent congestion of the A500. The number of people using the train as their main mode of commuter travel is likely to significantly increase with the planned development of HS2. This will result in a greater number of vehicles travelling to and from Crewe station with the A500 offering a key link to the station from the surrounding Strategic Road Network.

### 3.7 High Speed 2

The development of HS2 and the Crewe Hub presents a significant investment opportunity for attracting business and increasing regional growth<sup>4</sup>. Given existing network capacity constraints and the additional traffic demand, which will be generated via both HS2 construction and operation, there is a strong incentive to

ensure that the A500 capacity improvements can support HS2 construction activities where possible. Currently HS2 construction traffic is expected to peak between January and December 2022, with the full A500 Dualling scheme expected to open in December 2022. The Scheme will therefore support some of the HS2 construction traffic, as it will remain open during construction, and will support additional traffic growth once HS2 is operational. The network improvements as a result of the Scheme will open investment opportunities, whilst meeting the growing need for improvements in east-west links to access Crewe rail station without the requirement to travel through the centre of Crewe which would exacerbate existing congestion and air quality issues in this area.

Ensuring that the aims of HS2 and the Scheme objectives are well incorporated is important when it comes to supporting the delivery of both schemes and key

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<sup>4</sup> HS2 Ltd (2014), *Rebalancing Britain: From HS2 towards a national transport strategy*, <https://www.gov.uk/government/publications/rebalancingbritain-from-hs2-towards-a-national-transport-strategy>

national infrastructure, with one of the Scheme objectives referring to supporting HS2. If the capacity improvements on the A500 are not completed, this will likely have a detrimental impact upon the benefits realised by the HS2 scheme once operational.

### 3.8 Existing Situation - Air Quality

- 3.8.1 There are no Air Quality Management Areas (AQMAs) along the existing stretch of the A500, despite the high number of HGVs using this route and its proximity to the M6 as concentrations of NO<sub>2</sub> do not exceed the Air Quality Objective (AQO) at present. The closest AQMA is Congleton No. 6 (Sandbach), located 250m from the affected road network, which encompasses a number of properties adjacent to Junction 17 of the M6 at Sandbach. In addition, there are a number of AQMAs in Crewe that are between 2 and 3 km from the affected road network.
- 3.8.2 The most recent diffusion tube monitoring results closest to the Scheme was NO<sub>2</sub> diffusion tube monitoring undertaken by Jacobs over a six-month period between October 2017 and March 2018. The results of the monitoring showed that the annual mean levels at the sites closest to the A500 did not exceed the AQO level of 40 µg/m<sup>3</sup>. The monitored annual means for these sites were 36.4 µg/m<sup>3</sup>, 25.1 µg/m<sup>3</sup>, 37.4 µg/m<sup>3</sup>, 34.3 µg/m<sup>3</sup>.
- 3.8.3 CEC monitoring in the study area showed that in 2017 only four locations exceeded the annual mean NO<sub>2</sub> AQO. All the sites that exceeded the AQO were within the AQMAs.

### 3.9 Existing situation – Noise

- 3.9.1 There are no Noise Important Areas (NIAs) located along the existing stretch of the A500 that is proposed to be dualled. Despite this, a review of the DEFRA Noise Action Planning Important Areas Mapping has been undertaken for the HD 213/11 calculation area as part of the noise assessment for the Scheme. This has identified one NIA that was considered as part of the noise assessment supporting the planning application for the Scheme. The NIA is located on the M6 north of Junction 16, which is the responsibility of Highways England (HE). One of the sample receptors selected (Scotts Green Cottage) lies within this NIA.
- 3.9.2 Predicted baseline noise levels at the sample receptors identified within the calculation area indicate that road traffic is considered to be the dominant noise source due to the proximity of the M6 and existing A500.

**Comment [LE1]:** RW - to review and update

## 4 NEED FOR THE SCHEME

The delivery programme for the Scheme is underpinned by critical factors which are set out in the following bullet points. These identify why the Scheme is needed:

- The Scheme is stated as a key development in the Local Plan and Local Transport Plan necessary to improve the capacity of the road network;
- The Scheme is required for the successful delivery of a number of Local Plan sites including; employment and housing developments at Basford East and Basford West (LPS2/LPS3), the delivery of the South Cheshire Growth Village (LPS8), housing developments at the White Moss Quarry (LPS20) and employment developments at the Radway Green Extension, both in Alsager (LPS23/LPS24);
- The Scheme is stated in the CEC Infrastructure Delivery Plan 2016 as a necessary improvement to the local road network: *“there is a need to improve traffic flow at Junction 16 of the M6 and link capacity on the A500 Barthomley Link Road”*;
- The Scheme is well integrated into the wider growth plan for both Crewe and Cheshire East, contributing to Cheshire and Warrington Strategic Economic Plan (SEP) aims through contributing to economic growth via improving access to HS2 and attracting increased levels of investment. The Scheme is also of critical importance to the Constellation Partnership which aims to unlock major new growth and investment opportunities and provide a gateway to the Northern Powerhouse. Through increasing the capacity of the highway network and improving local and regional connections, the Scheme significantly contributes to the wider growth plan; and
- The development of the HS2 hub will generate a significant amount of traffic and attract a considerable amount of investment to the area. It is essential for the Scheme to increase the capacity of the highway network and support the operation of HS2.

The above factors, along with the existing problems and opportunities addressed by the Scheme, clearly demonstrate that it is a key infrastructure project required to support regional development.

### 4.1 Problems and Issues

#### 4.1.1 Problems

##### (a) Congestion

The latest set of data available for a 12-month period of TrafficMaster Journey Time Link Data was obtained from the DfT for the fully modelled area. Analysis of

<sup>5</sup> HS2 Transport Assessment (TR-001-000) Part 1 (July 2017)

the data indicated that the greatest level of congestion is experienced at the following locations; westbound on the A54, eastbound on the B5500, both northbound and southbound on the A530 and westbound on the A500. Through increasing the capacity of the highway, congestion across the network will be reduced and the number of congestion “hotspots” will be minimised.

#### **(b) Air Quality**

The predominant source of pollution across CEC’s administrative areas is road traffic. There are currently 18 AQMAs<sup>6</sup> within the administrative boundary of CEC, declared for exceedance of the annual mean NO<sub>2</sub> AQO. Five of these AQMAs were declared in October 2017 following further assessment as recommended in the 2016 Annual Status Report.

**Comment [LE2]:** RW - to review and update as necessary

#### **(c) Local Road Capacity**

The greatest delays within the surrounding area are experienced on;

- The single carriageway section of the A500 from the Basford-Hough-Shavington Bypass to Junction 16 of the M6, bypassing Barthomley;
- Approaches to/from key service centres including the A534, A500 and A51; and
- Junction 16 of the M6.

Through the dualling of the A500, network capacity will be increased and the severity of delays at these locations will be reduced.

With planned future growth and the development of HS2, the completed Scheme will offer an upgraded east-west link and improve the efficiency of the highway network.

### **4.1.2 Opportunities**

#### **(a) Supporting Growth and Investment**

The A500 will support local and regional growth by increasing the attractiveness of the area for future investment, through improved journey times and additional road capacity.



<sup>6</sup> [https://uk-air.defra.gov.uk/aqma/local-authorities?la\\_id=445](https://uk-air.defra.gov.uk/aqma/local-authorities?la_id=445) , accessed on 16 February 2018

This will support the developments outlined in the Local Plan and support the Constellation Partnership<sup>7</sup>. Without the Scheme in place, the full development potential of these sites and partnerships is unlikely to be achieved.

### **(b) Safety Improvements**

Personal Injury Accident (PIA) data was obtained from CEC for a five-year period (May 2012- March 2017). An analysis of the PIA data shows a higher frequency of serious and fatal accidents were recorded on the section of the A500 proposed for upgrade in comparison to the remainder of the A500 as seen in Figure 4 below:



**Figure 4 – Accident Map**

Through improving the flow of traffic, the likelihood of collisions may decrease since there will be less congestion and delays

### **(c) Improved connectivity**

The Scheme will support other ongoing and recently completed highway schemes in Cheshire East including; Crewe Green Roundabout, Middlewich Eastern Bypass and Congleton Link Road. The Dualling, combined with these schemes will

improve the links between economic centres across the region and enhance connectivity.

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<sup>7</sup><http://constellationpartnership.co.uk/>

The Scheme will support the HE Road Investment Strategy (RIS) improving links to the M6, a factor which is an integral part of the development of the Strategic Road Network. HE confirmed investment in essential freight routes within the Cheshire area prior to the RIS being published.

A key improvement within the RIS is the upgrade to Smart Motorway at the M6 Junction 13 (Stafford) and the M6 Junction 15 (Stoke south) which will provide an essential link in the 'smart spine' network connecting London and the North West. The A500 is directly linked to the M6 Junction 16 and the strategic highway improvements in the north west of the country.

#### 4.1.3 **Impact of Doing Nothing**

Should the Scheme not be completed, the A500 will continue to be a congestion constraint for traffic travelling between the south of Crewe and the M6 / the wider Cheshire East, Stoke and Staffordshire region. This would thus hinder future plans for development in the area including the Constellation Partnership and the aspirations of the Local Plan.

As highlighted previously, the A500 is expected to form one of the main routes to the proposed HS2 hub station. If the Scheme does not go ahead, the existing congestion on the A500 is likely to negatively affect journey time reliability, reducing the accessibility and benefits of HS2 and encouraging more people to travel via less suitable alternative routes.

## 4.2 **Providing Opportunity for Employment Growth**

- 4.2.1 The recently adopted Local Plan is underpinned by a need to improve transport connections across the authority area. 'A500 Barthomley Link' is named as one of the projects which are planned to address congestion issues in the area, as well as the South Macclesfield Link Road and improvements on the A51 and A530, and as such it is explicitly listed in the Infrastructure Delivery Plan. Increasing capacity on the highway network as a result of the aforementioned schemes improves business conditions and thereby increases opportunities for employment growth.



## 5 OBJECTIVES OF THE SCHEME

### 5.1 Introduction

- 5.1.1 This section presents the objectives of the Scheme based on the identified problems with the future and current situation. It also highlights how these objectives align with the wider policy context; this is done for various policy documents and various levels of Government.

### 5.2 Problems and Objectives addressed by the Scheme

- 5.2.1 In summary, the Council identified the following problems relating to traffic in the vicinity of the Scheme:
- Congestion;
  - Air Quality issues;
  - Noise issues;
  - Public Transport issues;
  - Construction & timing of HS2 construction;
  - Congestion starving growth (Crewe / Constellation Partnership / businesses / housing); and
  - Connectivity into the wider road network, M6 etc.
- 5.2.2 Having identified the problems and issues facing Crewe and the wider area, a set of Scheme objectives were derived which attempted to capture the strategic aspirations of the wider area as well as the local aims of the Scheme. The objectives for the Scheme are outlined in Table 5.

Objective	Alignment with Scheme
Support the economic, physical and social regeneration of Crewe and the Constellation Partnership Area	The Scheme will assist in mitigating the effect of increased traffic flows into and out of Crewe. This will improve journey times making journeys more reliable, thereby supporting the economic, physical and social regeneration of Crewe.
Improve journey times and reliability over the period to 2030	The Scheme will increase capacity along the route, therefore reducing journey times and improving journey time reliability. Dualling the A500 and introducing a central reserve will separate oncoming traffic intended to improve safety levels. The provision of two lanes in each direction will result in safer overtaking movements.
Improve the reliability of public transport.	The Scheme will increase capacity along the route, therefore reducing journey times and making journeys more reliable.
Improve connectivity between important economic centres, Local Enterprise Partnership and local authority areas, and to North Wales	Improvements to this section of the A500 increase capacity and journey time reliability on the route between Crewe, Stoke-on-Trent, Stafford and North Wales. This will improve connectivity between important economic centres.
Support delivery of key national infrastructure, i.e. HS2 and the Crewe Hub Station.	This section of the A500 is a key route for traffic generated through the operation of HS2 and therefore supports development through increasing local highway capacity.
Support delivery of key employment and housing allocations.	The improved capacity and journey time reliability of the route will benefit commuter traffic and therefore support the delivery of the key employment and housing allocations in the Local Plan.
Boost business integration and productivity; improve the efficiency and reliability of the highway network; reduce the conflict between the local and strategic traffic, and; provide an improved route for freight and business travel	By increasing the capacity of this section of the A500, traffic flows will be improved which reduces the likelihood of delays, improving the reliability of the network. This will also improve the efficiency and reliability of the local road network and the M6. Improving the capacity of the route reduces the likelihood of “rat-running”, which will ensure that the local roads are used for local journeys. This will reduce conflict between local and other traffic and provide a more efficient route for freight and commuters.
Facilitate future improvements to M6 J16.	The increased capacity of this section of the A500 will allow for future developments of the M6 Junction 16. If the A500 were to remain a single carriageway this would not be possible.

Table 5 – Alignment of Scheme and objectives

## 6 POLICY CONSIDERATIONS

### 6.1 Introduction

6.1.1 A review of pertinent Land Use Planning documents has been undertaken to identify how the Scheme fits with national, sub-regional and local policy.

#### 6.1.2 National Policy

The following National documents are relevant to the Scheme and have been reviewed:

- National Planning Policy Framework 2018;
- DfT's Strategic Vision;
- National Policy Statement for National Networks (December 2014);
- The Northern Powerhouse: One Agenda, One Economy, One North (March 2015); and
- TfN Draft Strategic Transport Plan (January 2018).

Table 6 identifies extracts from the national policy documents with relevance to the Scheme's objectives listed in Table 5. This is shown through displaying key extracts included within policy docs which are related to the Scheme.

Policy	Key Extracts
National Planning Policy Framework (February 2019)	<p><i>"Building a strong, competitive economy"</i></p> <p><i>"Address potential barriers to investment, such as inadequate infrastructure"</i></p> <p><i>"Plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change"</i></p>
Action for Roads, A Network for the 21st Century (July 2013)	<p><i>"By 2040, almost a quarter of all travel time could be spent stuck in traffic amounting to 100 million working days lost every year"</i></p> <p><i>"We plan to upgrade the majority of non-motorway roads with a large proportion improved to dual carriageway"</i></p>



Policy	Key Extracts
DfT Road Investment Strategy: Strategic Vision	<p><i>"Aim for the number of people killed or injured on the strategic road network approaching zero by 2040"</i></p> <p><i>"Connecting people and businesses safely, swiftly and seamlessly"</i></p> <p><i>"Connecting the population, driving the economy"</i></p> <p><i>"Supporting and improving journey reliability and safety"</i></p> <p><i>"Joining our communities and linking effectively to each other"</i></p>
The Northern Powerhouse:  One Agenda, One Economy, One North (March 2015)	<p><i>"Enhance the performance of the North's Strategic Road Network"</i></p> <p><i>"Transform city to city rail connectivity...through both HS2 and a new TransNorth system"</i></p>
TfN Draft Strategic Transport Plan (February 2019)	<p>TfN's Vision and Pan-Northern Transport Objectives within the Strategic Transport Plan includes:</p> <p><i>"Increasing efficiency, reliability, integration, and resilience in the transport system."</i></p> <p><i>"to transform economic performance"</i></p> <p><i>"Improving inclusivity, health, and access to opportunities for all."</i></p> <p><i>"Promoting and enhancing the built, historic, and natural environment."</i></p> <p>A particular focus exists within the Plan to improve connections between strategic corridors, several of which include Cheshire and Warrington.</p>

6.1.3

is a major highway link within the Cheshire East region and increasing capacity on this route is a key component to achieving national aspirations. It is considered that the Scheme will conform with national policies, by assisting opportunities for development and increasing the capacity for future growth.

#### 6.1.4 (a) High Speed 2

HS2 is the high-speed rail line proposed by the Government connecting:

- London to the West Midlands (phase 1);
- The West Midlands to Crewe (phase 2a); and
- Crewe to Manchester, and West Midlands to Yorkshire (phase 2b).

CEC is fully supportive of HS2 with the route affecting the following wards in Cheshire East; Wybunbury, Haslington, Crewe, Bunbury/Middlewich, Chelford and Mobberley.

HS2 will assist in creating 120,000 jobs by 2040 and inject £10bn a year into the wider region's economy though the Council's ambitions of a frequency of 5 to 7 HS2 trains an hour handled in Crewe by 2027. The aim is to deliver a Crewe Hub that can cater for a high volume of trains for both the existing network and HS2.

The A500 is important to help achieve the full economic potential of HS2. The study area of the A500 is within 5 miles of Crewe and will therefore be part of the local road access network. The increased network capacity which the Scheme creates will directly support the increased traffic flows generated by HS2 and support economic growth.

Additionally, without the increased capacity which dualling will create, existing congestion issues will continue and may become worse. This will limit the economic potential of the region through reduced business investment as a result of poor transport links.

#### 6.1.5 **Sub-Regional Policy**

##### (a) DRAFT Cheshire and Warrington LEP Strategic Transport Plan 2018

The draft Strategic Transport Plan (STP) for the Cheshire and Warrington LEP was published on the 6th April 2018 outlining an ambitious growth strategy for the Cheshire and Warrington sub region up to 2040. The Plan recognises that effective transport networks will be essential for the continued success of the sub region and outlines a number of priorities for the essential development of the Strategic Road Network.

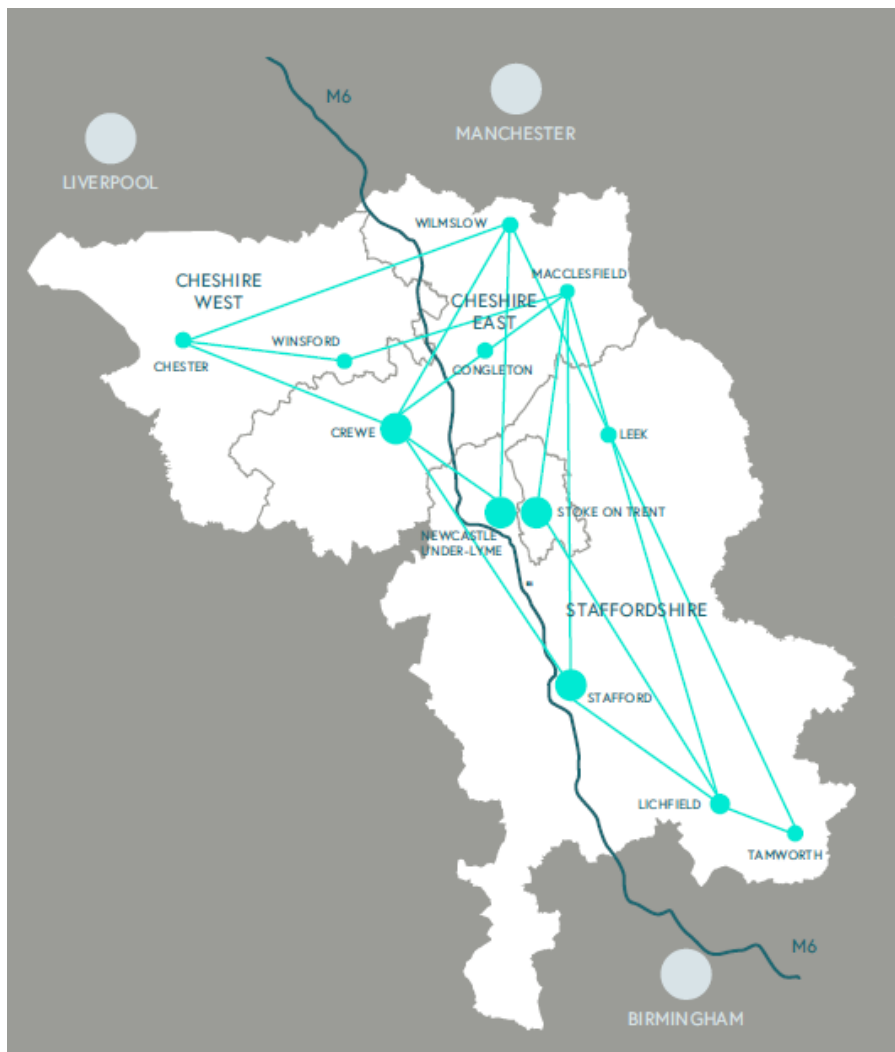
The STP outlines a number of both short-term and long-term priorities, with the Scheme identified as a key short-term priority as evidenced below:

*“A dualling scheme is required to increase capacity on the A500 on the approach to J16 of the M6 Scheme to improve journey times and connectivity between Crewe (including the Crewe Hub), Stoke and the M6 to help facilitate housing and employment growth”.*

The A500 is categorised as a key link within the “Major Road Network” and also within the Constellation Partnership spatial growth area.

(b) Constellation Partnership

The Constellation Partnership is a collaboration involving the Cheshire and Warrington Local Enterprise Partnership, Stoke-on-Trent and Staffordshire Local Enterprise Partnership and seven local authorities - CEC, Cheshire West and Chester Council, Newcastle-Under-Lyme Borough Council, Stafford Borough Council, Staffordshire County Council, Staffordshire Moorlands District Council and Stoke-on-Trent City Council. The Constellation Partnership area spans Cheshire and North Staffordshire including the city of Stoke on Trent, Crewe and the A500 corridor. The extent of this region is show in Figure 6 below.



**Figure 6 - Constellation Partnership Area**

The aim of the partnership is to unlock major new growth and investment opportunities as a result of HS2 which could deliver more than 100,000 new homes and 120,000 new jobs by 2040 by creating a new growth zone at the gateway to the Northern Powerhouse and Midlands economic engine.

To drive the project forward, the two Local Enterprise Partnerships have signed an agreement committing them, supported by the wider network of local authority partners, to work together to ensure plan-led sustainable targeted growth and optimisation of the benefits of HS2 investment.

One of the key drivers of the Constellation Partnership is the future HS2 hub station, which will be situated at the existing Crewe station. The A500 is the main

link from the south of Crewe to the M6 and into the Constellation Partnership region and will thus be vital in ensuring the area can tap into the future benefits of HS2, supporting future growth.

As outlined in previous sections of this report, the A500 currently suffers from congestion issues and the Scheme will deliver further highway capacity along this arterial corridor, to support future development coming forward as part of the Constellation Partnership proposals in the region.

(c) Strategic Economic Plan (SEP), Draft Transport Strategy. Cheshire and Warrington

The aim of the Strategic and Economic Plan (SEP) is to make Cheshire and Warrington the most favourable place to do business in the UK by creating the ideal environment for businesses to grow, providing access to the right skills, delivering supportive and efficient public services, infrastructure and utilities and maintaining the sub region as a beautiful part of the country to enjoy.

The plan sets out two key vision aims in which to achieve this, which are outlined in Table 7 below.

Vision Aim	Impact of the Scheme
Be 20% more productive per resident than the UK average	<ul style="list-style-type: none"> <li>Improved journey reliability</li> <li>Directly supports regional aims e.g. opportunities within HS2</li> <li>Supports local developments outlined within the Local Plan and Local Transport Plan</li> </ul>
By 2040: grow our economy to at least £50 billion pa of GVA, creating 120,000 new jobs and build 127,000 new homes across the region.	<ul style="list-style-type: none"> <li>Supports HS2 which will increase employment and the local development of the region</li> <li>Increases the capacity of the highway network and makes the area more attractive for future investment</li> </ul>

*Table 7 - Fit of A500 into SEP Vision Aims*

To assist in achieving this vision, a set of Transport and Connectivity aims have been developed which include:

1. Improve connections to support the development of priority employment sites including those within the Cheshire Science Corridor;
2. Improving connections to neighbouring sub-regions, including international gateways;

3. Resolve pinch points and congestion in the transport network which act as barriers to growth if left unaddressed;
4. Address network resilience issues to deliver predictable and efficient journey times to support business productivity;
5. Make best use of the existing road network to capitalise on existing infrastructure; and
6. Ensure that the maximum benefit is gained in economic and connectivity terms from the development of the HS2 Hub Station at Crewe.

#### 6.1.6 Local Policy

##### (a) Cheshire East Local Plan Strategy (adopted 2017)

The Local Plan sets out the Council's case for sustainable economic growth and is the strategy that the Council will adopt to manage development in Cheshire East up to 2030.

The Local Plan is underpinned by a need to improve transport connections across the Authority area. The vision clearly stipulates that employment-led growth would be particularly focused upon the two principal towns of Crewe and Macclesfield, underlining the importance of a fit for purpose highway network in Crewe. The Scheme is key to the successful delivery of new development sites, and is explicitly listed in the CEC Infrastructure Delivery Plan with the Local Plan stating;

*"The delivery of the employment elements of the site, as well as the contributions it will make towards infrastructure improvements, the A500 is considered to be of vital importance to the delivery of "All Change for Crewe"."*

This is detailed further in the Infrastructure Delivery Plan, which was updated in 2016 and provides as follows:

*"There is a need to improve traffic flow at Junction 16 of the M6 and link capacity on the A500 Barthomley Link Road"<sup>8</sup>.*

In order to deliver their vision for Cheshire East as a whole, the Council has set four strategic priorities. Table 8 demonstrates how the Scheme fits within those strategic priorities.

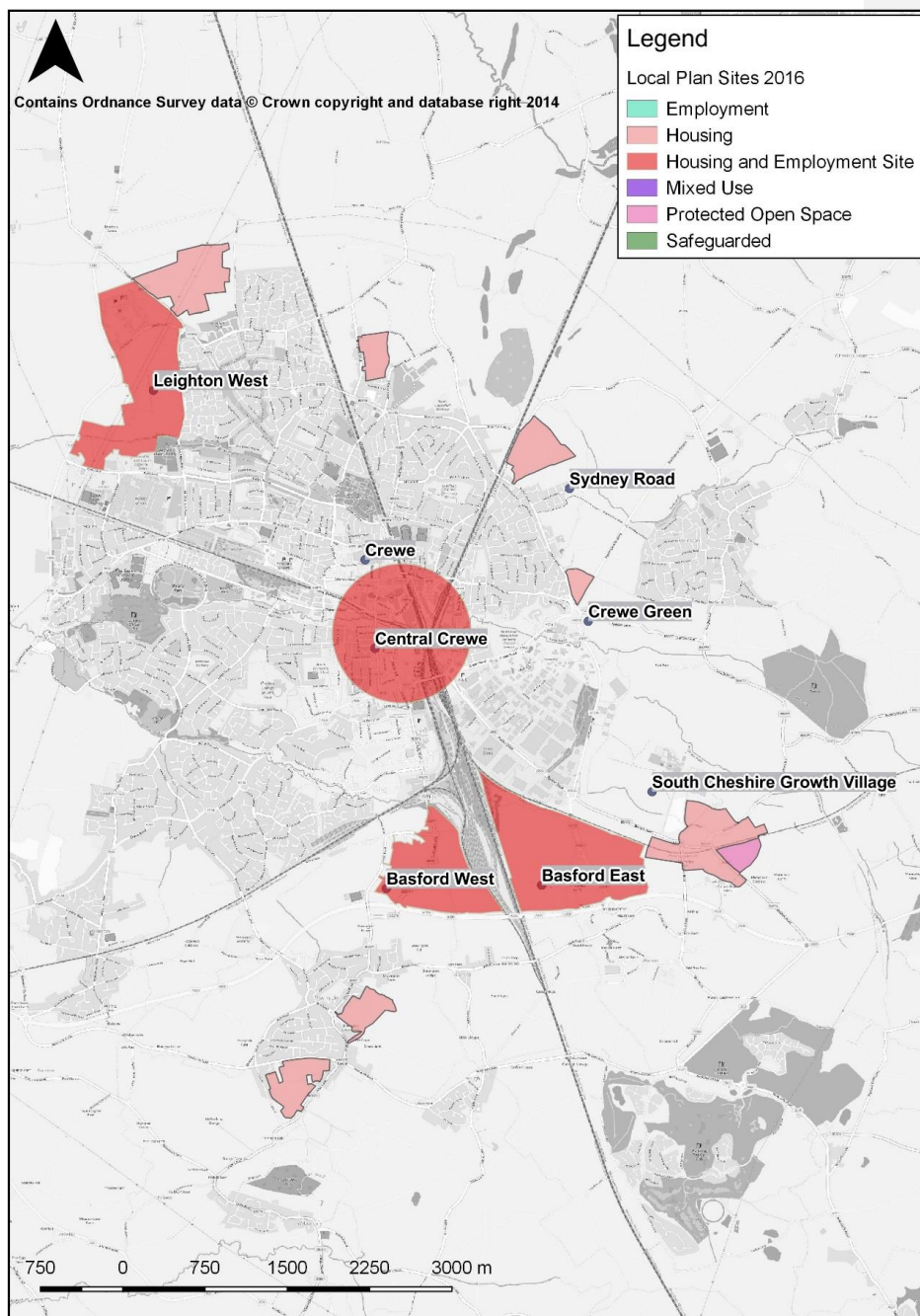
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<sup>8</sup> Cheshire East Infrastructure Delivery Plan Update 2016



Strategic Priority	Alignment with Scheme
Promoting economic prosperity by creating conditions for business growth.	The Scheme improves access to the HS2 Hub station and to new development sites stated in the Local Plan.
Creating sustainable communities where all members are able to contribute and where all the infrastructure required to support the community is provided.	<p>The A500 is linked to several development areas in the Local Plan:</p> <p>LPS 2: Basford East, Crewe. The development of a high quality, employment led mixed use development. This area will benefit from good links to the A500 to the south, and the West Coast mainline.</p> <p>LPS 3: Basford West, Crewe. The development of 22 hectares of employment uses and 370 new homes, a new local centre whilst incorporating green infrastructure</p> <p>LPS 8: South Cheshire Growth Village, South East Crewe. The development of a sustainable settlement (650 new homes), mixed use village centre, open space and pedestrian/cycle links.</p> <p>LPS 20: White Moss Quarry, Alsager. The provision of 350 new homes, a new local centre and the incorporation of green infrastructure.</p> <p>LPS 24: Radway Green Extension, Alsager. The provision of 25 ha of employment land and the incorporation of green infrastructure.</p> <p>The increased capacity of the A500 as a result of the Scheme will improve accessibility to these sites.</p>
Protecting and enhancing the environmental quality of the built and natural environment.	Improving access to the open space as a result of proposed development sites.
Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network.	Reducing peak hour congestion

Table 8 - A500 Strategic Fit with Local Plan



**Figure 7 - Local Plan Development Sites**

(b) Crewe Hub HS2 Masterplan

The Crewe Hub HS2 Draft Masterplan Vision was published in October 2017 and outlines the contribution of HS2 to Crewe.

The Masterplan sets out “Masterplan Vision Development Areas” and

specifically refers to the development plans for Basford to develop logistics, industrial and light industrial uses within the development site. The A500 has excellent access to the Strategic Road Network with close proximity to the M6 and has been identified as a main construction access route between Junction 16 and Crewe<sup>9</sup>.

(c) Cheshire East Local Transport Plan (LTP) 2019-2024

The Cheshire East LTP is a strategic plan for the development of transport within Cheshire East over the period 2019-2024, outlining how transport will contribute to and support the longer-term aspirations of the Borough.

Cheshire East’s LTP identifies the Dualling as essential to improving the network quality and to address congestion issues.

The LTP also contains six challenges to achieving CEC Transport Vision. These objectives are listed in Table 9 and demonstrate the Scheme’s strategic fit. These objectives aim to make explicit the areas where transport can make a positive contribution to the achievement of the priority goals within each area, and also where it would be likely to hinder achievement if under-performance is not addressed.

<sup>9</sup> High Speed Rail (West Midlands-Crewe) Transport Assessment Part 1, July 2017

No.	Objective	Alignment with Scheme
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No.	Objective	Alignment with Scheme
1	Supporting growth and economic strength through connectivity	Improved transport connectivity in the area enables economic growth by opening up key sites for housing and employment development, creating an environment that is attractive for business investment and growth.
2	Ensuring accessibility to services	Key service areas within the region will become more accessible through improvements to highway capacity and an integration with other transport developments. This will also improve access to HS2 presenting a major opportunity for strategic economic growth through connecting 4.9 million people living within one hours travel of the site
3	Maintaining and managing our network assets	Enhance connectivity alongside other transport schemes and increase the capacity of the network
4	Improving organisational efficiency and effectiveness	Increasing highway capacity, particularly on major roads at Junction 16 of the M6 will reduce congestion on major junctions and improve journey reliability and journey time, making the businesses operates in an efficient and effective manner.
5	Promoting health, wellbeing and physical activity	A number of the Local Plan developments incorporate sustainable links and the Scheme will support access to such areas. NMU improvements are also incorporated within the Scheme design
6	Protecting and improving our environment	A number of AQMAs currently exist around the study area due to high levels of congestion. Through increasing the capacity of the highway network, air quality will improve and hence bring environmental benefits

**Table 9 - A500 Strategic Fit with Local Transport Plan**

Thus, it is considered that the Scheme fits well against the objectives contained within the Cheshire East LTP.

(c) Cheshire East Rights of Way Improvement Plan 2011 – 2026 (ROWIP)

The CE ROWIP is a supporting document of the Cheshire East Sustainable Community Strategy 'Ambition for All' and the CEC LTP. Public Rights of Way (PRoW) have an essential role to play in increasing the opportunities for walking and cycling within the ROWIP. The Plan notes that access from major towns in the Borough to the surrounding countryside is poor. Some off-road cycling provision exists, for example the Crewe to Nantwich Greenway. There is an ambition for this to extend to also incorporate a strategic cross-town cycle route which connects the main service areas of the town. The Dualling will stop up the four existing uncontrolled crossings over the A500 as they are deemed unsafe after the Scheme is built. As an alternative, new footpath

provision and diversions as part of the Scheme will be via bridge crossings of Barthomley Road bridge and Radway Green bridge which are considered safer for NMUs.

(d) Cheshire East Transport Models Review (May 2014)

The transport models review was undertaken to assess the transport modelling work undertaken by CEC in relation to Local Plan developments and to evaluate the adequacy of any proposed mitigation measures.

The A500 corridor improvements on the Barthomley Link Road to the M6 (the Scheme) are identified as a measure required to mitigate against the predicted impacts associated with the development proposals in the Local Plan.

(e) Crewe and Nantwich Replacement Local Plan

The Borough of Crewe and Nantwich Replacement Local Plan was adopted on 17th February 2005 and covers the period up to 2011.

A number of policies from this Local Plan were saved under the Secretary of State's Direction in 2008, though some of these saved policies have now been replaced by policies in the 2017 Local Plan.

The main relevant extracts within the Crewe and Nantwich Local Plan which should be considered when assessing the traffic impact of a scheme include:

- Policy BE3 Access and Parking: new developments should comply with the highways agency's policies concerning access to the M6 motorway and slip roads, and the A49, A500 and A51 trunk roads; and
- Policy BE3 Access and Parking: new developments should comply with the Highways Agency's requirements relating to development which would be likely to generate a material increase in traffic which would result in the M6 motorway, A49, A500 and A51 trunk roads and their associated junctions being overloaded.

The Scheme will increase capacity on the road network and will thus improve access to the Strategic Road Network.

## 7 DEVELOPMENT OF A500 DUALLING

- 7.1.1 Following the decision to upgrade the section of A500 between the M6 Junction 16 and Meremoor Moss Roundabout, further work was undertaken to develop and refine the option.

Mainline	Barthomley Road overbridge	Radway Green Road overbridge
<ul style="list-style-type: none"> <li>- Widening to the north</li> <li>- Widening to the south</li> <li>- Hybrid Widening (a combination of both north and south)</li> </ul>	<ul style="list-style-type: none"> <li>- Off-line to the west</li> <li>- Off-line off Mill Lane</li> <li>- Off-line to the east</li> <li>- On-line</li> </ul>	<ul style="list-style-type: none"> <li>- Off-line to the west</li> <li>- Off-line to the east</li> <li>- On-line</li> </ul>

- 7.1.2 In order to identify the best route option, each option was qualitatively and quantitatively assessed against the following criteria:

- Scheme costs, including land acquisition;
- Engineering Constraints (topography and land use, geology and ground conditions, geometry, departures from standards, public utilities, structures, constructability);
- Reputation of the Council (due to recent construction of a pinch point scheme at the eastern end, including two retaining walls)
- Road user safety; and
- Environmental factors (including landscape, ecology, cultural heritage, air quality, greenhouse gas, noise and vibration, water environment, effects on all travellers, community and private asset, planning).

- 7.1.3 Each option was assessed and ranked 1 to 3 or, in some cases, joint positions.

- 7.1.4 Each of the criteria were then assigned a weighting between 0 and 2. The weighting was based on the perceived importance of each criterion in the overall delivery of the Scheme. It was clear from the ranking summary that Option 3 of the Options listed above was the least desirable and so was discounted prior to the weighting.

- 7.1.5 The total weighted score derived from the quantitative assessment for each option is as follows:

- 1 (widening to the north) – weighted score of 18.1 (2nd); and
- 2 (widening to the south) – weighted score of 21.1 (1<sup>st</sup>).



- 7.1.6 As Option 2 outperformed Option 1, it was recommended that the Widening to the South be taken forward as the Preferred Route.

## **7.2 Adoption of the Preferred Route**

- 7.2.1 Option 2 was formally adopted by the Council as the 'Preferred Route' at the Cabinet meeting held on 9 May 2017 (Appendix D).

- 7.2.2 Following endorsement of the Preferred Route, the Scheme then entered the preliminary design phase in which the Dualling was developed to a sufficient level of detail to allow the submission of a planning application. During this phase, engineering and environmental elements of the Scheme were refined through consultation with landowners and other local interest groups. The refined Preferred Route was subsequently considered during the pre-planning consultation.

## **7.3 Public Consultation Results – Pre-Planning Consultation**

- 7.3.1 A 6-week pre-planning consultation was held between 20<sup>th</sup> September and 1<sup>st</sup> November 2017, including two public exhibitions in September 2017.

- 7.3.2 The main objectives of the consultation are summarised below:

- To inform the public and other stakeholders of the preferred route for the Scheme;
- To offer the public and stakeholders an opportunity to suggest design changes prior to the submission of a planning application for the Scheme;
- To provide an opportunity for the public and other stakeholders to discuss and ask questions about the Scheme with members of the project team;
- To gauge the level of support for the developing Scheme preliminary design and the support for the Scheme in general;
- To offer an opportunity for stakeholders to provide feedback on the Scheme impacts and environmental mitigation measures, and;
- To maintain and enhance communication with stakeholders.

- 7.3.3 As part of the consultation, engagement exhibitions were held on the following dates and locations:

- Wednesday 20th September 2017 – Barthomley Village Hall
- Saturday 23rd September 2017 – Barthomley Village Hall

- 7.3.4 The consultation carried out also included the following:

- Consultation leaflet and questionnaire distribution to residents based within the locality of the Scheme;
- Consultation leaflet to other stakeholders (i.e. local businesses, environmental groups, vulnerable user groups) and statutory consultees;
- Consultation material uploaded to the Council website;
- Liaison forums with affected residents, vulnerable user groups and environmental groups; and
- Engagement via social media (Facebook), along with a dedicated telephone line, email and postal address.

7.3.5 A total of 72 people attended the engagement exhibitions. Approximately 204 leaflets and questionnaires were distributed, with 38 questionnaires returned. Public support was high with 92% of respondents (fully or partly) being in favour of the Scheme.

7.3.6 The stakeholders consulted included landowners affected by the Scheme. In addition to the public exhibitions and consultation measures referred to above, the Council's engagement with landowners has generally included ongoing dialogue throughout the development of the preferred route.

7.3.7 Furthermore, the Council (and their Land and Property Acquisition Advisor) have worked hard to proactively engage with all directly affected landowners and, where possible, alterations have been made to the design to accommodate requests from landowners and tenants.

7.3.8 The parish councils have also been consulted and CEC have made representations at a number of meetings to inform the local residents of updates on the project. Articles have also been included in the local parish newsletters.

7.3.9 Various issues came to light during the consultation process. Where necessary these were addressed with the appropriate stakeholder(s) and, where practicable, design amendments were incorporated prior to the submission of a planning application for the Scheme.

7.3.10 The main changes made as a result of the consultation can be summarised as follows:

- Pond D relocated to minimise land take and impact on farm business;
- Pond C relocated to the north of the A500 and overspill area introduced resulting in a net reduction in permanent land take;
- Access tracks amended to suit requirements of landowners and tenants; and

- Stopping up and diversion routes of footpaths.

- 7.3.11 The consultation process also highlighted that consultees were concerned about the effects of the dualling on air quality and noise levels for properties nearby. The assessment process concluded that once the Scheme is operational, there would be a minor adverse noise impact on local residents, and a negligible impact in the long term. The air quality assessment concluded that once the dualling is operational, properties located within the local area would not experience an increase in NO<sub>2</sub> levels large enough to exceed the Air Quality Objective limit of 40 µg/m<sup>3</sup>. The noise and air quality assessments therefore concluded that there would be no significant noise or air quality effects on Barthomley and surrounding local area as a result of the dualling. Local roads would see a reduction in noise levels, though properties adjacent to the A500 itself would see an increase in noise levels. Acoustic fencing has been included within the Scheme design to mitigate the increase in noise levels for the closest sensitive receptors where appropriate.
- 7.3.12 In summary, the pre-planning consultation demonstrated that the Scheme continued to have very high level of support. Following the consultation, suggestions and feedback were reviewed, and where appropriate the emerging Preferred Route was modified.
- 7.3.13 As the footprint of the Scheme extends into the borough of Newcastle-under-Lyme, agreement was sought for Newcastle-under-Lyme District Council to agree to delegate planning powers to CEC. This was formally decided at a N-u-L Strategic Planning Board meeting on 16<sup>th</sup> May 2018 (Appendix E).

## 8 DESCRIPTION OF THE PROPOSED ROUTE

### 8.1 Description

- 8.1.1 The proposed Scheme is shown on a General Arrangement plan contained in Appendix B.
- 8.1.2 The proposed design of the Scheme conforms to modern dual carriageway design requirements. In general, the road will be predominantly in cutting with small sections of low embankment along most of the route. Side and cutting slopes would be constructed at gradients up to 1 in 2.5 and would be topsoiled and grass seeded.
- 8.1.3 The proposed Scheme predominantly follows the same vertical alignment as the existing A500. The Scheme begins at its western-most extent, at the Meremoor Moss roundabout which has four arms, A531 Newcastle Road, A500 Shavington Bypass, B5472 Weston Road and the proposed Dualling. The roundabout will be enlarged to include three lanes on the circulatory carriageway. The north-western quadrant of the roundabout circulatory carriageway will remain in its current position, but the remainder will be elongated so that the south-eastern quadrant will be approximately 14m south east of its existing location
- 8.1.4 The Scheme continues in an easterly direction in cutting which gradually reduces for approximately 190m until it reaches the existing ground level. The road then continues on embankment, gradually rising to around 5m approximately 260m east of the roundabout at which point it crosses over an unnamed watercourse, the culvert for which requires extension to the north and south. Continuing east on embankment for 430m, the Scheme then crosses Englesea Brook, where the existing culvert and underpass require extending. West of Englesea Brook, the existing westbound layby will be removed from the proposed new layout. In addition, the existing eastbound layby to the east of Englesea Brook will also be removed from the proposed layout.
- 8.1.5 The road continues east from Englesea Brook on an embankment which decreases in height over a distance of approximately 180m. The road embankment increases to around 5m towards the western extent of the Duckeries. At this location it travels over an unnamed water course whose culvert will require extending both north and south of the A500. The Scheme then continues east on embankment for a further 60m towards the eastern extent of the Duckeries, where it meets existing ground level.
- 8.1.6 For the next 300m the Scheme is within a deep cutting, which increases to a maximum of about 12m deep, then decreases to meet existing ground level. At this point, the road crosses over Barthomley Brook. The existing culvert would

require extending to the south, and sections of the brook to the north and south of the road will need to be realigned to accommodate two new attenuation ponds. The brook will be realigned over a distance of 90m to the south of the A500, and over a distance of 80m to the north. The Scheme then enters a cutting on both sides of the carriageway, to approximately 5m deep as it passes under Barthomley Road Bridge.

- 8.1.7 Barthomley Road bridge will be replaced with a new structure which extends over both carriageways, tying in to the existing road north and south of the A500.
- 8.1.8 The Scheme continues within a cutting at a depth of between approximately 2 to 3m for a further 600m. The cut becomes shallower to approximately 1m for approximately 40m after, then deepens again to between 4 and 5m between as it passes under the Radway Green Road Bridge..
- 8.1.9 Radway Green Road bridge will be replaced with a new structure which extends over both carriageways, tying in to the existing road north and south of the A500.
- 8.1.10 The road continues in cutting at around 5m deep which proceeds to get shallower until the approach to M6 Junction 16 where the road proceeds on a small embankment until it connects into the roundabout. A section of this cutting is supported by an existing retaining wall to the north side of the road, from approximately 70m east of Radway Green Road bridge, eastwards for 200m.
- 8.1.11 Drainage of the new carriageway will discharge into existing watercourses and existing highways drainage systems at several locations. The attenuation will be provided by means of ponds and discharge will be restricted to either greenfield or brownfield runoff rate. The conveyance of surface water will be via filter drains, kerbs and gullies, or surface water carrier drains.

## 8.2 Gas Main Diversion

- 8.2.1 An existing National Grid high pressure gas main running perpendicular to the A500 located at approximately 400m east of Barthomley Road requires diverting as a result of the scheme. The diversion is to allow for an upgrade to the pipeline which is necessary to meet current standards for a pipeline of this nature in the vicinity of a heavily trafficked route, such as the proposed A500 dual carriageway.
- 8.2.2 The diversion works will require land to the north and south of the A500 for working space and a site compound. This land is included in the approved planning application boundary and in the Compulsory Purchase Order land.
- 8.2.3 Other statutory undertaker's equipment will need diverting or protecting as a result of the scheme, but the National Grid gas main requires by far the most significant alterations, in terms of cost and impact of the works.

### 8.3 Design Standards

- 8.3.1 The design of the Dualling and two side roads will be in accordance with the Highways England Design Manual for Roads and Bridges (DMRB).
- 8.3.2 The following speed limits are applicable to the Scheme:
- A500 Mainline = 70mph
  - Barthomley Road / Radway Green Road = 60mph (existing speed limit)
- 8.3.3 The geometry associated with each element of the Scheme has been developed based on corresponding design speeds.
- 8.3.4 The design complies with the geometric requirements set out in the DMRB however, due to some of the existing constraints, some departures have been designed into the Scheme.



## 9 SIDE ROADS ORDER

### 9.1 The Need for a Side Roads Order (SRO)

- 9.1.1 The SRO is required to enable the Council to stop up existing side roads and private means of access affected by the construction of the Dualling, to improve existing side roads, and to create new side roads and private means of access required as a consequence of the main works. These are summarised below.
- 9.1.2 In this section the A500 is referred to as “the Classified Road”.

### 9.2 Meremoor Moss Roundabout and Other Alterations (Site Plan No. 1)

- 9.2.1 Meremoor Moss Roundabout will be elongated by approximately 14m on its south eastern side creating an oval type shape for the circulatory carriageway.
- 9.2.2 The A500 mainline will be widened to the south to upgrade the road to dual carriageway between Meremoor Moss Roundabout (Site Plan No. 1) and M6 Junction 16 (Site Plan No. 6).
- 9.2.3 The access off the B5472, north of Meremoor Moss Roundabout, into field 6444 will be stopped up and replaced with a new private means of access which will run along the same route. The same access will also provide access to field 8861 and Attenuation Pond A1, to the east by an extension to the track that will run parallel to the A500 boundary, over the unnamed watercourse and into field 8861. The track will then continue along the southern boundary of field 8861 and provide access to fields 9345, 0236, 1547 and 1047, and Attenuation Pond A2 all shown on Site Plan No. 2.
- 9.2.4 The access directly off the A500 mainline into field 6444 to the north, approximately 180m east of the existing Meremoor Moss roundabout, will be stopped up. The field will be accessed via the access described in the paragraph above.
- 9.2.5 The access directly off the A500 mainline into fields 7022 and 4300 to the south, approximately 180m east of the existing Meremoor Moss roundabout, will be stopped up and the field will be accessed via a new private means of access from the A531 approximately 130m south west of the existing Meremoor Moss roundabout. The track continues to run parallel to the southern boundary of the A500 to provide access to field 9345.

### 9.3 Englesea Brook, the Duckeries and Other Alterations (Site Plan No. 2)

- 9.3.1 The access to the north into fields 0236, 9345, 8961, 1047 and 1547, directly off the A500, approximately 80m west of Englesea Brook will be stopped up and

replaced with the access track off the B5472 (seen on Site Plan No. 1) running parallel to the A500 on the north.

- 9.3.2 The access to the south into fields 1047, 9345, 0236, 9020 and 1547, directly off the A500, approximately 80m west of Englesea Brook will be stopped up. Access to fields will now be gained either via the access track running parallel to the A500 to the south, starting from the A531 and shown on Site Plan No.1, or via the access track running parallel to the north of the A500, starting from the B5472 and through the A500 underpass parallel to Englesea Brook (shown on Site Plans Nos. 1 and 2).
- 9.3.3 A new access will be provided parallel to the west side of Englesea Brook, and south of the A500, to maintain a route via the underpass under the A500 for land in the same ownership to the north and south. At the southern end of this track, another track will run east-west connecting into field 0236, to replace another track that is lost beneath the footprint of the Scheme (it is not necessary to create this east-west track as a 'new access' in the Side Roads Order, because it is only for the benefit of the existing owner and tenant).
- 9.3.4 The existing private means of access running through field 1547 connecting into the existing A500 underpass is to be stopped up and realigned to the southern perimeter of the field, to accommodate Attenuation Pond A2. On the southern side of the existing A500 underpass, the existing private means of access is to be stopped up and realigned to tie in perpendicular to the proposed underpass extension.
- 9.3.5 An access for Attenuation Pond B will be provided within the Highway Boundary, starting at Barthomley Road (on Site Plan No. 3) and travelling west. The part of the access shown on Site Plan No.2 runs parallel to the A500 southern verge.
- 9.4 Barthomley Brook, Barthomley Road and Other Alterations (Site Plan No. 3)**
- 9.4.1 Public Footpath Barthomley FP04 will be stopped up from the southern boundary of the proposed classified road, northwards and then eastwards to the point at which it meets Barthomley Road, including the at-grade crossing over the A500. It will be replaced with a route that initially follows the southern verge of the A500, then continues along the southern boundary till it meets Barthomley Road north of Cyprus Cottage. This route is also the access for Attenuation Ponds B and C1 (Attenuation pond B is shown on Site Plan No.2).
- 9.4.2 The private means of access on the west of Barthomley Road into field 0087, approximately 20m north of the entrance to Cyprus Cottage, will be stopped up

Comment [TD3]: TBC

and replaced in the same place with a combined access for Cyprus Cottage, Attenuation Pond C1 and Attenuation Pond B (on Site Plan No 2).

- 9.4.3 A new access for Attenuation Pond C2 will be provided on the west of Barthomley Road at approximately 45m south of Smith's Greens Cottages heading westwards towards Barthomley Brook. The new access shall also serve as a footpath, tying into Bathomley FP27 and replacing the part of Bathomley FP04 that follows a similar route.
- 9.4.4 Barthomley FP17 will be stopped up from the starting point at Mill Lane to the point at which it meets the A500. The at-grade crossing over the A500 carriageway at this location will also be stopped up. The proposed alternative route is via Barthomley Road bridge along which there will be a footpath. To the east of Barthomley Road there will be a new footpath within the southern boundary of the A500 that will tie into FP17 to the south of the A500, as shown on Site Plan No.4.

#### **9.5 Land at Daisy Bank Farm, Smith Lane and Other Alterations (Site Plan No. 4)**

- 9.5.1 Barthomley FP17 will be stopped up on the south of the A500 from the southern boundary of the existing A500 to the southern boundary of the proposed classified road. The at-grade crossing over the A500 carriageway at this location will also be stopped up. At this location it will meet the new FP17 diversion from the west that follows the southern boundary of the widened A500.
- 9.5.2 Barthomley FP33 will be stopped up on the south of the A500 from the southern boundary of the proposed classified road northwards to its junction with FP07. Barthomley FP07 will be stopped up from its junction with FP33 eastwards to where it meets the southern boundary of the proposed classified road. The footpath will be diverted between the two stopped up locations, parallel to the widened A500 and continue east towards Bluemire farm (Site Plan No. 5).
- 9.5.3 The at-grade crossing from FP33 over the A500 to Smithy Lane on the north will be stopped up. A new footpath will be provided travelling eastwards along the northern boundary of the A500, to tie into Radway Green Road (see Site Plan No. 5).
- 9.5.4 The private means of access directly off the A500 to the south, 370m east of Barthomley Road, into fields 2485 and 4500 will be stopped up. A reasonably convenient alternative access is available via Barthomley Road to the south.
- 9.5.5 The private means of access directly off the A500 to the north, 260m west of Smithy Lane, into fields 3700 and 4500 will be stopped up. Reasonably

convenient alternative accesses are available via Daisy Bank Farm and Smithy Lane.

- 9.5.6 The private means of access running parallel and to the north of the A500, west of Smithy Lane, will be stopped up and replaced by a new private means of access that follows the boundary of the realigned A500. Between the private means of access and classified road boundaries, a short section of footpath Barthomley FP18 will be stopped up. The footpath will be incorporated to Smithy Lane.

## **9.6 Bluemire Farm, Radway Green Road and Other Alterations (Site Plan No. 5)**

- 9.6.1 Barthomley FP25 will be stopped up between its junction with Radway Green Road and the A500 (Site Plan No. 6). The at-grade crossing from the location at which FP25 meets the A500 will also be stopped up. Footpath users instead will be diverted across Radway Green Road bridge and eastwards along footpath Barthomley FP15.
- 9.6.2 A new footpath will be provided which will run from the south of Smithy Lane (Site Plan No. 4) to Radway Green Road, travelling along the northern perimeter of the A500. In addition, a new footpath is proposed on the southern side of the widened A500, the proposed footpath will be diverted between the two stopped up location of Barthomley FP07 and Batrthomley FP33 (Site Plan No. 5.), parallel and continue east towards Bluemire farm and connect into Radway Green Road. The final section of this footpath will also be a private means of access around the perimeter of Bluemire Farm, for access into an area of landscape planting to the west of the farm and south of the A500.

## **9.7 Land at Daisy Bank Farm, Smith Lane and Other Alterations (Site Plan No. 6)**

- 9.7.1 Barthomley FP25 to the north of the A500 will be stopped up between its junction with Radway Green Road (Site Plan No. 5) and the A500. The existing at-grade crossing over the A500 will also be stopped up. An alternative route is available via Radway Green Road bridge and footpath Barthomley FP15.
- 9.7.2 Barthomley FP15 will be stopped up along the south from where it meets the southern boundary of the proposed classified road, eastwards towards the boundary with Staffordshire County Council. This includes the spur which diverts north towards M6 Junction 16. The footpath will be diverted along the south of the widened A500 from the point at which the existing is stopped up to the northern spur connecting to the M6 Junction 16.

## 9.8 Footpaths

- 9.8.1 The changes to the Public Rights of Way (“PRoWs”), in terms of stopping up sections of existing routes and diverting these along new sections of footpath and footways, would reduce the amenity value of the affected PRoWs as the setting would change at the location where the footpath crosses the road. However, these changes have been proposed to maintain the connection of the original routes, and to provide safety diversions and crossings to then re-join the original route; overall the diverted routes along with new footpath provision is considered to be as considerably safer than existing situation with minimal disruption to the well-used routes.

## 10 THE COMPULSORY PURCHASE ORDER

### 10.1 Introduction

10.1.1 <To be input following legal review of CPO>

### 10.2 The Order Land

10.2.1 The breakdown of land by existing use and purpose for which it is required for the Scheme is set out below:

Existing Land Use	Hectares	%
Agricultural Land	12.77 ha permanently required	60%
	2.51 ha temporarily required	12%
Non-Agricultural Land	5.86 ha permanently required	27%
	0.16 ha temporarily required	1%

*Table 10 – Breakdown of existing land use*

10.2.2 In total, 18.63ha is permanently required for the carriageway, drainage works and environmental mitigation. No properties would require demolition due to the Scheme.

**Comment [LE4]:** RW – update figures

10.2.3 For ecological mitigation, habitat loss and gain calculations have been undertaken for the Scheme to ensure there is a net gain in habitats, resulting in an ecologically sustainable Scheme. These habitats include replacement habitats for one pond lost to the Scheme, neutral species-rich grassland, and provision of suitable habitat for bats (including hop-overs), water vole, breeding birds and badgers. The habitat losses and gains due to the Scheme are detailed in Table 11.



Habitat Type Lost	Area of Habitat Lost	Habitat Type Created	Area of Habitat Gained	Habitat Net Gain / Losses
Broad-leaved semi-natural woodland (A1.1.1).	2,912 m <sup>2</sup>	Woodland	22,796m <sup>2</sup>	<b>+9,516m<sup>2</sup></b>
Broad-leaved plantation woodland (A1.1.2)	25,295 m <sup>2</sup>	Woodland edge	19,064m <sup>2</sup>	
Mixed Plantation Woodland (A.1.3.2)	6,618 m <sup>2</sup>	Linear belts of shrub and trees	2,481m <sup>2</sup>	
<b>TOTAL WOODLAND (ALL TYPES)</b>	<b>34,825 m<sup>2</sup></b>	<b>TOTAL WOODLAND (ALL TYPES)</b>	<b>44,341m<sup>2</sup></b>	
Semi-improved acid grassland (B1.2)	0	Species – rich grassland	17,759m <sup>2</sup>	<b>+17,759m<sup>2</sup></b>
Marshy grassland (B5)	633m <sup>2</sup>	Marshy grassland (attenuation ponds and wildlife areas)	4,020m <sup>2</sup>	<b>+6,844m<sup>2</sup></b>
		Wetland habitat for water vole	3,457m <sup>2</sup>	
Scattered Trees (including mature trees) (A3.1)	102 trees	Scattered trees; individual trees; and shrubs with intermittent trees.	Total approximately 3853 trees	<b>+3751 trees</b>

Habitat Type Lost	Area of Habitat Lost	Habitat Type Created	Area of Habitat Gained	Habitat Net Gain / Losses
Native species-rich hedgerow (J2.1.1)	205 m	Native hedgerows with trees	2741 m	+1772m
Native species-rich defunct hedgerow (J2.2.1)	4 m			
Native species-rich hedgerow and trees (J2.3.1)	0	native species hedges	3611 m	
Species-poor hedgerow (J2.1.2.)	3,399 m			
Species-poor defunct hedgerow (J2.2.2.)	173 m	translocation of species-rich hedgerow	205 m	
Species-poor hedge and trees (J2.3.2.)	1004m			
TOTAL HEDGEROW (ALL TYPES)	4785m	TOTAL HEDGEROW (ALL TYPES)	6557 m	
Standing water (G1) (Pond P18 to be lost)	1 pond	2 ponds	1 pond	1 pond

Table 11 – Habitat loss and gains due to Scheme

Comment [LE5]: RW - This will need a review

10.2.4 To mitigate the loss of 0.48Ha of wet woodland and marsh habitat from the Townhouse Farm Wetland proposed Local Wildlife Site (pLWS), it is proposed that 13,584m<sup>2</sup> of the site would be managed to remove/reduce the current extent of hybrid poplar and return the entire extent of the pLWS into favourable condition.

Comment [LE6]: RW to update

Comment [LE7]: RW to update

10.2.5 These areas will also provide wider benefits in terms of ecology and nature conservation by enhancing ecological connectivity at the landscape scale, establishing resilience in those habitats by improving quality/condition and spatial extent, and establishing a long-term maintenance/management regime.

- 10.2.6 The proposed extent of environmental mitigation has been agreed with the CEC ecologist and landscape architect. The Scheme has been granted full planning permission and as a result it can be considered that the Scheme provides robust ecological and landscape mitigation.
- 10.2.7 It is also considered that land required for environmental purposes (namely ecological mitigation and compensation, landscape screening and integration, and noise attenuation) is fully justified.

### 10.3 Description of Land Required for Title by Plot References

#### Classified Road, Ancillary Highways and Existing Highway to be Improved

- 10.3.1 For the following plots, full title to the land is required for the Classified Road, for associated drainage works, for the provision of ancillary highways, and improvements to existing highways to connect the Classified Road to the existing network:

Site Plan 1: Plots 1/1, 1/2g, 1/2k, 1/2t, 1/2y, 1/5c, 1/5i and 1/5l.

Site Plan 2: Plots 2/1, 2/1aa, 2/1ae, 2/1h, 2/1j, 2/1l, 2/1m, 2/1p, 2/1v, 2/1x, 2/1y, 2/2, 2/2a, 2/2b, 2/3e and 2/3f.

Site Plan 3: Plots 3/1, 3/1ad, 3/1c, 3/1d, 3/1f, 3/1g, 3/1h, 3/1j, 3/1m, 3/1n and 3/2.

Site Plan 4: Plots 4/1a, 4/1d, 4/1e, 4/1g, 4/1s, 4/2, 4/3, 4/3e and 4/3j

Site Plan 5: Plots 5/1, 5/1g, 5/1k, 5/1l, 5/1n, 5/1o, 5/2, 5/2d, 5/2e, 5/3a, 5/3c, 5/3l, 5/3p, 5/4, 5/5a and 5/5c.

Site Plan 6: Plots 6/1a and 6/2.

#### Public Rights of Way and their verges

- 10.3.2 For the following plots, full title is required for the provision of a footpath outside the boundaries of the Classified Road:

Site Plan 1: None.

Site Plan 2: None.

Site Plan 3: Plot 3/1y

Site Plan 4: Plots 4/1ab, 4/1f, 4/1i, 4/1k, 4/1o, 4/1u, 4/1x, 4/3b, 4/3f and 4/3k.

Site Plan 5: Plots 5/1a, 5/3, 5/3d, 5/3k and 5/3t.

Site Plan 6: Plot 6/1

#### New Means of Access

- 10.3.3 For the following plots, full title is required for the provision of accommodation tracks to give third party rights of access outside the boundary of the Classified Road:

Site Plan 1: Plots 1/2e, 1/2i, 1/2j, 1/2l, 1/2q, 1/2w, 1/2x, 1/5 and 1/5h

Site Plan 2: Plots 2/1af, 2/1ag, 2/1f, 2/1o, 2/1q, 2/1r, 2/3a and 2/3g.

Site Plan 3: Plot 3/1ab and 3/1l

Site Plan 4: Plots 4/1ac, 4/1ad, 4/1u, 4/1x and 4/3m.

Site Plan 5: Plots 5/1f, 5/1p and 5/3i

Site Plan 6: None.

- 10.3.4 Subject to agreement with the landowner, the Council may seek to negotiate a licence to occupy during construction followed by access rights in place of full title acquisition. However, in the absence of such agreement the Council requires the security of the right to acquire full title.

Site Compounds and temporary access and working space for the main highways works

- 10.3.5 For the following plots, full title is required to provide for site compounds and/or topsoil storage areas associated with the construction of the Scheme:

Site Plan 1: Plot 1/2n.

Site Plan 2: None.

Site Plan 3: Plots 3/1i and 3/1k

Site Plan 4: Plots 4/1r and 4/1y

Site Plan 5: 5/3e

Site Plan 6: Plot 6/1b.

- 10.3.6 Subject to agreement with the landowner, the Council may seek to negotiate a temporary licence to occupy during construction in place of full title acquisition. However, in the absence of such agreement the Council requires the security of the right to acquire full title.

Environmental Mitigation

- 10.3.7 For the following plots, full title is required for the provision of landscape and ecological mitigation against the effect of the Classified Road:

Site Plan 1: None.

Site Plan 2: Plots 2/1ac, 2/1ad, 2/1g, 2/1k, 2/1n, 2/1s, 2/1t, 2/1u, 2/1w, 2/1z, 2/3, 2/3b, 2/3c and 2/3d.

Site Plan 3: Plots 3/1a and 3/1b.

Site Plan 4: None.

Site Plan 5: Plots 5/3f, 5/4a and 5/5b.

Site Plan 6: None.

#### **10.4 Description of Land Required for Rights by Plot References**

10.4.1 For the following plots, rights are required by the highway authority for the purpose of construction and maintenance of drainage pipes and outfalls over 2.1919 Ha of land:

Site Plan 1: Plots 1/2q, 1/2r, 1/2s, 1/2u, 1/5, 1/5a and 1/5b.

Site Plan 2: Plot 2/1c.

Site Plan 3: Plot 3/1q and 3/1u.

Site Plan 4: None.

Site Plan 5: None.

Site Plan 6: None.

10.4.2 For the following plots, rights are required to enable the Council to enable statutory undertakers to divert, maintain and use underground services over 1 Ha of land.

Site Plan 1: None.

Site Plan 2: None.

Site Plan 3: None.

Site Plan 4: Plots 4/1l and 4/1t.

Site Plan 5: None.

Site Plan 6: None.

**Comment [LE8]:** RW to update reviewing upon receipt of RUK design

## 11 EFFECTS ON LAND USE AND AGRICULTURE

- 11.1.1 Agriculture is the dominant existing land use of the land included in the Orders, comprising predominantly arable land, livestock grazing, and grazing for dairy farming.
- 11.1.2 The Scheme will affect seven land interests due to permanent and temporary land take. The total land take for the Scheme is 21.3 ha, of which 2.67 ha is temporary land take, affecting four farm interests. This comprises the temporary loss of 1.5ha of grade 2 land, 0.33ha grade 3a land, 0.68ha grade 3b land. No grade 4 land would be required for temporary land take. The remaining 0.16ha of land required for temporary land take is non-agricultural land.
- 11.1.3 The total permanent land take totals 18.63 ha, affecting seven land interests. This comprises the permanent loss of 13.1 ha of the best and most versatile quality land, of which 6.23ha is grade 2 and 5.10ha is grade 3a and 0.87ha is grade 3b. The remaining permanent land take totals 6.43ha, which consists of 0.57ha of grade 4 agricultural land and 5.86ha of non-agricultural land.
- 11.1.4 This land is required in order to undertake the dualling of the A500, as well as associated embankments and cuttings, drainage ponds, new access tracks and essential environmental mitigation. Farm units and land holdings will be affected by severance issues, including loss of access to land/fields, severance of fields and severance of land drainage systems. The Orders authorise the provision of new field accesses and accesses to farmsteads. Further accommodation works are proposed to mitigate the effects of severance, in agreement with the landowners as part of their overall entitlement to compensation.
- 11.1.5 All of the farming interests affected by the Orders would have to adjust their operations as a consequence of the Scheme, but none of those adjustments would be of such a scale as to materially alter the functioning of the holding or its operational sustainability. The majority of the changes relate to issues of revised accesses to land and increased journey times between areas of operational interest and can be addressed through accommodation works or the land compensation code.
- 11.1.6 The impacts on six of the land interests due to land take have been assessed as insignificant adverse as a result of the area of land take. The impacts on one of the land interests as a result of land take have been assessed as significant adverse.
- 11.1.7 In the case of the one land interest assessed as having a significant adverse impact, the impact on likely future farm business viability is assessed as insignificant. The farm businesses would be affected by land-take and this may result in a reduction or restructuring of their activities. However, this is assessed



as not significantly compromising the likely future viability of the farm businesses and they are likely to be able to continue trading, albeit after some restructuring of their operations.

- 11.1.8 The loss of agricultural land classified as best and most versatile has been minimised to the extent consistent with the Scheme Objectives and is significantly outweighed by the benefits of the Scheme which is the product of a robust option and route selection process.

## **12 SPECIAL CATEGORIES OF LAND**

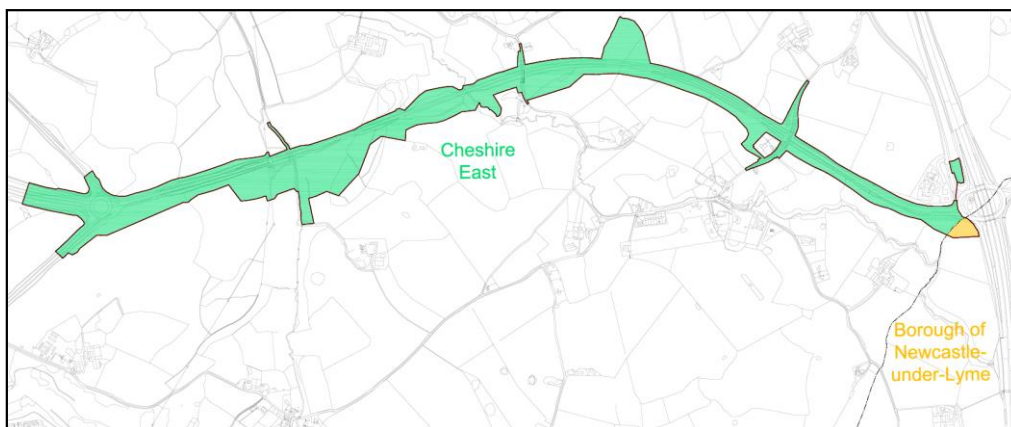
- 12.1.1 The Order Land does not contain land that is special category land within the meaning of the Acquisition of Land Act 1981 (open space, common land, allotments or field gardens), land held inalienably by the National Trust, consecrated ground, land in a general improvement area or land in a housing action area.

## 13 THE PLANNING POSITION

**Comment [CJ9]:** This section is to be updated to suit the new Planning Application.

### 13.1 Introduction

- 13.1.1 The Scheme is located within the borough of Cheshire East with the exception of a small area near the junction with the M6, which is within the borough of Newcastle-under-Lyme (see Figure 8 below). Newcastle-under-Lyme Borough Council (N-u-L BC), as a Local Planning Authority (LPA), has agreed to delegate its Town and Country Planning powers, for the determination of the extent of the Scheme within its boundaries, to CEC. This decision was authorised at the N-u-L BC Planning Committee on 24 April 2018 and then the N-u-L BC Annual Council Meeting on 16 May 2018. The planning application for “Dualling of the existing 3.3km stretch of the A500 between Junction 16 & Meremoor Moss Roundabout” was submitted to CEC on 24 July 2018, validated on 25 July 2018 and given the reference number 18/3766N.



**Figure 8 – Local Authority Split of Scheme**

- 13.1.2 This chapter sets out the planning policy and other material considerations for the Scheme that were identified through the planning process and refers to the conclusions that the LPA reached in the determination of the application.

### 13.2 Planning Policy

#### Principle of the Scheme

- 13.2.1 At the local level, CEC adopted the Local Plan Strategy 2010-2030 on 27th July 2017. The document sets out the overall vision and planning strategy for development in the borough and contains planning policies to ensure that new development addresses the economic, environmental and social needs of the area. It also identifies 50 strategic sites and three strategic locations that will

accommodate most of the new development needed for the borough's growth predictions.

- 13.2.2 This need for supporting infrastructure is set out in the 'Vision for Cheshire East' in 2030, from the Local Plan:

*"Well designed new employment and housing development will have been developed to fully meet identified needs in locations that reduce the need to travel. The infrastructure to support this growth will have been delivered in partnership with other organisations, whilst maximising and enhancing those built and natural features most valued across the borough."*

- 13.2.3 In order to achieve the vision CEC have developed four strategic priorities; Strategic Priority 4 is:

*"Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network", which will be delivered by measures including "...Providing additional transport infrastructure to improve connectivity".*

- 13.2.4 In terms of planning policies in the Local Plan, Policy IN 1 (Infrastructure), states that: *"Infrastructure delivery will take place in a phased co-ordinated manner guided by the Infrastructure Delivery Plan"*. CEC's Infrastructure Delivery Plan identifies the importance of improvements to the A500. The Scheme is also identified in the emerging Strategic Transport Plan (STP) for the Cheshire and Warrington LEP.

- 13.2.5 Policy CO2 (Enabling Business Growth Through Transport Infrastructure) of the Local Plan, specifies that support will be given for schemes identified within the CEC Infrastructure Delivery Plan. The Scheme is included in the current Infrastructure Delivery Plan (July 2016), and is also identified in the supporting text to Policy CO2, as a major highway scheme that the policy will support.

- 13.2.6 At the national level, Paragraph 8 of the National Planning Policy Framework (NPPF) (2018), describes the roles of the three dimensions of sustainable development: economic, social and environmental. The description of each objective includes:

*"an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure;*

*a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the*

*needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

13.2.7 Within CEC the proposed Scheme will contribute to achieving the economic, social and environmental objectives of the NPPF through the following:

- By improving the efficiency and reliability of the highway network, the Scheme will contribute to CEC's economy by reducing congestion and enhancing connectivity, improving business efficiency and productivity, as well as supporting future growth by assisting the delivery of key employment sites and HS2;
- The Scheme will contribute to achieving social objectives by supporting the delivery of housing allocations, improving journey times and improving the reliability of public transport; and
- The Scheme will support environmental objectives by reducing congestion, minimising amenity impacts through improved landscaping and acoustic fencing and providing a net gain in biodiversity.

#### Green Belt

13.2.8 The Scheme is within land designated as Green Belt in the Local Plan. The NPPF shows that the Government attaches great importance to Green Belts, with the fundamental aim of preventing urban sprawl by keeping land permanently open. Paragraph 134 of the NPPF, identifies the five purposes of the Green Belt as:

*“a) to check the unrestricted sprawl of large built-up areas;  
b) to prevent neighbouring towns merging into one another;  
c) to assist in safeguarding the countryside from encroachment;  
d) to preserve the setting and special character of historic towns; and  
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

13.2.9 The Local Plan Green Belt policy reflects national policy, from the NPPF, which also states that ‘substantial weight’ should be given to any harm caused to the

Green Belt and that ‘inappropriate’ developments should not be approved except in ‘very special circumstances’. Further, Paragraph 145 of the NPPF states that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

- 13.2.10 Paragraph 146 of the NPPF lists forms of development other than buildings that are *“not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it”*. This includes *“local transport infrastructure which can demonstrate a requirement for a Green Belt location”*.
- 13.2.11 The proposed scheme would not technically preserve the openness of the Green Belt as it would encroach on space which is currently free from development. It can therefore be considered to constitute inappropriate development in the Green Belt.
- 13.2.12 The NPPF advises that any other harm additional to that of inappropriateness must also be considered. There would also be some landscape and ecological harm given the loss of existing trees, planting and habitats.
- 13.2.13 Very Special Circumstances exist for the proposed scheme, namely the locational necessity and the economic, social and environmental benefits which clearly outweigh the harm to the Green Belt and the other harm identified.
- 13.2.14 It is considered that these factors clearly outweigh the harm to the Green Belt and the other harm identified.

#### Other Planning Considerations

Assessments of the proposed Scheme’s effect on the surrounding environment (in terms of landscape, ecology, cultural heritage, air quality, noise and vibration, soils, geology, hydrogeology and materials, drainage, people and communities and traffic) have demonstrated that through careful design, appropriate mitigation and enhancement, the proposed Scheme does not conflict with national and local planning policy.

### **13.3 The Planning Application Determination**

The application was the subject of a full consultation programme and was reported to the CEC Strategic Planning Board on 19 December 2018 with a recommendation for approval. The committee report stated that the proposal would constitute inappropriate development in the Green Belt, but this would be outweighed by the very special circumstances, consisting of economic benefits, assisting the delivery and unlocking the benefits of HS2, local transport benefits,

**Comment [LE10]:** BH - Planning was approved with conditions on 24<sup>th</sup> April 2019.

expansion of the existing road with no other option viable, and social and environmental benefits.

The report also noted that:

*'The development would also provide benefits of increasing capacity of the existing highway network, economic benefits and enhanced landscaping and ecological impacts thus betterment from the existing situation'.*

The report concluded that:

*'it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved'.*

Consequently, the Strategic Planning Board resolved to approve the scheme subject to referral to the Secretary of State for Communities and Local Government. On 24 January 2019 the Secretary of State confirmed that he had decided not to call in the application, as he was content to allow the application to be determined by the LPA. The Council subsequently granted planning permission for the scheme on XXX, subject to XX Planning Conditions.

**Comment [HB11]:** To update after SoS referral decision

**Comment [LE12]:** BH to update

#### 13.4 The Planning Application Implementation

The Planning Permission has been reviewed by the technical teams that submitted the Planning Application and, based on this review, it is considered that the Planning Conditions attached to the permission are reasonable and can be complied with. Overall, there are not known to be any planning impediments that would prevent the Scheme proceeding.

**Comment [LE13]:** BH - Planning was approved with conditions on 24<sup>th</sup> April 2019

#### 13.5 Planning Summary and Conclusion

13.5.1 The Scheme is identified as a planning and infrastructure policy priority in the CEC local development plan and would assist the delivery on numerous economic and social benefits to this part of Cheshire East. It has limited impact upon its surroundings, partly due to it being an enlargement of an existing piece of infrastructure and because of the detailed and careful design of the Scheme.

13.5.2 Whilst determining the scheme's Planning Application, the LPA considered all the aspects and potential impacts of the scheme. In particular, its Green Belt location and impacts on, residential amenity, landscape and trees, design, ecology, historic environment, air quality, noise and vibration, contaminated land, flood risk, public rights of way, traffic and highways, gas pipelines/explosives, and economic sustainability.

13.5.3 Finally, it is considered that the associated planning Conditions can be complied with and that there are no other Planning impediments that would prevent the scheme progressing.

**Comment [LE14]:** BH to review





## 14 SCHEME FUNDING

**Comment [CJ15]:** DC – Still to review this section

### 14.1 Sunk Costs

- 14.1.1 In line with guidance set out within WebTAG Unit A1.2, only the costs which will be incurred subsequent to the economic appraisal and the decision to go ahead are considered. ‘Sunk’ costs, which represent expenditure incurred prior to the Scheme appraisal and which cannot be retrieved, should not be included.

As of May 2019, £4.50m of project development costs had been incurred by the Council. These costs are considered sunk and have consequently been excluded from both the economic and financial cases.

### 14.2 Base Costs

- 14.2.1 The base costs, which do not include optimism bias, risk and inflation are shown in Table 12. They are based on 2018 prices. The base costs are split in to the following categories:

**Comment [CD16]:** Yes

- Construction and Preliminaries;
- Statutory Undertakers;
- Land and Property; and
- Jacobs / CEC / Contractor fees

Investment Cost Component	Base Cost Estimate Excluding Inflation, Undiscounted (2018)
Construction and Preliminaries	£38.6m
Statutory Undertakers Diversions	£6.5m
Land Claim	£2.4m
Preparation cost	£2.4m
Supervision cost	£3.7m
<b>Base Cost Sub Total</b>	<b>£57.7m</b>

*Table 12 - Base Costs – 2018 Prices Excluding Inflation*

The costs, which do include inflation are shown in Table 13. They are also based on the above 2018 prices but with inflation added.

Investment Cost Component	Base Cost Estimate Including Inflation, Undiscounted
Base costs	£57.7m
Inflation	£6.54m
Base Cost Sub Total	£64.3m

*Table 13 Base Costs – Outturn Prices Including Inflation (Excluding sunk costs)*

### 14.3 Maintenance Costs

- 14.3.1 The Scheme will require maintenance work which will create costs that would not be present if the Scheme was not built.
- 14.3.2 Maintenance costs for the bypass have been estimated based on the capital cost (e.g. people and machinery) of maintenance. The cost has been estimated using the typical maintenance profiles provided in the QUADRO manual, based on the road's length, flow and carriageway standard.

### 14.4 Funding Arrangements

Table 14 outlines the intended funding arrangements for the proposed Scheme.

Funding Source	Value £ (Excluding Sunk Costs)	Value £ (Including Sunk Costs)
DfT Grant	£53.3m	£55.1m
Local Contribution	£11.0m	£13.6m
<b>Total scheme costs</b>	<b>£64.3m</b>	<b>£68.7m</b>

*Table 14 - Funding Arrangements*

### 14.5 Funding Approval

On the 7<sup>th</sup> April 2020, the approved funding arrangements were reported to CEC Cabinet, and approval was sought for the on-going funding of the scheme. Cabinet subsequently approved the recommendations:

- The approved capital allocation for the Scheme is £6.5m, which has been secured from £4.7m local contributions and £1.8m DfT contributions;
- This budget will enable the project to proceed to March 2020 with key aspects of the preconstruction programme to safeguard the programme, progress land procurement and develop works cost certainty. If DfT decide not to include the scheme in the programme at any point during that period,

**Comment [CJ17]:** Simon Keer to update section.

expenditure can be stopped immediately and the contract with the delivery team through the SCAPE framework can be terminated at any time;

- The revised Outline Business Case submitted to DfT in May 2019 is based on a total scheme cost of £68.7m. The total requested contribution from the DfT is £55.1m and the total local contribution is £13.6m;
- In addition to the approved budget of £6.5m in the main programme, a budget of £62.2m is held in the addendum to the capital programme to cover the total scheme cost.

CEC's Section 151 Officer has confirmed that the Scheme costs represent the best estimates based upon available information and current market conditions and that CEC has the means to accept financial liability of the Scheme going ahead as per the current guidance.

CEC's Section 151 Officer will provide a signed declaration outlining CEC's financial commitment to the Scheme once the tender costs for the Scheme are known. This letter will subsequently be included within the Scheme's Full Business Case.

#### **14.6 Alternative Funding Arrangements**

There are no other identified funding strategy options at this stage.

**Comment [LE18]:** RW - To be reviewed upon receipt of RUK design

## 15 RELATED WORKS, ORDERS AND PROCEDURES

### 15.1 Mitigation Licence

- 15.1.1 Due to the impacts of the Scheme European Protected Species (EPS) licences will be required for bats. No licence will be required for Great Crested Newts (GCN) or badgers.
- 15.1.2 An EPS Licence will be required for bats as the Scheme has been identified as having an adverse effect on bats. The Scheme will result in the loss of eight confirmed tree roosts. A pre-construction survey of trees to be felled which contain known bat roosts currently identified as eight trees: Trees T9; T13; T35; T41; T57; T60; T61; and T69) would be required. Details of monitoring for identified roosts adversely affected by the Scheme would be specified in the EPS Licence. Mitigation measures for bats are included within the ES and are sufficient across the Scheme to minimise impacts on bats through provision of hop-overs, creation of new suitable foraging habitat and retaining mature vegetation, and the installation of bat boxes where required.
- 15.1.3 As a consequence of these adverse effects to bats the Council will be applying to Natural England for EPS Licences in order to interfere with bats under regulation 53(2)(e) of the Conservation of Habitats and Species Regulations 2010 (as amended) ("the Habitats Regulations") and section 16(3)(f) of the Wildlife and Countryside Act 1981 (as amended), in order for the Scheme to be constructed.
- 15.1.4 The Habitat Regulations fully protect bats and their breeding sites and resting places, making it an offence to deliberately kill, injure or capture (take) them; deliberately disturb, damage or destroy breeding sites or resting places; possess or transport any of these species or any part of them; and to sell (or offer for sale) or exchange any of these species or parts of them.
- 15.1.5 The proposed extent of the ecological mitigation measures has been agreed with the relevant statutory nature consultees, and full planning permission has been granted. As a consequence it is considered that, for the robust ecological mitigation for bats as outlines above, an EPS Licence would be granted by Natural England without any difficulty.

### 15.2 Water Discharge Consents

- 15.2.1 The consent of the Environment Agency under the Water Resources Act 1991 will be required for the discharge of highway drainage into controlled waters. For this the Council will apply and obtain an environmental permit. Consequently, the Council and its advisers have been in constant consultation with the Environment

Agency during the design of the Scheme to date, and the Agency's comments and views have been taken into account in the design process to date.

## **16 HUMAN RIGHTS ASSESSMENT**

- 16.1.1 The Council has considered the provisions of the Human Rights Act 1998 in deciding whether to make the Orders.
- 16.1.2 The Council considers that the use of compulsory purchase powers will not constitute an unlawful interference either with property rights protected under Article 1 of the First Protocol of the European Convention on Human Rights, or the respect for private and family life and the home protected under Article 8 of the Convention.
- 16.1.3 The Orders have been made in accordance with the provisions of national legislation. The opportunity has been given through the development plan process of the Council as LPA (which is also the acquiring authority under the CPO), to make representations on the planning policies which support the development and, through the planning application process, to make representations on the specific development proposals. Those directly affected by the Orders will have the opportunity to make objections and representations in respect of the Orders and to appear at a public inquiry and, if the Orders are confirmed and the Scheme constructed, they will be entitled to compensation as provided for under national law. Compensation is also available under national law in respect the adverse effect on the value of properties arising from the use of the Scheme, once opened to traffic, including the provision of noise insulation to qualifying properties.
- 16.1.4 Included in the CPO are areas of land required for mitigating the adverse effects of the new highway on its surroundings by ensuring the availability of habitat for water voles and bats disturbed by the new road to maintain their population in a favourable conservation status. The Council requires powers to acquire the land to ensure that the effects of the works on a European protected species are minimised and to ensure that consents required for the Scheme to proceed can be obtained from the relevant national authority under the Conservation of Habitats and Species Regulations 2010/490 and the Wildlife and Countryside Act 1981 (as amended).
- 16.1.5 Overall, the Council considers that the making of the Orders is a proportionate action when the compelling public benefits of the Scheme and the process whereby the routes were selected and approved are balanced against the Scheme's effects on private interests.

- 16.1.6 All the land included in the Orders is considered to be necessary for the purposes of the proposed works. The distance limits referred to in section 249 of and schedule 18 of the Highways Act 1980 have not been exceeded.

## 17 EQUALITIES IMPACT ASSESSMENT

- 17.1.1 The public sector equality duty under section 149 of the Equality Act 2010 requires the Council to have due regard to: (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and (ii) the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. 'Protected characteristics' are: gender, race and disability, sexual orientation, age, religion or belief, pregnancy and maternity and gender reassignment.
- 17.1.2 The Council is committed to improving the quality of life for all and wider participation in the economic, educational, cultural, social and community life in the area.
- 17.1.3 The proposal of the scheme will open up development opportunities which will make a contribution to the provision of housing in the local area as well as providing employment. The scheme will facilitate the traffic generated by the opening of the HS2 hub which will improve connectivity and employment opportunities in the area.
- 17.1.4 An Equalities Impact Assessment was carried out, which took into account the demographic makeup of the regeneration area and addressed the impact on the protected characteristics. It found that there were no adverse impacts to those sharing protected characteristics when compared to the existing situation and the scheme will support housing and growth opportunities as identified in the Local Plan. All road users will benefit from reduced congestion and improved journey times. There are a number of rural footpaths that approach and cross the A500 currently, some of which include at-grade uncontrolled crossings of the A500. These crossings will be closed as part of the dualling scheme and footpaths diverted to two overbridges over the A500 that will include footpaths. In this respect the situation will be improved for elderly users and wheelchair users or prams.



## 18 PUBLIC INQUIRY

18.1.1 This Statement is not intended to discharge the Council's obligations to serve a Statement of Case under the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event that a public inquiry is held.

18.1.2 In the event of a public inquiry being held the Council will give evidence in support of the reasons for making the Orders and to further demonstrate that there is a compelling case in the public interest that this Scheme should proceed and that the Orders should be confirmed.

18.1.3 The Council may wish to refer to or put in as evidence at any public inquiry that may be held, the documents listed below.

18.1.4 The documents listed below are also available at the deposit locations listed in Section 18.1.1 of this Statement.

### 18.1.5 List of Documents

CD/2/01. The Cheshire East Borough Council (A500 Dualling) (Classified Road) (Side Roads Order) 2019

CD/2/02. The Cheshire East Borough Council (A500 Dualling) (Classified Road) (Side Roads Order) 2019 – Site Plan

CD/2/03. The Cheshire East Borough Council (A500 Dualling) Compulsory Purchase Order 2019

CD/2/04. Map referred to in the Cheshire East Borough Council (A500 Dualling) Compulsory Purchase Order 2019

CD/2/05. Cheshire East Council Strategic Planning Board Report on 19 December 2018

CD/2/06. Secretary of State Call in Decision 24 January 2019 – Cheshire East Council Planning Application

CD/2/07. A500 Dualling Planning Decision Notice – Cheshire East Council  
The approved planning drawings, Environmental Statement and Planning and Design Access Statement highlighted in Appendix C

12.1.5 The Council reserves the right to add other documents to this list.

**Comment [LE19]:** JC - Review CD reference when appropriate

## 19 FURTHER INFORMATION

### 19.1 Access to Documents

19.1.1 The Order Documents can be inspected at:  
Cheshire East Council  
Municipal Buildings

Earle Street  
Crewe  
CW1 2BJ

Or

Alsager Library  
Sandbach Road North  
Alsager  
Stoke-on-Trent  
ST7 2QH

Alternatively, the documents can be inspected on the Cheshire East Council website at: <http://www.cheshireeast.gov.uk/A500Dualling>

## **19.2 Compensation**

- 19.2.1 Provision is made by statute with regard to compensation for the compulsory purchase of land and depreciation in value of affected properties. More information is given in the series of booklets published by the Department of Communities and Local Government entitled 'Compulsory Purchase and Compensation' listed below:

Booklet No. 1 – Compulsory Purchase Procedure  
Booklet No. 2 – Compensation to Business Owners and Occupiers  
Booklet No. 3 – Compensation to Agricultural Owners and Occupiers  
Booklet No. 4 – Compensation to Residential Owners and Occupiers  
Booklet No. 5 – Reducing the Effect of Public Development: Mitigation Works

Copies of these booklets can be downloaded directly from:

<https://www.gov.uk/government/collections/compulsory-purchase-system-guidance>

Any person who does not have facilities to download these booklets should contact the Council for assistance at Cheshire East Borough Council, Westfields, Middlewich Road, Sandbach CW11 1HZ (Tel: 01270 686353).

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**APPENDIX A – SECTION 8 AGREEMENT**

**APPENDIX B – GENERAL ARRANGEMENT LAYOUT**

## APPENDIX C – A500 DUALLING – APPROVED PLANNING DOCUMENTATION

Document Reference	Rev	Title	Date Submitted
<b>Cheshire East Council - Environmental Statement</b>			
Volume 1	Rev 0	Non-Technical Summary for Environmental Statement	24 July 2018
Volume 2	Rev 0	Main Statement Including 81 figures	24 July 2018
Volume 3 – Technical Appendices		Covering Document Appendices: A. Consultation B. Planning Policy Reference Report C. Landscape and Visual Impacts D. Ecology Survey Reports E. Cultural Heritage F. Air Quality G. Noise and Vibration H. Soil, Geology, Hydrogeology and Materials I. Road Drainage and the Water Environment J. Effects on All Travellers K. Traffic Impact Assessment L. Environmental Masterplan	24 July 2018
<b>Cheshire East Council Approved Plan List</b>			
General Arrangement Key Plan	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0000	24 July 2018
General Arrangement Layout Plan - Sheet 1 of 6	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0001	24 July 2018
General Arrangement Layout Plan - Sheet 2 of 6	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0002	24 July 2018

Document Reference	Rev	Title	Date Submitted
General Arrangement Layout Plan - Sheet 3 of 6	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0003	24 July 2018
General Arrangement Layout Plan - Sheet 4 of 6	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0004	24 July 2018
General Arrangement Layout Plan - Sheet 5 of 6	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0005	24 July 2018
General Arrangement Layout Plan - Sheet 6 of 6	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0006	24 July 2018
Site Location Plan (Red Line Boundary)	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0007	24 July 2018
Plan Layout (Existing vs Proposed)	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0008	24 July 2018
Cross-Section Locations	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0010	24 July 2018
Typical Cross-Sections - Sheet 1 of 4	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0011	24 July 2018
Typical Cross-Sections - Sheet 2 of 4	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0012	24 July 2018
Typical Cross-Sections - Sheet 3 of 4	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0013	24 July 2018
Typical Cross-Sections - Sheet 4 of 4	Rev 0	B1832076-JAC-PLA-MULTI-DR-C-0014	24 July 2018
Barthomley Brook General Arrangement	Rev 0	B1832076-JAC-STR-BB-DR-C-0001	24 July 2018
Barthomley Brook General Arrangement	Rev 0	B1832076-JAC-STR-BR-DR-C-0001	24 July 2018
Englesea Brook & Underpass GA	Rev 0	B1832076-JAC-STR-EB-DR-C-0001	24 July 2018
Radway Green Road Bridge General Arrangement	Rev 0	B1832076-JAC-STR-RG-DR-C-0001	24 July 2018
Bluemire Retaining Wall	Rev 0	B1832076-JAC-STR-RW-DR-C-0001	24 July 2018
Drainage Design Layout Plan - Sheet 1 of 11	Rev 0	B1832076-JAC-HDG-MULTI-DR-D-501	24 July 2018
Drainage Design Layout Plan -	Rev 0	B1832076-JAC-HDG-MULTI-	24 July



Document Reference	Rev	Title	Date Submitted
Sheet 2 of 11		DR-D-502	2018
Drainage Design Layout Plan - Sheet 3 of 11	Rev 0	B1832076-JAC-HDG-MULTI-DR-D-503	24 July 2018
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Road Lighting Layout Plans - Sheets 2 of 6	Rev 0	B1832076-JAC-HLG-MULTI-DR-C-1302	24 July 2018
Road Lighting Layout Plans - Sheets 3 of 6	Rev 0	B1832076-JAC-HLG-MULTI-DR-C-1303	24 July 2018

Document Reference	Rev	Title	Date Submitted
Road Lighting Layout Plans - Sheets 4 of 6	Rev 0	B1832076-JAC-HLG-MULTI-DR-C-1304	24 July 2018
Road Lighting Layout Plans - Sheets 5 of 6	Rev 0	B1832076-JAC-HLG-MULTI-DR-C-1305	24 July 2018
Road Lighting Layout Plans - Sheets 6 of 6	Rev 0	B1832076-JAC-HLG-MULTI-DR-C-1306	24 July 2018
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**APPENDIX D – CHESHIRE EAST COUNCIL CABINET MEETING MINUTES  
9<sup>TH</sup> MAY 2017**

**APPENDIX E – CHESHIRE EAST COUNCIL STRATEGIC PLANNING BOARD  
MEETING MINUTES 16<sup>TH</sup> MAY 2018**

**APPENDIX F – CHESHIRE EAST COUNCIL CABINET MEETING MINUTES  
12<sup>TH</sup> JUNE 2018**

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*Working for a brighter future together*

Key Decision Y

Date First  
Published: 23/1/20

## Cabinet

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**Date of Meeting:** 5 May 2020

**Report Title:** Vulnerable and Older Persons' Housing Strategy 2020-24

**Senior Officer:** Christopher Hutton – Senior Policy Officer

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### 1. Report Summary

- 1.1. In 2014, Cheshire East Council adopted the Vulnerable and Older Persons' Housing Strategy. The document outlined a number of strategic housing priorities for a number of client groups. The development of this strategy was based on robust evidence and a housing needs assessment.
- 1.2. The 2014 strategy is utilised by a multitude of organisations including housing providers, developers and support providers. In particular, the 2014 strategy outlined the needs and priorities for a number of groups who experience challenges within the borough. These included:
  - Older People
  - Learning Disabilities
  - Mental Health
  - Homelessness
  - Domestic Abuse
  - Physical and Sensory Disabilities
  - Drugs and Alcohol
  - Young People
  - Cared for Children and Care Leavers
- 1.3. The Council has reviewed the evidence base and the strategic priorities to ensure that they remain relevant and applicable. In addition, the review has highlighted any significant changes in local and national policy, which could affect service delivery. Furthermore discussion has been undertaken with relevant stakeholders
- 1.4. A revised draft strategy has been produced which :



- Provides an updated evidence base
- Provides an update on legislative and statutory changes which can affect service delivery
- Ensures that strategic priorities are still relevant and applicable

1.5. Cabinet are asked to approve the document for the basis of consultation and to delegate approval to Portfolio Holder for Environment and Regeneration to consider the results of the consultation and to approve the final draft of the strategy.

## **2. Recommendations**

### **2.1. That Cabinet**

- Approves the draft Vulnerable and Older Persons' Housing Strategy as outlined at appendix 1 for the basis of consultation.
- Delegates authority to the Portfolio Holder for Environment and Regeneration, in consultation with the Portfolio Holder for Adult Social Care and Health, to consider the results of the consultation and to approve the final version of the strategy.

## **3. Reasons for Recommendations**

- 3.1. Cheshire East has an ageing population and has a responsibility to maintain a strategic plan for how it will address any associated issues that an ageing demographic proposes. Access to suitable and safe housing is one of the key elements in this process.
- 3.2. In addition to an ageing population, the local authority has a responsibility to ensure that the most vulnerable residents in the borough are safe and are able to live independent and fulfilling lives. Housing plays a pivotal role in supporting the Council to achieve these outcomes.
- 3.3. The revised Vulnerable and Older Persons' Housing Strategy sets out the strategic priorities for Cheshire East Council in terms of housing provision for vulnerable groups between 2020 and 2024. The priorities included within the strategy will have a direct impact on these groups.
- 3.4. This strategy supports the delivery of Cheshire East Council priorities as set out in the current and future Corporate Plans.

## **4. Other Options Considered**

- 4.1. There is no statutory requirement for the Council to produce a Vulnerable and Older Persons' Housing Strategy, and there is the option to continue to use the 2014 version of the strategy. However, it is good practice to ensure

data sources are up to date, and review strategic priorities to ensure they compliment and align with local and national policies and priorities.

## **5. Background**

- 5.1. As detailed above, the 2014 strategy set out clear objectives for how Cheshire East Council would approach housing and accommodation requirements for older and vulnerable client groups.
- 5.2. There have been significant changes in the overall landscape of policy and legislation, which impact on these matters. On a national level, there have been impacts felt via welfare reform and a sense of uncertainty over the future of supported accommodation.
- 5.3. The adoption of Part 1 of the Local Plan in 2017 set out key strategic sites and growth ambitions for the borough. There is ongoing work being conducted within the Council for Part 2 of the Local Plan – referred to as the Site Allocations and Development Policies Document. The revised strategy refers to policies highlighted within this document.
- 5.4. From a resident perspective, evidence suggests that there remains a key focus on living independent and fulfilling lives. This applies to all groups within the borough. There is also additional evidence that the complexity of vulnerable residents i.e. those displaying behaviours which span multiple client groups, is changing. There is an increasingly blurred line between cohorts which needs to be acknowledged and addressed.
- 5.5. It became clear when drafting the revised strategy that the landscape of care, support and accommodation for vulnerable and older adults had changed significantly. For example, the Homelessness Reduction Act was not in place at the time of the 2014 strategy. A renewed and refreshed approach to accommodation for vulnerable and older residents was needed. The 2020-24 strategy aims to provide this.
- 5.6. The strategic outcomes in the 2020-24 strategy are as follows:
  - People are supported to live in their own homes independently for longer
  - When required, people can receive the support they need in a wide range of specialist, supported accommodation within the Borough
  - People are able to make informed choices about the accommodation, care, and support options within Cheshire East
- 5.7. As well as the overarching strategic outcomes stated above, each of the 8 client groups are complemented by key priority focuses - the accompanying action plans within the document highlight how, by whom and when these

actions will be completed. The key priorities for the different client groups are:

- Improve the housing offer for an ageing population
- Ensure adults and children with learning disabilities are able to access suitable accommodation across the borough
- Support the provision of appropriate accommodation for mental health clients
- Support the suitable and safe accommodation provision for cared for children and care leavers
- Ensure safe and suitable accommodation is available for drug and alcohol users throughout all stages of their recovery journey
- Support residents with physical and sensory disabilities to maintain their accommodation or access suitably adapted types of accommodation
- Increase the provision of suitable accommodation for residents who experience domestic abuse
- Reduce homelessness and rough sleeping across Cheshire East

5.8. Following a review and update, this revised strategy is now progressing to consultation by external agencies and residents of Cheshire East. This is to ensure transparency as a local authority, and also that officer interpretation is appropriate for the needs of this strategy. It is foreseeable that this strategy will play a pivotal role in outlining the local authorities' strategic direction, and also in guiding the authority in terms of acceptable development across the borough for housing provision for vulnerable groups.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. It is important to note that the Council is duty bound by a number of legislative processes, some of which are relevant to, and mentioned within, this strategy. This strategy seeks to ensure those statutory duties are met and maintained in line with legislative guidance. The Children Act 2004 placed a duty upon local authorities to carry out their functions having regard to the need to safeguard and promote the welfare of children.

6.1.2. The legal implications of any project or development that arises as a result of the Strategy's direction will be assessed individually as these initiatives progress through the Council's project management gateways.

- 6.1.3. There are potential implications with regards to the consultation process of the strategy due to the current Covid-19 pandemic, and the resulting social distancing and self-isolation requirements. These implications can be mitigated somewhat via online questionnaires and use of email, as well as promotion through the Cheshire East Council website, press releases and social media. There can be further mitigation by emailing relevant organisations and groups directly, seeking their views and signposting to the relevant documents, to ensure that all stakeholders have opportunity to respond.

## **6.2. Finance Implications**

- 6.2.1. This strategy has highlighted a number of actions to be taken forward and these will be funded via a number of different sources including existing service budgets or the development of a detailed business case which consider all financing options (both internal and external) and any potential risks to the Council will be developed for any major projects or developments that arise as a result of the strategy's priorities. These will be prepared and assessed on a project-by-project basis at the appropriate time. Business cases will follow the established route for ratification in accordance with the Council's Medium Term Financial Strategy process.
- 6.2.2. The costs of funding the consultation for this strategy will be met through existing Housing budgets.

## **6.3. Policy Implications**

- 6.3.1. Government guidance suggests local authorities should be aware of the varying housing needs for different residents across the locale. This includes, but isn't limited to, "older people" and "people with disabilities" (National Planning Policy Framework, 2019)
- 6.3.2. This strategy is supportive of additional specialist services and suitable accommodation to help meet this identified need. This strategy is aligned and supportive of existing Cheshire East strategies and policies which aim to deliver on the outcomes of the Council as a whole.
- 6.3.3. The priorities and aims of this strategy will compliment the wider CEC Housing Strategy 2018-23, as well as corporate ambitions for growth and development as highlighted in the Cheshire East Local Plan.

## **6.4. Equality Implications**

- 6.4.1. An Equality Impact Assessment is being completed which is giving consideration in regards to how the strategy affects groups within the protected characteristics. It is predicted that the strategy will have a

number of positive outcomes for client groups and those who come under the protected characteristics, most notably for age and disability.

## **6.5. Human Resources Implications**

- 6.5.1. It is not anticipated that there will be any additional staff resources required to enact the actions in the strategy, and any resulting tasks and workgroups will be facilitated and completed within existing staff resources.

## **6.6. Risk Management Implications**

- 6.6.1. It is not foreseen that the objectives set out within this strategy will cause significant risk to residents or the local authority. Priorities are derived from a strong evidence base which have taken consideration of resident requirements, as well as other local authority departmental ambitions.
- 6.6.2. There is a current risk to the authority that inappropriate development of services in areas of low need may be permitted due to a lack of evidence suggesting the contrary. This strategy will go some way to prevent this taking place.
- 6.6.3. A number of actions within the strategy will involve working with external partners, stakeholders and other CEC departments. This may assist in mitigation of risk due to a consistent and approved narrative taking place.
- 6.6.4. The development of new major projects for older and vulnerable people is a complex and costly endeavour. The focus within the strategy with regards to partnership working and liaison with local authority officers will be vital in mitigating risks when developing such schemes.
- 6.6.5. There is a potential risk that delivery of actions within the strategy may be delayed due to staff resources and availability. This can be mitigated somewhat via a robust action plan for the priorities and use of SMART objectives between projects.

## **6.7. Rural Communities Implications**

- 6.7.1. There is potential that the strategy will be pivotal in the development of new services for vulnerable and older adults, and the impact of these may be felt within rural communities. The strategy outlines geographical areas of the borough where there is a need for services and specialist housing provision requirements are demonstrated. However, it is worth noting that the strategy does not name specific rural areas for

development. All resulting developments from this strategy, across the whole of borough, will be subject to their own due processes as standard.

#### **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. Young People and Cared for Children feature as a chapter within the strategy, so there is a direct implication for this client group. The strategy seeks to ensure that suitable and safe accommodation pathways are in place for this group, most notably when transitioning into adult services.

6.8.2. It is envisaged that any implications for this client group would be viewed positively and in line with wider Cheshire East ambitions and outcomes.

#### **6.9. Public Health Implications**

6.9.1. This strategy focuses on improving health outcomes for a variety of client groups across the borough through positive housing interventions. The implications on public health are expected to be noticeable, if not significant. These may include higher levels of wellbeing, improved mental health and access to more suitable accommodation services.

#### **6.10. Climate Change Implications**

6.10.1. 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. Whilst it is not the aim or remit of this strategy to address these issues specifically, there is potential for new residential developments and support services to provide improvements in terms of tackling fuel poverty, ensuring new buildings are constructed and insulated to the appropriate standard, and allowing residents access to more energy efficient services and dwellings.

### **7. Ward Members Affected**

7.1. All wards have the potential to be affected by this strategy. During the recommended external consultation period, Members will have the ability to provide comments on the strategy that are specific to their ward, as well as the wider borough.

### **8. Consultation & Engagement**

8.1. This strategy will be subject to 8 weeks of external consultation, which will take place between Monday 18<sup>th</sup> May 2020 through to Monday 13<sup>th</sup> July 2020. This will take the form of an online questionnaire, which will be promoted through the Council's website, press releases and social media. The current Covid-19 pandemic presents some implications relevant to the consultation and engagement process. These will be mitigated by sending presentations to relevant stakeholders and external partners to ensure that all have the ability to engage and respond. If it is deemed that there have

been insufficient responses, an ODR could be produced to extend the consultation period for a further 4 weeks. Following consultation, the responses will be compiled into a document or briefing report which will be presented to the Portfolio Holder, along with the final version of the strategy.

## **9. Access to Information**

- 9.1. The background papers relating to this report can be inspected by contacting the report writer.

## **10. Contact Information**

- 10.1. Any questions relating to this report should be directed to the following officer:

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# **Vulnerable and Older Persons' Housing Strategy Draft 2020-2024**

**Cheshire East Council**

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## Introduction

In 2014 Cheshire East Cabinet approved the Vulnerable and Older People's Housing Strategy. The aim of the strategy was to provide a document which gave a detailed evidenced account of the housing needs for specific client groups.

The principle aims of the strategy were to:

- Map the current picture of accommodation supply and demand by different vulnerable groups to establish the landscape of vulnerable and older persons housing within the Borough.
- Use this information as a basis for developing a better model of accommodation and support provision across all vulnerable client groups to inform commissioning decisions.
- Integrate effective and appropriate housing into a multi-disciplinary and cross-agency approach for improving well-being for vulnerable people.
- Provide an evidence base to inform planning decisions and emergent policies, ensuring that the strategy's priorities are reflected in the accommodation constructed and the support services commissioned.

There are many vulnerable and older people with varied needs. Many individuals have complex or multiple needs, and may present to numerous departments and functions throughout their service journeys. The strategy focused on a number of vulnerable groups, though acknowledges throughout that there is often substantial cross-over between these groups. The strategy covered the following client groups:

- Older People
- Learning Disabilities
- Mental Health Issues
- Cared for Children and Care Leavers
- Drug and Alcohol Issues
- Physical and Sensory Disabilities
- Domestic Abuse
- Homelessness

The 2014 strategy defined three main outcomes which were to provide a holistic approach to accommodation and support services across the borough. Each outcome was expanded upon with policy priorities to give clarity and guidance in influencing Council strategic decisions.

## Aims of the 2019 update

The aims of this housing strategy are to provide a position statement following the outcomes from the 2014 strategy. It will outline what achievements have been accomplished, provide an update on the evidence base and outline the current housing requirements. It will also explore and provide additional outcomes which will be key in delivering the strategy over its lifetime.

This strategy will also provide an update on the current national and local policy changes which impact upon each of the service areas.

### Achieved to date

The 2014 strategy outlined a number of outcomes and actions and this section provides an overview on what has been achieved so far. The strategy identified three main outcomes:

- People are supported to live in their own homes independently for longer
- When required, people can receive the support they need in a wide range of specialist, supported accommodation within the Borough
- People are able to make informed choices about the accommodation, care, and support options within Cheshire East

There have been a number of changes, both in the national and local landscape, which have impacted upon the housing provision for older and vulnerable groups since the last version of the strategy, however the issues which were facing Cheshire East at the time have remained consistent. Cheshire East Council remains focused on increasing growth and employment opportunities, however the combination of an increasingly ageing population, an increase in the complexity of individuals who access services, recruitment and retention issues in the care sector, and the significant affordability disparities across the borough have resulted in additional priorities which need addressing.

On a national level, the housing sector has changed dramatically since the adoption of the previous strategy. The 1% reduction in rents for social housing was announced in 2015 as part of an effort to control rising rent levels, and the outcome of this announcement was a national slow-down in overall social housing development. The uncertainty in relation to the funding of supported housing has resulted in a slow-down in supported accommodation development and a lack of clarity relating to the future of supported accommodation. This lack of clarity continues to impact on service delivery despite a demand for services from clients. The Welfare Reform Act was introduced in 2016 and resulted in an overhaul of the welfare system, including the introduction of Universal Credit, the effects of which are being felt across the borough in terms of residents requiring additional support for their support and housing needs. The introduction of the Homeless Reduction Act in 2017 saw a huge shift in the national approach to homeless prevention and additional duties were placed on local authorities to address this issue.

On a local level, Cheshire East has responded positively to these changes. The adoption of the Cheshire East Local Plan Strategy (CELPS) in 2017 provides up-to-date planning policies related to a range of housing issues including, very importantly, affordable housing provision. It also addresses specialist accommodation provision and accessibility issues. At the time of writing, the second part of the Local Plan, the Site Allocations and Development Policies document (SADPD) is being developed which will provide more detailed, non-strategic planning policies and allocate a number of smaller sites for new housing development. The SADPD is a 'daughter' document to the CELPS and when it is adopted will, alongside the CELPS, fully replace the local plans prepared by the predecessor district councils to Cheshire East.

The key priorities and focuses raised in the 2014 strategy are very much still applicable to this Cheshire East housing strategy for vulnerable and older groups. As such, the three main outcomes from that strategy are still relevant and applicable to this strategy. In addition to these outcomes, we will expand on client-specific priorities and how housing can aim to address any current issues and aspirations.

One of the key points raised in the previous strategy, which is echoed in this one, is that there are multiple cross-over points between client groups, and these groups shouldn't be viewed in isolation of each other. The overwhelming response from local authority departments suggests that there is an increase in the complexity of clients who are seeking assistance from the council and this complexity needs to be reflected in the accommodation and support services provided.

Through the development of this strategy, it is apparent that there are still notable evidence gaps in terms of current and forecasted accommodation needs for multiple groups. This has resulted in some datasets being unable to pinpoint provision and need across the borough, which can affect strategic priorities. Despite this, there is an ongoing willingness for cross-department and cross-organisational partnerships with the aim of providing the right type and amount of housing across the entire borough.

## Older People

### Background

The 2014 strategy identified that the number of older adults across the borough was due to significantly increase and as such, this would impact on the requirement for a number of housing types including downsizing opportunities, as well as specialist accommodation, to address issues relating to care, access and mobility. Additional updated evidence is highlighted below which clarifies the latest population estimates for Cheshire East as well as the need data for specialist accommodation types. Since the previous strategy was published, there have been significant national changes to funding arrangements for supported accommodation, which is referred to later in this section. The impact of these changes is a slow-down in the provision of additional specialist accommodation, relative to the overall numbers of general needs properties being developed.

### Evidence Base

- Projecting Adults Needs and Service Information (PANSI)
- Projecting Older Persons Population Information (POPPI)
- Cheshire East Housing Strategy 2018-23
- ORS Housing Mix and Needs Study (2019)
- Cheshire East Council Housing Optional Technical Standards Report (August 2018)
- ONS 2018 mid-year population estimates for local authorities (June 2019)
- Rental Housing for an Ageing Population (APPG, July 2019)
- Moving Insights of the over-55's (NHBC Foundation, 2017)
- Rightsizing: Reframing the housing offer for older people (MSA, 2018)
- Cheshire East Council Tartan Rug

### Detailed Findings

Cheshire East, much like the rest of the UK, has an ageing demographic. As of 2019, the number of Cheshire East residents aged 65 and above totalled 88,200, according to the Projecting Older Persons Population Information (POPPI). This equates to 22.5% of the borough population. Compared to England as a whole, this is above average with that amount being 18.0%.

Estimates provided via POPPI suggest that this number is due to increase significantly over the coming years. Estimates up to 2035 show a 34% increase in the 65 and above demographic, bringing this number up to 118,500 across the borough.



	2019	2020	2025	2030	2035
People aged 65-69	22,700	24,400	24,200	28,400	28,400
People aged 70-74	23,800	24,100	21,400	23,200	24,700
People aged 75-79	17,000	17,700	22,200	19,900	21,800
People aged 80-84	12,400	12,700	15,000	19,000	17,300
People aged 85-89	7,700	7,800	9,400	11,300	14,600
People aged 90 and over	4,600	4,800	5,700	7,100	9,000
<b>Total population 65 and over</b>	<b>88,200</b>	<b>89,500</b>	<b>97,900</b>	<b>108,900</b>	<b>118,500</b>

Table 1.1 – Source: [www.poppi.org.uk](http://www.poppi.org.uk) population estimates for Cheshire East, 2019

This predicted increase provides a number of significant challenges to Cheshire East, especially in relation to providing suitable housing provision which is available at the right time in an individual's life. Not only does this provision need to be provided at the suitable time in a resident's life; it needs to be in an appropriate location in the borough and be able to provide the type and level of care and support for their particular needs.

The most recent data that we have available in relation to the geographic spread of residents is derived from the ONS mid-year population estimates from 2018. This dataset provides details for residents aged 65 years and over, and provides some clarity over the spread of older residents across the borough.

		Settlement's share (%) of Cheshire East population	Settlement's share (%) of Cheshire East population
Settlement/LA name	Population aged 65 and above, mid-2018	All Ages	Age 65+
Other Settlements and Rural Areas	13,700	13.8%	15.8%
Crewe	12,700	19.6%	14.6%
Macclesfield	10,300	13.6%	11.8%
Congleton	6,800	7.0%	7.8%
Wilmslow	5,000	6.5%	5.8%
Nantwich	4,600	4.9%	5.3%
Sandbach	4,600	5.3%	5.3%
Poynton	3,800	3.3%	4.4%
Alsager	3,300	3.1%	3.8%

Knutsford	3,200	3.5%	3.7%
Middlewich	2,800	3.7%	3.2%
Holmes Chapel	1,800	1.6%	2.1%
Bollington	1,800	2.1%	2.0%
Handforth	1,600	1.8%	1.8%
Alderley Edge	1,400	1.5%	1.6%
Audlem	1,300	1.1%	1.5%
Disley	1,300	1.3%	1.4%
Goostrey	1,100	1.0%	1.3%
Haslington	1,100	1.2%	1.3%
Prestbury	1,100	0.9%	1.3%
Shavington	1,100	1.1%	1.3%
Mobberley	900	0.8%	1.0%
Bunbury	600	0.6%	0.7%
Wrenbury	500	0.6%	0.6%
Chelford	400	0.3%	0.4%
Cheshire East	86,700	100.0%	100.0%

Table 1.2 - Source: Office for National Statistics (ONS) 2012-18 mid-year population estimates for small areas (October 2019 release). ONS Crown Copyright 2019. ONS licensed under the Open Government Licence v. 3.0.

Notes: [1] The geographical definitions used for each town or smaller settlement are those set out in Appendix 6 of the Cheshire East 'LDF Background Report: Determining the Settlement Hierarchy', Cheshire East Council, November 2010. [2] Absolute figures rounded to nearest 100 and percentages to 1 decimal place, but percentages were calculated using unrounded figures. Figures do not sum to the stated overall totals because of independent rounding.

The table above shows that some settlements – the Key Service Centres of Alsager, Congleton, Knutsford, Nantwich and Poynton, along with Other Settlements and Rural Areas – have relatively high concentrations of older people (age 65 and above). These towns make up a much larger share of Cheshire East's older population than they do for the Borough's younger age groups. The opposite is true for the Principal Towns of Crewe and Macclesfield, along with the Key Service Centres of Middlewich and Wilmslow: these towns make up a much smaller share of Cheshire East's older population than they do for younger age groups. These are issues which need to be considered from this data. The majority of housing developments which occur in Cheshire East are in the larger settlements, and the housing offer to older adults may not be a true reflection of their aspirations. Further work needs to be completed to assess the aspirations of older adults in terms of where they want to live in the borough, and the wider priorities that they require i.e. access to community services, GP's, leisure facilities, etc.

In addition to this data, using the Cheshire East Council tartan rug allows further exploration of where older adults live in the borough. This document allows specific key health indicators to be plotted within wards and settlements across Cheshire East. In terms of ‘pensioners living alone’ and ‘older people with low income’ indicators, there is a substantial increase in the central areas of Crewe and Macclesfield, as well as the north of the borough in areas such as Handforth. This data should form part of the narrative when discussing housing needs and affordability for older adults who live alone.

Whilst there is a need to better understand the additional needs that are presented by adults in later life and how these can be addressed in client-specific accommodation, there is an equal responsibility for the Council to ensure there is adequate housing provision available for the active elderly –that is adults who are physically well and don’t require additional care and support services.

There is a general assumption that older adults may be looking to downsize, for example from a larger family home, indeed, the apparent benefits of downsizing for older persons seem significant. Occupiers living in a more suitably sized property, with lower running costs, will be at lesser risk of suffering from fuel poverty. It also releases larger family accommodation for younger and working-age cohorts within the borough.

However, research by both the Manchester School of Architecture and the National House-Building Council (NHBC) has suggested that on a national level, there is only a limited evidence base to suggest that there is desire to downsize. NHBC stated that *“a third were ‘same-sizers’, who moved to a home with the same number of bedrooms. Over a third (39%) downsized to a home with fewer bedrooms and about 28% upsized to a home with more bedrooms”*. Similar findings from the same document highlight a key factor in the definitions and expectations of the housing requirements for older adults. Anecdotal evidence suggests that linking ‘older person’s accommodation’ to over 55’s is to the detriment of the provision. Many residents didn’t feel they were ‘old enough’ to warrant this type of accommodation, suggesting that older people were those “aged 85 and above”. Perhaps more significantly, the study by NHBC suggests that only 5.5% of those who purchased new homes did so on an “over-55’s” specific scheme. As this age-restriction is applied to a number of properties in Cheshire East, this strategy suggests that accommodation designated as “over 55’s” should be flexible and able to change easily to general needs *for all ages* should there be a lack of interest from over 55’s.

One of the main challenges facing Cheshire East is how to promote downsizing opportunities to suitable residents, and how residents can be assisted in making this decision at an earlier point in their life before a crisis event forces a house move. An unexpected change in circumstances could result in residents moving to inappropriate accommodation which isn’t suitable for their specific needs, and the upheaval of an unexpected move can impact on the wellbeing of individuals and relatives.

One of the key priorities arising from this strategy is to identify a way to develop and promote an effective downsizing offer for older adults. The Council’s aims include:

- To support residents to make alternative appropriate housing choices earlier in life
- Encourage a wide mix of housing options which can cater for older adult requirements

- Explore and support the development of self-build opportunities across the borough which can aide the accommodation portfolio for older adults

### **Rental accommodation for older adults**

There is a general assumption that the majority of older adults prefer owner-occupation, and on a national level, the amount of adults over 65 who are tenants in rented accommodation is relatively small, at approximately 22% (Rental Housing for an Ageing Population, All-Party Parliament Group, 2019). There are however concerns that due to the ageing population and the increase in 'Generation Rent', that the requirement for suitable rental accommodation will increase. Therefore, it is necessary for Cheshire East to explore a private rented sector offer which is suitable and appropriate for older adults.

On a national level, research is suggesting that generations who are getting older who are not able to own and occupy their own property, are equally facing affordability issues if they were to access the private rented sector. The APPG document suggests it is "hard to see how they can sustain their tenancy, quite apart from their accommodation proving costly to heat and care for. What is required for so many of those who fall into this affordability trap, is the opportunity to downsize to a place where rents are genuinely affordable". The affordability rates and rental amounts within Cheshire East, especially to the north of the borough, means that this Private Rented Sector offer needs to be explored as a matter of priority.

In addition to general needs owner-occupation, there are a number of types of accommodation for older persons provided across the borough, taking into account need and level of support required.

### **Specialist housing for older persons**

There is no single suitable solution to solve housing issues for older persons. It is essential that there are a number of various housing opportunities and options across the borough. There are many different varieties of specialist housing which can be provided to accommodate older persons and provide the suitable and appropriate level of care and support that is required throughout their life. This section will describe these broad types of accommodation in order of their levels of support and care which are offered on-site. They range from fully independent, unsupported living to the provision of 24 hour nursing care.

#### **Age-restricted general market housing**

This type of housing is provided on both open market and affordable housing schemes across the borough. It is typically specified that eligibility for this housing is limited to persons aged 55 years and above, however there is no care or support provided in these units. To assist with potential future mobility and access issues, it is typical for these age-restricted units to have ground floor access and be limited to one storey, for example as a bungalow or as a ground floor flat.

Demand for this type of accommodation is high. Data retrieved via the Cheshire Homechoice Choice Based Lettings waiting list gives some clarity on the demand across the borough, as detailed below.

Location	Household demand for over-55 accommodation	As % of total
Macclesfield	186	20%
Crewe	164	17%
Nantwich	110	12%
Congleton	78	8%
Sandbach	75	8%
Knutsford	54	5%
Alsager	47	4%
Holmes Chapel	37	4%
Bollington	33	3%
Wilmslow	30	3%
Alderley Edge	27	3%
Poynton	27	3%
Not Stated	18	2%
Disley	17	2%
Handforth	17	2%
Prestbury	3	0.5%
Mottram	1	0.5%
<b>Total</b>	<b>948</b>	<b>100%</b>

Table 1.3 – Source: Cheshire HomeChoice LOCATA data for over-55 provision, 2019

The Manchester School of Architecture (Rightsizing: Reframing the housing offer for older people, 2018) evidence base suggests that little is known about this housing solution on a wider level and development levels of this age-restricted accommodation may not be fully addressing the over-55's housing requirements. It is fundamental that this type of accommodation can meet the needs of residents over 55, but still retain the option to be a general needs let should the property remain vacant over a certain length of time.

#### Retirement living/sheltered housing

These types of schemes usually consist of a number of purpose-built properties which are combined with some support such as an on-site warden, a housing manager or access to a 24 hour alarm system. Communal areas are limited but can include areas such as a guest room, laundry room, or communal lounge.

In 2019, ORS completed research to explore the need for specialist accommodation in Cheshire East. Whilst this research didn't focus specifically on locations across the borough, it highlighted the overall need for sheltered accommodation in Cheshire East over the period of the Local Plan.

		Rate per 1,000 persons aged 75+	Gross need 2018	Existing supply 2015	Backlog at start of Plan period	Gross need 2030	New need 2018-30	Total need 2030
Sheltered Housing	Owned	120	4,651	1,195	+3,456	7,523	+2,665	+6,121
	Rented	60	2,326	955	+1,371	3,761	+1,332	+2,703
<b>Total</b>		<b>180</b>	<b>6,977</b>	<b>2150</b>	<b>+4,827</b>	<b>11,284</b>	<b>+3,997</b>	<b>+8,824</b>

Table 1.4 - Source: Modelled Demand for Older Person Housing in Cheshire East based on Housing LIN Toolkit, ORS, 2019

It is assumed that, in general, the overall need and demand for this accommodation will arise in the settlements listed in Table 1.3 above.

#### Extra-care housing

Extra-care housing can be delivered as purpose built or adapted units which are for people with varying levels of need. One of the key features of extra-care housing is having care services available to enable residents to live as independently as possible. This can range from assistive technology, through to on-site care teams. There is typically a focus on extensive communal areas which can include a multitude of facilities such as hairdressers, GP surgeries, low-level healthcare facilities such as chiropodists, etc. The intention of these facilities is to be able to manage varying degrees of care as time progresses.

Currently there are five extra care housing schemes run by registered housing providers in Cheshire East and several other schemes that are run privately. The Council currently commissions care and support in four of the five registered provider schemes.

One of the main issues faced by Cheshire East in regards to extra-care housing is promoting the provision as an accessible and understood method of housing for residents who are not yet in need of residential or nursing care home care, but would benefit from the available support and independence that extra-care housing seeks to provide.

Part of Cheshire East's strategy for extra-care housing going forward, is to take a proactive role in promoting a better offer for this type of housing. This will be achieved through active engagement with care teams and front-line staff that can identify suitable occupants at the *right* stage of their life. In addition to this, there will be further work on outlining the housing options for older adults in an easily-accessible format. One of the main outcomes from this revised strategy is the spotlight placed on the lack of understanding of *what* is extra-care and *who* it is for. One of the key priorities of this strategy is to address this lack of understanding.

There are now an increasing number of extra-care schemes across the country which are challenging the older ideas of what constitutes this service. The Limelight scheme in Trafford was developed as a result of community consultation and has provided a high-quality development which is well-linked to the wider community and accessed by members of the public. This goes some way to addressing the social isolation of older adults, and the incorporation of businesses and valuable community services such as restaurants, podiatry, hairdresser's etc. means that residents and local people are able to benefit from the scheme.

Therefore, a renewed outlook by Cheshire East Council in terms of extra-care housing predominantly focuses on the location and surrounding facilities which are available. Existing community facilities which can be accessed by residents, an emphasis on identified need as opposed to opportunity and a clear linkage which supports our settlements within the borough will be key drivers in determining support for proposed schemes.

The need for extra care provision in Cheshire East was investigated in the ORS Housing Mix and Needs Study in 2019. This gave an initial starting point in terms of current and additional need over the local plan period, as detailed below.

		Rate per 1,000 persons aged 75+	Gross need 2018	Existing supply 2015	Backlog at start of Plan period	Gross need 2030	New need 2018-30	Total need 2030
Extra Care	Owned	40	1,550	172	+1,378	2,508	+888	+2,266
	Rented	31	1,202	545	+657	1,943	+688	+1,345
<b>Total</b>		<b>71</b>	<b>2,752</b>	<b>717</b>	<b>+2,035</b>	<b>4,451</b>	<b>+1,576</b>	<b>+3,611</b>

Table 1.5 - Source: Modelled Demand for Older Person Housing in Cheshire East based on Housing LIN Toolkit, ORS, 2019

To gain further insight into potential need for extra care across the different settlements within Cheshire East, a number of indicators were applied to the data listed above. The aim of this was to give focus on where the highest levels of need could be. A suite of indicators were applied to the data in Table 1.5, including mid-census data from 2017 to assess population rates, and the prevalence of residents within the borough who receive Disability Living Allowance (DLA). The results of this are detailed in Table 1.6 below.

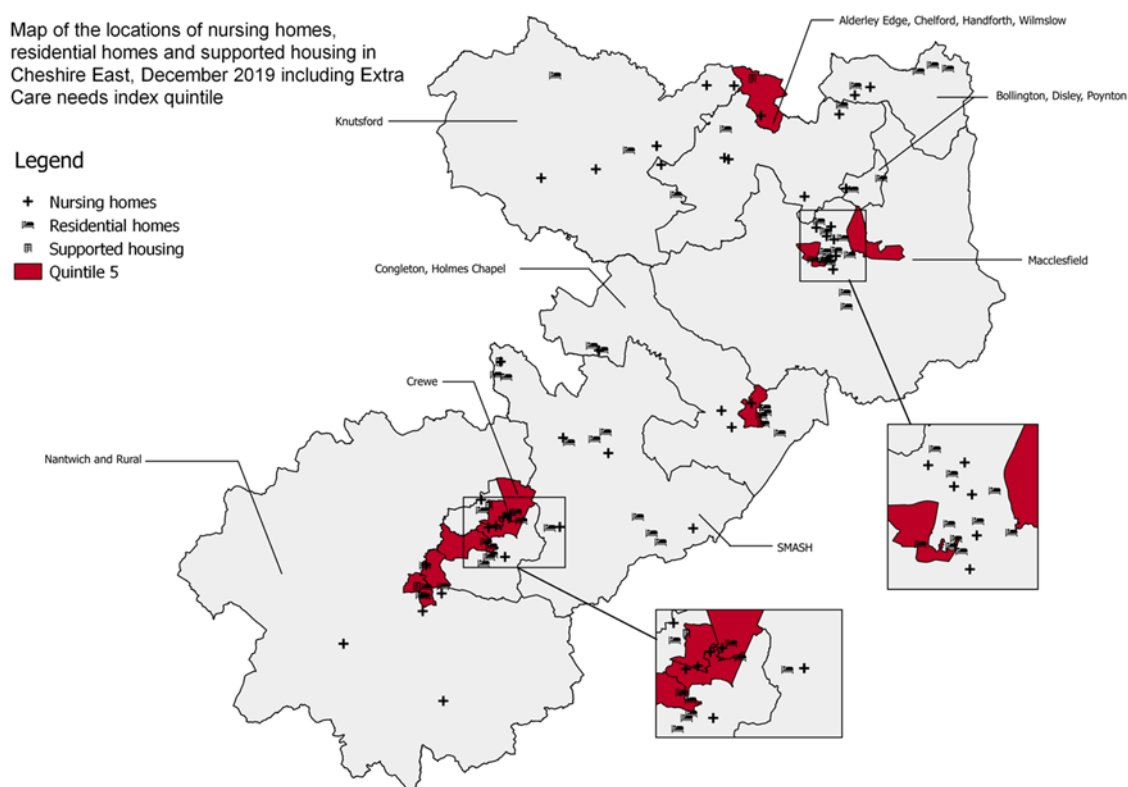
Settlement name	Gross need at 2018	Gross need by 2030	Net Need, 2018 (gross need in 2018, less estimated existing supply of 717 spaces)	Net Need, 2030 (gross need in 2030, less estimated existing supply of 717 spaces)
Alderley Edge	26	41	19	34
Alsager	122	192	90	160
Audlem	22	34	16	29
Bollington	44	69	32	57
Bunbury	13	21	10	17
Chelford	13	21	10	17
Congleton	214	337	158	281
Crewe	559	879	413	734
Disley	35	55	26	46
Goostrey	26	41	19	34
Handforth	74	117	55	97
Haslington	31	48	23	40
Holmes Chapel	39	62	29	52
Knutsford	79	124	58	103
Macclesfield	380	598	281	499
Middlewich	127	199	94	166
Mobberley	22	34	16	29
Nantwich	157	247	116	206
Other	349	550	258	459
Poynton	109	172	81	143
Prestbury	17	27	13	23
Sandbach	144	227	107	189
Shavington	39	62	29	52
Wilmslow	92	144	68	120
Wrenbury	17	27	13	23
<b>Cheshire East</b>	<b>2,752</b>	<b>4,328</b>	<b>2,035</b>	<b>3,611</b>

Table 1.6 – Source: Modelled Demand for Older Person Housing in Cheshire East based on Housing LIN Toolkit, ORS, 2019 – overlap with mid-2017 ONS census data and Disability Living Allowance (DLA) prevalence



It is apparent that there is potential need for extra care accommodation in the principal towns of Crewe and Macclesfield, as well as a smaller but significant need in the key service centres such as Nantwich, Congleton, and Sandbach. The outcomes from this data are supported by the evidence within the Cheshire East Council tartan rug. This document compares a number of health and lifestyle indicators across locations within Cheshire East and contrasts with England averages. In addition to the data above, a number of indicators were calculated for all middle layer super output areas (MSOAs) in Cheshire East. These included disability free life expectancy, residents who defined themselves as having limiting long-term illnesses, and older persons living in areas of higher deprivation.

Each of these indicators were analysed further, with MSOAs which had the highest values being assigned to Quintile 5, apart from disability free life expectancy, where the lowest values were assigned to Quintile 5. The quintile values for each MSOA were then totalled and quintiled. Quintile 5 in the composite indicator suggests that these areas have the highest level of need for extra care housing. The evidence from this exercise is mapped below, incorporating existing nursing, residential and supported accommodation across the borough.



The map above indicates a potential need for extra care housing in:

- Crewe and Nantwich
- Congleton
- Macclesfield
- Handforth/Wilmslow/Alderley Edge

Any proposed development of extra care within these geographical locations would require further evidence to support the need for such a scheme. However, the map above gives an initial starting point for evidenced need across the borough. Extra care schemes in these areas will go some way to provide a suitable housing option for older adults, and they will support current services and businesses.

There are strong links between extra-care housing and residential or nursing care homes. It is acknowledged that there is a disconnect between accessing these services at the appropriate time in a resident's life, and needing to access through necessity as opposed to choice. The impact on a resident when moving directly from their own home to a care home in a matter of weeks can have detrimental effects. Evidence suggests that people stay well for longer in an extra-care setting where they are supported in a community setting, as opposed to a need to move due to significant change in circumstances.

### Residential Care Homes and Nursing Homes

Care homes and nursing homes provide individual rooms for residents and facilitate a high degree of care. This does not typically include support to enable independent living. These types of units are able to facilitate a variety of support types including physical disability, sensory, learning disability as well as dementia-friendly services.

A full list of available residential and nursing care homes is available via the Care Quality Commission's (CQC) website. At the time of writing there are 87 care homes across Cheshire East, 44 of these are residential care homes with 43 nursing homes.

As evidenced in the map on pg. 14, the majority of residential and nursing care homes in Cheshire East are located in the larger settlements of the borough. Macclesfield, Crewe, Nantwich and Congleton hold the main share of care homes with a large proportion of the remainder being provided in settlements in the north, such as Wilmslow, Knutsford and Alderley Edge. This geographical spread of care homes is broadly in line with the proportion of over 75's distributed across the borough and in terms of residential care is , therefore, generally well served. However, there is anecdotal evidence from local CCGs to suggest unmet need for nursing homes. ,

The CQC is the independent regulator for health and social care in England. Their data gives further details on the current location, client group and quality of the schemes provided. Homes are assessed by the CQC on an ad-hoc basis and range between 'outstanding' through to 'inadequate'. At the time of writing this Strategy, 3 homes had a CQC rating of outstanding, 58 good while 24 require improvement with 2 homes awaiting inspection. The Council's Contract Management and Quality team work closely with care home providers to improve standards where issues are identified as a result of CQC or local quality inspections.

Cheshire East Council and local Clinical Commissioning Groups adopt a "Home First" policy which enables residents to maintain their independence as long as possible by ensuring that they are able to access the support they need to remain in their own home (or within alternative settings offering independent accommodation such as extra care housing or retirement living schemes) for as long as possible.

Whilst the above is not an exhaustive list of the types of housing provision available for older people, it is useful as a means of describing the various levels of care and support which can be offered.

### Chapter conclusions and key priorities for Older Adults

It is evident that there are number of challenges for Cheshire East Council relating to older persons' accommodation and ensuring residents have an appropriate matrix of housing options. This strategy suggests that Cheshire East Council explores a variety of housing options for older adults, including those who have additional care and support needs, and those who do not.

The Cheshire East Housing Strategy 2018-23 highlights the Council's housing ambition over the next few years, and being able to provide a housing offer for an ageing population is one of the main priorities highlighted in that strategy.

Liaison with registered providers and housing developers is essential to bring forward new, suitable accommodation which is delivered in the right locations across the borough. Equally, there needs to be direct input from Cheshire East Council is addressing how residents can downsize to a more appropriate housing provision.

It is acknowledged that this isn't a catch-all strategic direction – it should form part of a number of exploratory options for the local authority.

This chapter also raises questions around social isolation and having suitable accommodation provision to enable and facilitate a sense of community and reduce levels of loneliness. Housing plays a vital role in this.

Outlined below are a number of key focus points for Cheshire East to explore through the lifetime of this strategy.

<b>Priority: Improve the housing offer for an ageing population</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Support the delivery of market and affordable housing across the borough, for ownership and rental	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Cheshire East Members</li> <li>Registered Providers</li> <li>Housing Developers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Task and finish group to be set up with registered providers to promote downsizing offer to older adults	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Registered Providers</li> <li>Housing Developers</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>
Support delivery of extra care schemes in larger settlements of Cheshire East subject to further assessment of site specific needs	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Registered Providers</li> <li>Specialist Accommodation Providers</li> <li>Housing Developers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Re-address the shortfall in extra care bed spaces following a fire at a large extra-care facility in Cheshire East	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Registered Providers</li> <li>Specialist Accommodation Providers</li> <li>Housing Developers</li> </ul>	<ul style="list-style-type: none"> <li>End of strategy lifetime</li> </ul>



## Learning Disabilities

### Background

A learning disability can affect how an individual learns new things throughout their lifetime, and they can impact on an individual's ability to understand information and how they communicate with others. Learning disabilities can present themselves with varying degrees of severity, ranging from mild to severe and it is estimated that there are 1.4 million people in the UK who have a learning disability.

The 2014 Vulnerable and Older Persons Housing Strategy identified that there was a higher percentage of individuals placed within institutional care when compared with other comparable local authorities. Consultation on that strategy, and the recently published Cheshire East All Age Learning Disability Strategy, identified that the most preferable accommodation option for individuals was for the provision of individual tenancies in the community (and with their own front door) within a communal supported scheme.

This section will provide an update as to the current population estimates for those with learning disabilities and explore the current housing provision.

### Evidence Base

- ONS statistics
- Public Health England: People with learning disabilities in England 2015: Main report
- Public Health England: Learning Disability Profiles - *NHS Digital Adult social care activity and finance report, Short and Long Term Care statistics*
- Projecting Adults Needs and Service Information (PANSI)
- Projecting Older Persons Population Information (POPPI)
- Cheshire East LD service user data June 2019
- My Life, My Choice – a strategy for people with learning disabilities in Cheshire East (2018-2022)
- Cheshire East Learning Disability JSNA – CVS Community JSNA Supplement
- Cheshire East SEND data

### Detailed Findings

Learning disabilities and the provision of suitable and appropriate housing, remains a key focus of Cheshire East Council. Updated PANSI projections (April 2019) across the entire borough of Cheshire East shows an estimated amount of 5,228 individuals aged 16-64 who have a learning disability. Projected trends show a relatively minor decline in overall numbers up to 2035, although a slight increase in those individuals in the 18-24 age bracket.

	2019	2020	2025	2030	2035
People aged 18-24 predicted to have a learning disability	643	626	613	673	677
People aged 25-34 predicted to have a learning disability	974	971	941	869	889
People aged 35-44 predicted to have a learning disability	1,071	1,069	1,097	1,120	1,089
People aged 45-54 predicted to have a learning disability	1,338	1,309	1,165	1,108	1,152
People aged 55-64 predicted to have a learning disability	1,203	1,233	1,325	1,259	1,124
<b>Total population aged 18-64 predicted to have a learning disability</b>	<b>5,228</b>	<b>5,208</b>	<b>5,141</b>	<b>5,029</b>	<b>4,931</b>

Table 2.1 – Source: [www.pansi.org.uk](http://www.pansi.org.uk) – learning disability population estimates, 2019

This is contrasted by estimates for individuals in Cheshire East with a learning disability who are aged 65 and over, which predicts a moderate increase in the population.

	2019	2020	2025	2030	2035
People aged 65-74 predicted to have a learning disability	1,013	1,014	988	1,115	1,212
People aged 75-84 predicted to have a learning disability	592	613	755	789	800
People aged 85 and over predicted to have a learning disability	236	245	292	362	469
<b>Total population aged 65 and over predicted to have a learning disability</b>	<b>1,841</b>	<b>1,871</b>	<b>2,034</b>	<b>2,266</b>	<b>2,481</b>

Table 2.2 – Source: [www.pansi.org.uk](http://www.pansi.org.uk) – learning disability population estimates, 2019

It is widely acknowledged that individuals with learning disabilities are living longer. British Institute for Learning Disabilities (BILD) (2008) state *“The most recent predictions suggest that by 2030 the number of adults aged over 70 using services for people with learning disabilities will more than double.*

*However, this is likely to be an underestimate of the actual numbers of older people with learning disabilities both now and in the future as many people with learning disabilities are either not known to services or indeed do not use learning disability services in adult life.”*

<http://www.bild.org.uk/resources/ageingwell/background/>

These estimated amounts of individuals with learning disabilities will need to be reflected in their accommodation and care needs. Contrasted with figures from the previous strategy, the amount of individuals who access services within Cheshire East where a learning disability is defined as their primary support reason has decreased from 900 to 841 since 2013. In terms of accommodation status for these individuals, these are recorded as follows:

Accommodation Status	Amount
Other Temporary Accommodation	1
Owner Occupier/Shared Ownership	35
Temporary Accommodation (Local Authority)	2
Registered Care Home	85
Registered Nursing Home	10
Mainstream Housing With Family/Friends	333
Shared Lives Scheme	6
Sheltered Housing/Extra Care Sheltered Housing/ Other Sheltered Housing	8
Staying With Family/Friends As A Short Term Guest	1
Supported Accommodation/Supported Lodgings/Supported Group Home	268
Tenant – Local Authority/Arms Length Management Organisation	53
Tenant- Private Landlord	29
Unknown	10
<b>Total</b>	<b>841</b>

Table 2.3 – Source: CEC Adult Services data via LiquidLogic, 2019

When compared with the previous strategy's figures, there are some interesting changes in accommodation status. For example, in 2013, Supported Accommodation amounted to 368 individuals, compared to currently 268. Equally, the number of individuals residing with family/friends has increased from 285 (total of 'Family/Friends - Settled', 'Family/Friends – Short term' and 'Living with Relative' (Not Parent)) to 333.

It could be suggested from these figures that there is a small but noticeable shift of accommodation preferences, moving from supported accommodation over to living with family. It is unclear if this is reflective of the supported accommodation which is available across the borough, or if there is a shift in aspiration to remain with living with family and friends. The geographical spread of accommodation types is detailed below for the whole borough.

	Alderley Edge, Chelford, Handforth, Wilmslow	Bollington, Disley, Poynton	Congleton, Holmes Chapel	Crewe	Knutsford	Macclesfield	Nantwich and Rural	Sandbach, Middlewich, Alsager, Scholar Green and Haslington	Other
Accommodation Type									
Other Temporary Accommodation	0	0	0	0	0	1	0	0	0
Owner Occupier/ Shared ownership	3	0	4	5	2	15	1	5	0
Temporary Accommodation by Local Authority	0	0	0	0	0	0	0	1	1
Registered Care Home	3	6	2	9	7	5	2	6	45



Registered Nursing Home	0	0	1	1	1	0	0	1	6
Settled mainstream housing with family/friends	24	19	26	95	20	58	27	53	11
Shared Lives scheme	1	0	0	0	1	1	1	0	2
Sheltered Housing/Extra Care sheltered housing/ Other Sheltered Housing	1	0	1	2	0	2	0	0	2
Staying with family/friends as a short term guest	0	0	0	0	0	0	1	0	0
Supported accommodation/ Supported lodgings/ Supported group home	17	0	39	34	25	103	19	17	14
Tenant – LA/ALMO/RP	5	0	2	14	1	15	11	5	0
Tenant - Private	1	1	2	7	2	4	5	6	1
Unknown	0	1	0	3	0	1	2	2	1
<b>Total</b>	<b>55</b>	<b>27</b>	<b>77</b>	<b>170</b>	<b>59</b>	<b>205</b>	<b>69</b>	<b>96</b>	<b>83</b>

Table 2.4 -- Source: CEC Adult Services data via LiquidLogic, 2019

This data highlights some key themes in relation to the accommodation status of individuals with learning disabilities. Whilst it can be argued that the overall pattern in Crewe is for the majority of individuals to be settled in mainstream housing with family or friends, closely followed by supported accommodation, this pattern is reversed in Macclesfield. Here, there is an opposite pattern where the majority of LD tenants live within supported accommodation and just over half of this amount living in mainstream accommodation with family or friends.

Further research by engaging with LD residents and their families is required to fully ascertain their aspirations, both current and for the future. These figures may indicate a need for specialist accommodation provision in Macclesfield and the northern areas of the borough to support residents with learning disabilities.

In addition to location within the borough, there needs to be further research and discussion on the *type* of accommodation that people with learning disabilities aspire to live in, incorporating the views of individuals themselves as well as family members. This can inform what constitutes an attractive offer for learning disability clients. Shared accommodation may no longer be a desirable option for some people with learning disabilities and presents some challenges around compatibility; and more of a focus on greater independence appears to be the way forward.

Furthermore, the introduction of the 'six bed rule' by the Care Quality Commission (CQC) in 2017 has been pivotal in how supported schemes are registered. The CQC has defined 'small-scale housing' as housing for six or fewer people using services, aligning ambitions with NICE Guidance. There is a focus by the CQC to be supportive of smaller schemes of six residents or fewer in a shift away from larger institutions as an outcome from the Winterbourne case. There is potential for a negative impact in terms of schemes being deliverable, although discussions are currently being held by Cheshire East Council with CQC to clarify this position.

It is vital that accommodation options are promoted and provided in the right way. Independent living skills, combined with the appropriate amount of support can work well, as outlined below. The document "My Life, My Choice – a strategy for people with learning disabilities in Cheshire East" (2018-2022) highlights housing as one of its priorities, demonstrating a key focus to promote independence for people with learning disabilities. Within the strategy, there is a 2020 ambition for

85% of adults with learning disabilities to live independently in their own home or with their family, and a focus on reducing residential placements for individuals.

The current dataset on accommodation status of adults suggests that this priority is moving in the right direction with a reduction in residential placements and an increase in adults living with friends and family, although there is still additional provision required. There is a notable minority who are either renting or owner-occupiers which could suggest that there may be barriers to adults with learning disabilities being able to access safe, suitable accommodation on their own. Equally, we have a responsibility to outline and support a wide ranging housing offer for those clients who live with ageing parents. There is a need for further exploration as a means of facilitating this.

### Children with Learning Disabilities

As well as the housing needs for adults with learning disabilities, it is essential that consideration is taken for children with disabilities so that we can assess future needs. Data which maps evidence of children with learning disabilities can be retrieved via the School Census which is sought three times per year from all state-funded schools. These returns allow us to build an evidence base of where there may be future housing need, as well as the type and complexity of the learning disability.

The most recent SEND data for Cheshire East, contrasted with the overall English totals are listed below:

	Special Schools		Secondary Schools		Primary Schools		All Schools	
	England	Cheshire East	England	Cheshire East	England	Cheshire East	England	Cheshire East
Specific Learning Disability	2,042	2	85,393	429	63,693	521	151,128	952
Moderate Learning Disability	15,906	7	90,933	222	139,998	605	246,837	834
Severe Learning Disability	26,826	129	1,928	15	4,136	29	32,890	173
Profound and Multiple Learning Disability	8,599	35	385	11	1,742	18	10,726	64
Multi-sensory Impairment	369	1	825	3	2,177	20	3371	24
Other difficulty/disability	2,064	2	24,619	202	25,965	204	52,648	408
SEN support but no specialist assessment of type of need	165	0	10,710	119	28,891	221	39,766	340
<b>Total</b>	<b>55,971</b>	<b>176</b>	<b>214,793</b>	<b>1,001</b>	<b>266,602</b>	<b>1,618</b>	<b>537,366</b>	<b>2,795</b>

Table 2.5 – Source: School Census SEND data, retrieved January 2019

This data is split down further in the table below, which breaks down the SEND returns by geographical area. There is evidently a large cohort based within Crewe and Macclesfield and a general even spread across the remaining locations. This would suggest that additional specialist accommodation for young people who are transitioning into adulthood could be required, however the focus on promoting independence for young people with learning disabilities may mean that the

older model of shared and supported accommodation may only be reserved for those with more significant needs.

	Specific Learning Disability	Moderate Learning Disability	Severe Learning Disability	Profound and Multiple Learning Disability	Multi-sensory Impairment	Other difficulty/disability	SEN support but no specialist assessment of type of need	Total	Total as %
Crewe	104	233	43	9	5	75	54	<b>523</b>	<b>20%</b>
Other	139	83	34	11	3	36	95	<b>401</b>	<b>15%</b>
Macclesfield	111	65	15	12	1	72	83	<b>359</b>	<b>14%</b>
Local Service Centres	126	72	13	9	3	55	48	<b>326</b>	<b>12%</b>
Nantwich	50	87	7	1	3	15	8	<b>171</b>	<b>7%</b>
Wilmslow	92	36	1	3	0	27	4	<b>164</b>	<b>6%</b>
Congleton	38	70	9	5	3	21	12	<b>158</b>	<b>6%</b>
Middlewich	41	35	4	1	0	27	2	<b>110</b>	<b>4%</b>
Sandbach	45	19	10	4	1	25	6	<b>110</b>	<b>4%</b>
Handforth	47	26	6	1	2	12	4	<b>98</b>	<b>4%</b>
Alsager	18	47	8	3	1	5	3	<b>85</b>	<b>3%</b>
Poynton	46	9	6	1	0	13	5	<b>80</b>	<b>3%</b>
Knutsford	24	19	6	2	1	4	3	<b>59</b>	<b>2%</b>

Table 2.6 – Source: School Census SEND data, retrieved January 2019

## Chapter conclusions and key priorities for Learning Disabilities

This chapter has highlighted the evidence that the majority of adults with learning disabilities are accommodated in housing with family and friends, which could suggest that the majority of adults with learning disabilities are living with their parents. This data reflects the push for promoting independence, as well as a potential shift away from shared accommodation schemes for young people with learning disabilities. With the evidence of adults with learning disabilities living longer, there needs to be a sustainable housing option for them for when circumstances change and parents can no longer provide the necessary care for them.

As part of the strategic direction within this document, there is a clear focus on providing a range of suitable accommodation and housing options for people with learning disabilities. It is vital that these residents are equipped with the life skills and assistive technology to manage and maintain a household with wrap-around support if required.

Cheshire East Council needs to ensure that the voice of the individual is heard and actioned, as well as those voices of family and friends. This is essential in commissioning and developing suitable accommodation, where it is needed.

<b>Priority: Ensure adults and children with learning disabilities are able to access suitable accommodation across the borough</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Task and finish group to consult with residents who have learning disabilities, as well as their families to assess their housing aspirations	<ul style="list-style-type: none"> <li>Cheshire East Council (LD Partnership Board)</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>
Support delivery of suitable accommodation in line with residents requirements	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Partners</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>

## Mental Health

### Background

Maintaining positive mental health and wellbeing is at the forefront of the national agenda. With an increased awareness around health and wellbeing, the stigma relating to ill mental health is showing a small but welcome decline. The NHS's Five Year Forward View for Mental Health (2016) suggests a sea change in how mental health is approached within modern society and seeks to promote a shift towards awareness, prevention and the removal of stigma. Access to decent and stable housing is suggested as a contributing factor which can aid both prevention and recovery of mental ill health.

*"Housing is critical to the prevention of mental health problems and the promotion of recovery. The Department of Health, the Department of Communities and Local Government, NHS England, HM Treasury and other agencies should work with local authorities to build the evidence base for specialist housing support for vulnerable people with mental health problems and explore the case for using NHS land to make more supported housing available for this group"*

The report also makes reference to the impact that poor quality housing can have on children and young adults, suggesting that "children living in poor housing have increased chances of experiencing stress, anxiety and depression". On a positive note, there has been an increase in real term funding of £1.4 billion for mental health services across England.

This section will explore the current and future estimates for those who suffer from mental ill health, as well as the geographical location and housing provision for those accessing support.

### Evidence Base

- PANSI
- The Five Year Forward View For Mental Health
- Cheshire East All Age Mental Health Strategy 2019-22
- JSNA
- Surviving or thriving? The state of the UK's mental health 2017
- Cheshire East Adult Social Care (Active Service or Contact in last 12 months – June 2019)

### Detailed Findings

Whilst there is evidence of greater knowledge and awareness around poor mental health and a decline in the stigma associated with this, the number of people who state they have poor mental health is increasing. It is now acknowledged that 2 out of every 3 people will experience a mental health problem at some point in their life and this ratio increases for young adults, women and those who are out of work.

Every individual will experience fluctuating mental health throughout their lifetime, however in terms of their housing needs, there will be no additional specialist housing requirements. Unfortunately, when mental ill health impacts so severely on a person, they can require additional support and service provision. Mental ill health also forms part of wider issues and can affect individuals when they are experiencing other illnesses or changes in circumstances – these can include areas such as domestic abuse, homelessness and social isolation as a result of disability or ill health. Mental ill health can also play an additional role in the complexity of individuals who access Council services. Therefore, the impact of poor mental health shouldn't be diminished and should be taken into consideration when focusing on other client groups.

### **Local Context**

Within Cheshire East, PANSI predictions suggest that the amount of individuals who have a mental health condition is set to decline slightly over the next 15 years.

<b>Mental Health – all people</b>	<b>2019</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
People aged 18-64 predicted to have a common mental disorder	40,973	40,906	40,370	39,318	38,441
People aged 18-64 predicted to have a borderline personality disorder	5,202	5,193	5,125	4,992	4,880
People aged 18-64 predicted to have an antisocial personality disorder	7,191	7,175	7,073	6,893	6,742
People aged 18-64 predicted to have psychotic disorder	1,513	1,510	1,490	1,451	1,419
People aged 18-64 predicted to have two or more psychiatric disorders	15,569	15,540	15,332	14,936	14,604

Table 3.1 – Source: [www.pansi.org.uk](http://www.pansi.org.uk) – mental health population estimates in Cheshire East, 2019

The current picture of Cheshire East clients accessing mental health services via the local authority is detailed below. As of June 2019, there are 553 clients accessing services due to mental health problems being their primary support reason.

	<b>Mental Health</b>	<b>As %</b>
<b>Location</b>		
Crewe	160	29
Macclesfield	103	19
Sandbach, Middlewich, Alsager, Scholar Green and Haslington	75	14
Congleton, Holmes Chapel	51	9
Nantwich and Rural	52	9
Alderley Edge, Chelford, Handforth, Wilmslow	20	4
Knutsford	19	3
Bollington, Disley, Poynton	16	3
Unknown	57	10
<b>Grand Total</b>	<b>553</b>	<b>100</b>

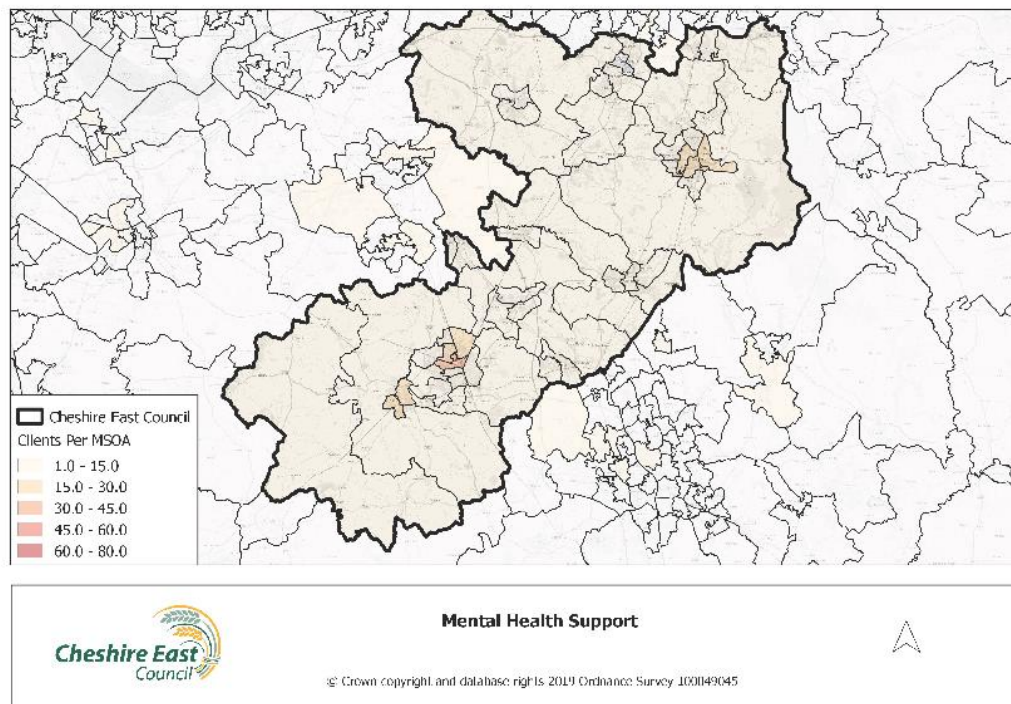
Table 3.2 – Source: Cheshire East Adult Services, 2019

Additionally, there are 772 clients accessing Cheshire East services for memory and cognitive related support reasons. This cohort relates to clients who are diagnosed with dementia and associated cognitive illnesses.

	Memory and Cognitive	As %
<b>Location</b>		
Crewe	136	18
Macclesfield	131	17
Sandbach, Middlewich, Alsager, Scholar Green and Haslington	127	16
Congleton, Holmes Chapel	94	12
Nantwich and Rural	63	8
Alderley Edge, Chelford, Handforth, Wilmslow	80	10
Knutsford	51	7
Bollington, Disley, Poynton	47	6
Unknown	43	6
<b>Grand Total</b>	<b>772</b>	<b>100</b>

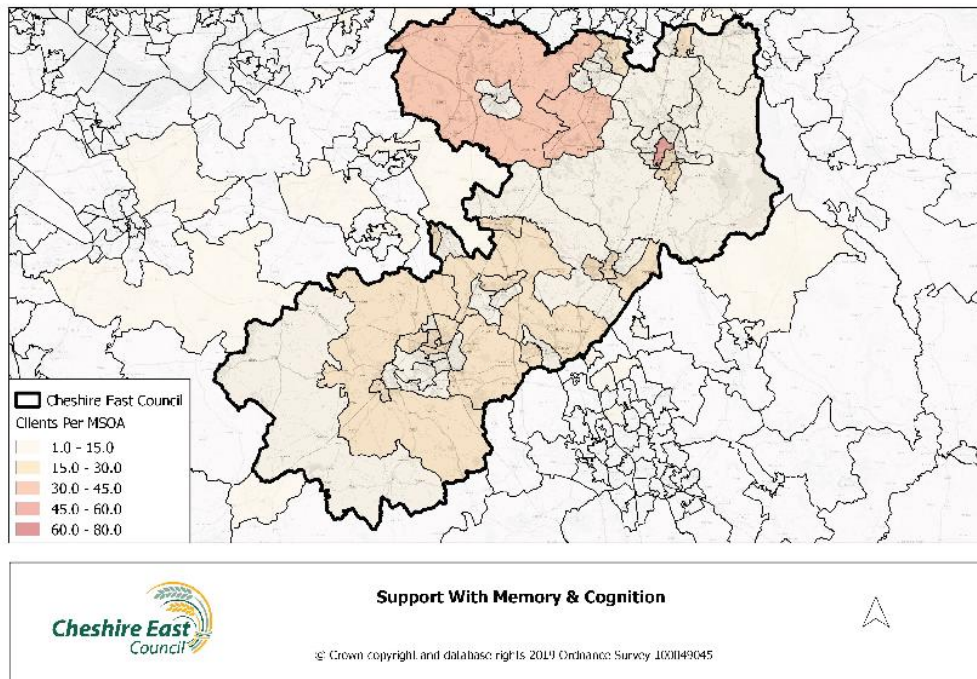
Table 3.3 – Source: Cheshire East Adult Services, 2019

This data is useful as it allows us to see where service users are located within the borough. Splitting this out between mental ill health and memory and cognitive issues, there is evidently a high proportion of clients with mental health problems based in the larger conurbations of Crewe and Macclesfield and a distinctly lower proportion of clients in the north of the borough such as Knutsford, Alderley Edge, and Poynton. The map below highlights the locations of individuals receiving support for poor mental health in Cheshire East.





In terms of memory and cognitive issues, the data suggests that, whilst there are still significant issues in the larger conurbations of Crewe and Macclesfield, there are a high proportion of clients who reside in the north of the borough i.e. Alderley Edge, Handforth, and Wilmslow. The link between older age and the prevalence of dementia and cognitive issues, combined with the disproportionately high demographics of older adults in this part of the borough, may account for this increase in support needs in this location.



### **Local Provision**

For residents of Cheshire East who are actively receiving mental ill health or cognitive/memory support, their accommodation provision can be analysed further and is outlined below. There is a clear majority for active service users who are living within 'non-residential care' accommodation within the community. This can be interpreted that they are living in their own accommodation or within a supported housing scheme. In this instance, there are no specific requirements in terms of their housing needs. They may be living in their own accommodation or renting via the private rented sector or through registered providers.

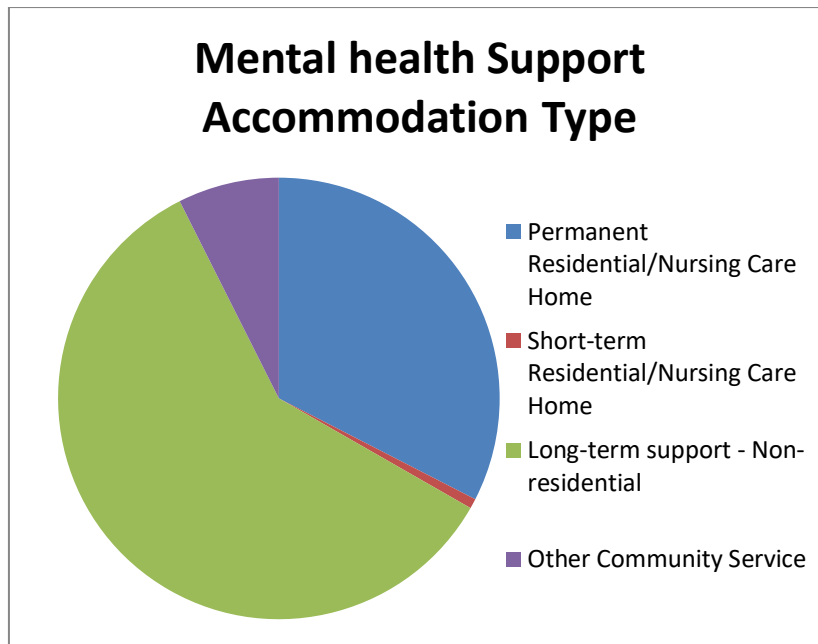


Table 3.4 - Source: Cheshire East Adult Services, 2019

Similarly, for cognitive and memory support reasons (i.e. dementia), the accommodation breakdown can be assessed as below:

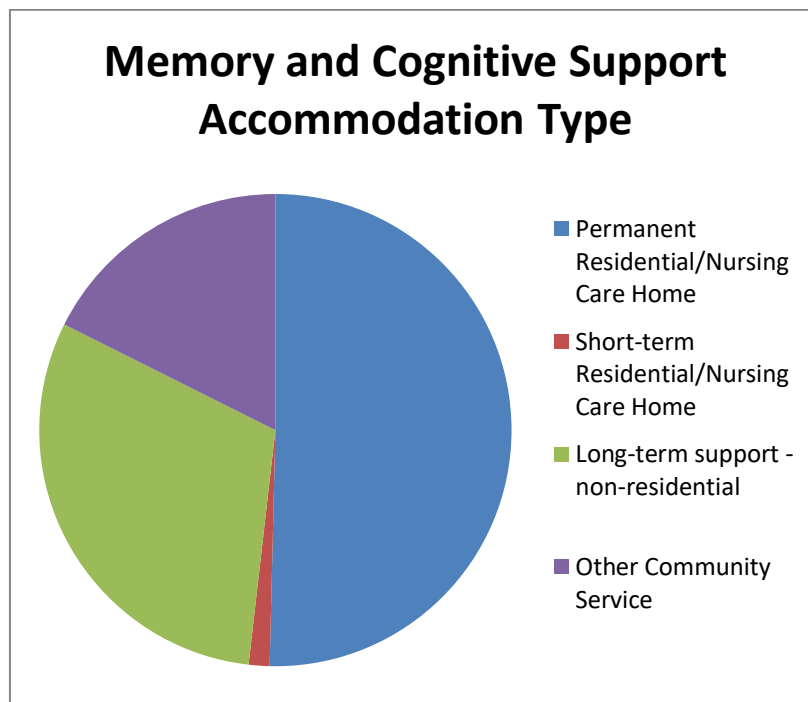


Table 3.5 - Source: Cheshire East Adult Services, 2019

Between the two different support reasons, there are clear differences between the accommodation which is required to best facilitate the appropriate care and support. For mental health problems, there is a majority focus on supporting individuals in the community and most likely within their own home. This focus is reflective of current mental health support practices, however recent analysis which forms part of the Cheshire East JSNA suggests that for adults who are in contact with mental health services, the numbers of those who are living independently, i.e. in stable and appropriate

accommodation, has been reducing since 2011/12 and is now lower than the average rates for both the North West and for England as a whole. As of 2017/18, Cheshire East was at 46.0%, contrasted by the North West at 52.0% and England at 57.0%.

The reasoning for this is unknown, although could potentially be linked to complex conditions which are preventing safe and secure tenancies and a lack of specialist provision. Further analysis of these reasons is required before Cheshire East can effectively remedy this issue.

For memory and cognitive issues, the majority accommodation type is long-term residential which is to be expected. Almost a third of service users are accessing long-term support which isn't in a residential care setting. It could be suggested that this accounts for individuals who live with family in the community and don't yet require the intensive care that a residential care home provides.

Cheshire East Council is in the process of updating its Dementia Strategy which will explore issues of care provision for people with the condition on more detail.

### **Specialist Provision**

The recently published Cheshire East All Age Mental Health Strategy 2019-22 outlines some key focus in terms of specialist mental health provision. The strategy highlights "a growing need for specialist housing for individuals with mental health conditions across all age groups. [CEC] aim to commission services for people at home or through specialist housing provision where possible and reduce the number of people moving into residential care. At the same time we realise there is a shortage of specialist provision to meet higher, more complex healthcare needs such as late stage dementia and acute mental health conditions in quality nursing care beds that are affordable".

Since the adoption of the 2014 version of this strategy, there have been a number of actions implemented which seek to tackle difficulties within hospital or specialist mental health accommodation provision. Cheshire East Council have explored the need to provide dedicated housing options and homelessness assistance to patients within a hospital setting who have an enduring mental health diagnosis to ensure that they have the necessary support and assistance required to prepare them for hospital discharge. The introduction of the Health and Housing Link Worker role has facilitated this requirement and continues to work well.

In addition to this, Cheshire East Council continue to work with support agencies and registered providers across the borough who deliver floating support services and accommodation based services to clients with mental ill health support needs.

### **Chapter Conclusions and Key Priorities for Mental Health**

This chapter evidenced the current housing status and locations of clients accessing mental health support in the borough. Mental health problems can cross multiple client groups and can negatively impact on an individual's recovery from other circumstances. Whilst there are a number of active service users where mental health is recorded as their primary support reason, this doesn't truly reflect the scale of the problem that faces not only Cheshire East, but the country as a whole.

The strategic priority focus for mental health and housing needs is to incorporate supporting individuals who have a mental health problem to maintain a tenancy which will provide them with the stability and safety to access any required support.

Similarly, an adequate provision of specialist care homes which can support people with dementia is required due to the ageing demographic and prevalence of this illness.

<b>Priority: Support the provision of appropriate accommodation for mental health clients</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Support the delivery of a wide range of housing options for adults with care and support needs, including mental health needs	<ul style="list-style-type: none"> <li>Cheshire East Council (MH Partnership Board)</li> <li>Registered Providers</li> <li>Specialist accommodation providers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Work closely with CEC Commissioning and developers to facilitate delivery of suitable accommodation options for those suffering with memory and cognitive issues	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Specialist accommodation providers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>

## Young People in Need

### Background

Young people in need refers to residents within the borough aged 16-25 who have not been through the care system, but who present to the local authority with a housing need. This cohort has previously been referred to as 'young homeless'.

As with a number of client groups referenced in this strategy, there is an element of crossover relating to accommodation requirements, support and advice available, and how Cheshire East aims to address any issues.

This chapter should be read in conjunction with both 'Cared for Children & Care Leavers' and the 'Homelessness' chapters, as there is significant links between these areas.

### Evidence Base

- Cheshire East Homelessness data returns 2018/19
- More than a number: The scale of youth homelessness in the UK, CentrePoint, 2018
- Ministry for Housing, Communities and Local Government (MHCLG) statistical returns 2018/19
- Cheshire East Council Homelessness and Rough Sleeping Strategy 2018-21

### Detailed Findings

The introduction of the Homelessness Reduction Act (HRA), which came into effect in 2018, placed additional duties on local authorities in terms of prevention and relief. The impact of this legislation is explored further in the Homelessness chapter.

However, the HRA didn't place any specific age-related prevention or relief duties on local authorities.

Data retrieved relating to the prevalence of young people who are in need of housing is highlighted in the CentrePoint report *More than a number: The scale of youth homelessness in the UK* from 2018. CentrePoint's aim was to put a spotlight on not only the young people who had been accepted as statutorily homeless by local authorities, but also those young people who had approached local authorities and not deemed to be homeless, in line with legislation. This data was pulled together via number of Freedom Of Information (FOI) requests from local authorities across the United Kingdom, and sought to ascertain the hidden extent of youth homelessness.

MHCLG data, cited within the CentrePoint report, states that "12,940 young people aged 16-24 years old were accepted as statutorily homeless in England in 2016/17". FOI responses from local authorities across England were used to provide an estimate of young homelessness, and this was split down further to regions.

CentrePoint suggest that, in England, there were 66,500 young people under 25 who approached their local authority for homelessness support. It was estimated that the number for the whole of the United Kingdom was 86,000. Due to the potential for a lack of engagement with local authorities, there is also the possibility that this figure is an underestimate for the scale of young homelessness across the country.

Regional figures were also derived from the data that CentrePoint utilised. The North West came 2<sup>nd</sup> top in the estimates of youth homelessness, potentially impacted upon by including Manchester and Liverpool within the figures – the estimate was 9,200 young homeless. Top of the regional estimates was London, which estimated 10,500 young homeless.

### **Local evidence**

Within Cheshire East, demographic statistical data is available for age groups for households who approach the local authority for homeless prevention or relief. In 2018/19, there were 2343 total households who approached the local authority as homeless - 456 of these were in the 16-25 age bracket.

In addition to this 456 figure, there was an additional 430 households where the age information was not listed or was unavailable, so there is potential for the number of households aged 16-25 to be higher. This cohort represents 16.7% of all presentations in 2018/19.

CentrePoint highlighted the main reasons for young people presenting as homeless. The main reason given was parents being unwilling to accommodate, with a majority of 38%. The next most given response to this was 'others no longer willing to accommodate', which suggests friends or acquaintances are unable to accommodate the young person.

2018/19 data that splits out both age and reason for homelessness is not available for Cheshire East, however within the reasons for homelessness, asked to leave by family shows 412 households and asked to leave by friends shows 210 households. Both these reasons combined comprises of 27% of all reasons for homelessness presentation.

### **Chapter conclusions and key priorities for Young People in Need**

The data that is available, especially on a national level, suggests that there is an underestimate in terms of how many young people are in housing need. The data evidenced above, in terms of local homelessness presentations, still demonstrates a fairly significant 16-25 age demographic that approach the local authority for homelessness support. Therefore, it could be assumed that there is still an element of unmet housing need for young people across the borough.

Cheshire East Council's approach, following the introduction of the HRA, encapsulated a number of strategic actions aimed at reducing and tackling the reasons for young homeless people. These strategic actions and directions are reflected in the key priorities within this strategy.

The main focus of this strategy is to encourage and support the ongoing identified pathways for young people in need and make use of prevention tools to facilitate a reduction in young people becoming homeless.

Housing options, current accommodation provision and available support for this cohort are explored more thoroughly in the 'Homelessness' chapter of this strategy.

<b>Priority: Reduce the number of young people in housing need and aim to reduce and prevent homelessness and rough sleeping for young people</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Use appropriate prevention tools such as mediation, in partnership, to reduce homelessness, which will be monitored through homelessness evidence.	<ul style="list-style-type: none"> <li>• Cheshire East Council</li> <li>• Young People</li> <li>• Registered providers</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing through strategy lifetime</li> </ul>
Engage with registered providers to explore opportunities around short-term tenancies which will provide skills and knowledge to young homeless people, with a view to granting assured tenancies following this.	<ul style="list-style-type: none"> <li>• Cheshire East Council</li> <li>• Registered providers</li> </ul>	<ul style="list-style-type: none"> <li>• 12 months from strategy adoption</li> </ul>
Ensure housing pathways are in place for young people, providing a clearer understanding of local needs and provision	<ul style="list-style-type: none"> <li>• Cheshire East Council</li> <li>• Registered providers</li> <li>• Service providers</li> </ul>	<ul style="list-style-type: none"> <li>• 12 months from strategy adoption</li> </ul>



## Cared for Children & Care Leavers

### Background

The safety and wellbeing of children and young people in Cheshire East is one of the most important priorities for the local authority. For those children who are subject to difficult and disruptive upbringings, it is essential that Cheshire East acts responsibly and appropriately as Corporate Parent, and understands the needs and requirements of young people across the borough.

The Cheshire East Corporate Parenting Strategy details five outcomes for which we can measure progress to ensure we are all working as hard as possible to ensure children and young people feel supported, encouraged and hopeful; these outcomes are in the words of our cared for children and care leavers:

- Involve Me
- Providing me with a Good Safe Home
- Keep Me Healthy
- Help Me to Achieve
- Support Me to Move to Adult Life

From a housing perspective, it is vital that the correct provision is available for young people and children to ensure that we are meeting our corporate responsibilities. This is to ensure that residents of Cheshire East are placed within the borough and 'out of area' placements are kept to a minimum where possible.

This section will focus on the current housing status of cared for children and care leavers within Cheshire East, and their housing needs and aspirations. It is essential that young people are listened to and we are providing suitable housing options for them at a time when they are transitioning into adulthood.

### Evidence Base

- Sufficiency Statement for Cared for Children - 2018-2020
- Cheshire East Council Homelessness and Rough Sleeping Strategy 2018-21

### Detailed Findings

There are a number of various factors to consider when approaching the housing provision for cared for children and care leavers. Most importantly, the views of the children need to be considered. Feedback from cared for children and care leavers suggests that they wish to remain in the communities where they have grown up, that they want a choice on where they live and they want to be consulted on their accommodation needs.

There are a number of placement types for cared for children currently. These can include:

- Foster care (both internal and external to Cheshire East Council)
- Residential care
- Placed with Parent
- Independent Living
- Placed for adoption

As of March 2018, there are currently 473 children who are cared for by Cheshire East. This figure demonstrates a steady increase since April 2014 where the figure for cared for children within Cheshire East was 333. Of these 473 individuals, their placement type can be surmised as below:

Placement Type	Total	Total as %
CEC Fostering Mainstream	150	32%
External Foster Care	112	24%
CEC Fostering Family and Friends	76	16%
External Residential	45	9%
Placed with Parent	40	8%
Independent Living	27	6%
Placed for Adoption	13	3%
Sec 386	6	1%
Internal Residential	2	0.5%
NHS	1	0.25%
Other Placement	1	0.25%

- Table 4.1 – Source: Sufficiency Statement for Cared for Children - 2018-2020

### **Local provision**

In terms of actual accommodation available across the borough, there are a number of potential avenues that can be utilised by Cheshire East. Cheshire East forms part of the North West Supported Living Framework, which is accessed by a number of other local authorities in the area. This provides access to a number of forum houses and supported lodgings. One main barrier however with this accommodation is the lack of regulation via Ofsted. There is potential here for the units delivered via the Framework to be of poor quality, which goes against the Cheshire East priorities.

In the south of the borough, accommodation is provided through the Crewe YMCA, and there are an additional 10 units provided in the north. Whilst cared for children can come from any part of the borough, the majority of the demand on services through Cheshire East is primarily located in the principal towns of Crewe and Macclesfield. For this reasons, one of the main focuses of the Children's Services team is to increase provision in these locations.

Focusing closer on the type of provision which is currently available, within Crewe YMCA there are 2 emergency accommodation beds available, which can be utilised on a short-term basis at short notice. These beds also double as PACE beds (also known as Section 38 beds), which can be used when a young person is detained by the Police, but it would be unsuitable for them to remain overnight within a custody suite. This facility can also be utilised by other local authorities if required.

There are also a number of 'taster flats' available across the borough, with ambition to increase this provision in Macclesfield, Congleton and Middlewich. The purpose of these flats is to give young people an opportunity to experience managing their own property and build up the necessary skills to manage a tenancy. This is achieved by a placement for 2 weeks within an independent living provision where floating support enables and supports young people. This allows them to make informed choices as to their future and identify and address any issues which may need further development.

Children's residential care homes play a vital role in supporting and accommodating cared for children across the borough. At the time of writing, there is only one residential care home for children in Cheshire East; however there are ambitions to commission a further four additional care homes across the borough, primary focused in the Crewe and Macclesfield area, which will increase the bed spaces provision up to 13.

Foster placements account for the majority of accommodation types within Cheshire East. The role of foster carers, and the benefits of providing stable and safe accommodation, can not be underestimated. As of December 2017, there were a total of 124 mainstream foster carers and 36 foster placements with family and friends. As part of Cheshire East's Sufficiency Statement for 2018-20, there is an ambition to increase the provision of foster carers by developing a recruitment and retention strategy. At the time of writing, this is an ongoing priority for the team.

In addition to foster carers, Cheshire East has access to supported lodgings with 'hosts'. This provision focuses predominantly on the accommodation side of need, and less so on the care element. For example, the host family may both be working and not be available at all hours to provide support.

It is inevitable that in some circumstances, cared for children can't be accommodated within Cheshire East. This may be for a variety of differing reasons, including lack of provision within Cheshire East as well as out of area placements being a more appropriate solution at the time of service engagement. Currently, the level of out of area placements remains steady at 17% of the overall cared for children total, which is in line with previous years. The definition for out of area placement is one that is greater than 20 miles from Cheshire East. It is a positive outcome that the amount of children placed out of area remains at below 1 in 5 children, despite the increase in numbers accessing the services.

When children with disabilities are accommodated by the local authority for over 75 days, they automatically become part of the 'cared for children' cohort. Suitable accommodation for this group is currently provided via a scheme in Derbyshire. Cheshire East use the NW framework to access this accommodation and there are also a small cohort of specialised foster carers who accept children with disabilities. In addition to this, there is also the Cared at Home Framework, which consists of a growing number of CQC providers who can provide accommodation for children with disabilities.

There have been ongoing discussions with registered providers within Cheshire East regarding offering short-term tenancies for care leavers as an option for moving into a more sustainable and appropriate accommodation type. It will be an ongoing key priority for this provision to be pursued which will further enhance the accommodation offer by Cheshire East for young people leaving care.

### Chapter conclusions and key priorities for Cared for Children & Care Leavers

The ongoing welfare and safety of children who are cared for by the local authority needs to remain as the key factor when considering ongoing housing opportunities. The work which is being completed by Children's Services in relation to sourcing additional foster carers will add to the pool of available resources, as will the additional commissioning of residential homes for children.

The increase in taster flats across the borough, as opposed to just Crewe, will enable more young people to access tenancies and gain the skills required to manage and maintain a tenancy agreement.

From a housing perspective, Cheshire East is supportive of the following strategic focuses.

<b>Priority: Support the suitable and safe accommodation provision for cared for children and care leavers</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Facilitate an increase in taster flats across the borough to enable independent living opportunities for care leavers	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Cheshire East Members</li> <li>Registered providers</li> <li>Housing developers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Engage with registered providers to explore opportunities around short-term tenancies which will provide skills and knowledge to care leavers, with a view to granting assured tenancies following this	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Registered Providers</li> <li>Support Providers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Encourage and support the commissioning of additional residential care homes for cared for children in areas of high need such as Crewe and Macclesfield	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Housing Providers</li> <li>Support Providers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>

## Drug and Alcohol

### Background

Estimations via the PANSI suggest that the prevalence of individuals who are dependent on either alcohol or drug use on a national level is due to increase. This, however, is contrasted by evidence suggesting the number of adults who are in contact with drug and alcohol services is reducing at a steady level. Alcohol-related social and economic harm is estimated to cost £21.5bn and illicit drug social and economic harm is estimated to cost £10.7bn (Public Health, 2018)

This significant cost to the public purse requires local authorities to be proactive in trying to address issues relating to this dependency. It is vital that the appropriate services are commissioned to support and help clients through their journey with addiction and substance misuse – it is equally important from a housing perspective that safe and suitable accommodation can be accessed throughout the borough, but mostly targeted around the larger settlements.

This section will explore the national and local estimates for drug and alcohol dependency, as well as the prevalence of accessing and successfully completing the appropriate treatments.

### Evidence Base

- PANSI
- JSNA
- Cheshire East Borough Profile 2019
- Public Health England Monthly Returns
- National Drug Treatment Monitoring System (NDTMS)
- Estimate of Alcohol Dependent Adults in England 2016-17
- Cheshire East Council Tartan Rug

### Detailed Findings

#### Alcohol dependency

Estimates via the PANSI projections suggest that there will be a relatively small increase across England over the next 15 years. As of 2019, the estimate for males and females aged 18-64 in England to have an alcohol dependency is at 2,034,690. Estimates for 2035 increases this amount to 2,070,030 – an increase of just over 1.7%

Conversely and more positively, the PANSI estimates for Cheshire East shows a trend in the opposite direction, with a reduction in the amount of alcohol dependent residents by 6.2%, as detailed below:

	2019	2020	2025	2030	2035
Males aged 18-64 predicted to have alcohol dependence	9,265	9,239	9,100	8,874	8,683
Females aged 18-64 predicted to have alcohol dependence	3,617	3,613	3,571	3,475	3,396
<b>Total population aged 18-64 predicted to have alcohol dependence</b>	<b>12,882</b>	<b>12,853</b>	<b>12,671</b>	<b>12,349</b>	<b>12,078</b>

Table 5.1 – Source: [www.pansi.org.uk](http://www.pansi.org.uk) – alcohol dependency population estimates in Cheshire East, 2019

Whilst these estimates may seem initially positive, further detail evident in the Cheshire East Borough Profile brings this into question. In terms of alcohol related admissions, as of 2012/13 this figure was at 540 (per 100,000 of population). This figure has now (as of 2017/18) increased to 610.1 (per 100,000 of population). This figure suggests that alcohol dependency is increasing at a higher rate than previously anticipated. However, the rates are still lower than the overall North West and England rates (699.9 and 632.3, respectively).

Source: Hospital Episode Statistics (HES), NHS Digital, 2017/18. Hospital Episode Statistics (HES) Copyright © 2019, Re-used with the permission of NHS Digital. All rights reserved. Local Authority estimates of resident population, Office for National Statistics (ONS) Unrounded mid-year population estimates produced by ONS and supplied to Public Health England Local Authority estimates of resident population, Office for National Statistics (ONS)

The Cheshire East Council tartan rug outlines a number of key health indicators, split out by settlements within the borough. This document portrays prevalence rates in conjunction with England averages. Binge drinking rates are relatively evenly spread across the borough with the highest quintiles being evidenced in Crewe and Macclesfield. Admissions for alcohol are significantly higher in Crewe and Macclesfield as opposed to anywhere else within the borough.

On a more positive note, the figures relating to Cheshire East residents who have successfully completed alcohol treatment is at 46.6%. This figure is above local and national averages with the North West showing 43.1%, and England showing a 38.9% success rate.

### **Drug dependency**

For the purposes of this evidence base, adults who are dependent on drug use are split out between those who use opiates, those who use non-opiates and those who use both (known as OCU – opiates and/or crack cocaine). Evidence suggests that whilst the North West and England as a whole are experiencing rising figures of opiate and crack cocaine use, Cheshire East shows a general decline over previous years. Estimates for drug prevalence in Cheshire East are outlined below.

	Opiates	Crack Cocaine	OCU
<b>2016/17</b>	1283	974	1398
<b>2014/15</b>	1307	988	1482
<b>Difference</b>	-24	-14	-84

Table 5.2 - Source:

Similar to the predicted levels of alcohol dependency, the PANSI estimates for Cheshire East show a further decline in numbers as outlined:

	2019	2020	2025	2030	2035
Males aged 18-64 predicted to be dependent on drugs	4,793	4,779	4,707	4,590	4,491
Females aged 18-64 predicted to be dependent on drugs	2,521	2,518	2,489	2,422	2,367
<b>Total population aged 18-64 predicted to be dependent on drugs</b>	<b>7,313</b>	<b>7,297</b>	<b>7,196</b>	<b>7,012</b>	<b>6,858</b>

Table 5.3 – Source: [www.pansi.org.uk](http://www.pansi.org.uk) – drug dependency population estimates in Cheshire East, 2019

Treatment for drug dependency in Cheshire East is split between opiates and non-opiates. Data from 2017 suggests that 8.3% of Cheshire East residents accessing treatment for opioid use were successful in completing the treatment. This is above both the North West (6.1%) and England (6.5%) average figures.

Conversely, for non-opioid treatments, Cheshire East's success rate for completing treatment is 32%, compared to the North West (41.4%) and England (36.9%) average rates. The reasons for this relatively lower success rate are unknown, however are broadly in line with the regional and national averages.

Housing options and requirements for individuals post-treatment can be difficult to ascertain. It is essential that following treatment, an individual is able to access safe and suitable accommodation which can go some way to prevent potential relapse and readmission. Whilst there will be some individuals who have no fixed abode following treatment, it is likely that this will result in a presentation as homeless to the local authority, or result in rough sleeping within the borough. Either way, there is a responsibility for the local authority to act. The provision of housing related support, as commissioned by Cheshire East, (and detailed in the 'Homeless' section of this strategy) may go some way to address these issues, however is unlikely to cover all eventualities.

In the same vein as mental health and some other client groups, substance and alcohol dependency can make up just one part of a complex individual's issues and should be considered in conjunction with other wider factors.

This factor is reflected in the small number of active service users in Cheshire East where substance misuse is defined as their primary support reason. The geographical spread and accommodation type for the small number of active service users in Cheshire East is detailed below. Due to the small representation of clients who have substance misuse as their primary support need, this data is open to debate over its validity in terms of representation across the whole borough – however, it is noteworthy that just under 50% of those service users are from Crewe, and the majority live in non-residential care settings, i.e. non-specialist accommodation for their needs.

<b>Primary Support Reason – Substance Misuse</b>	
Alderley Edge, Chelford, Handforth, Wilmslow	0
Bollington, Disley, Poynton	1
Congleton, Holmes Chapel	0
Crewe	5
Knutsford	0
Macclesfield	1



Nantwich and Rural	1
Sandbach, Middlewich, Alsager, Scholar Green and Haslington	3
Unknown	0
<b>Grand Total</b>	<b>11</b>
<b>Primary Support Reason – Substance Misuse</b>	
Permanent Residential or Nursing Care Home	2
Short-Term Residential or Nursing Care Home	1
Long Term Support – Non Residential	4
Other Community Service	4
<b>Grand Total</b>	<b>11</b>

Table 5.4 – Source: Cheshire East Council Adult Services substance misuse data, 2019

**Housing situation**

When accessing treatment for drug and alcohol misuse, self-defined client housing situations are recorded as a key indicator to assess if this has any impact or affect on successful treatment.

The indicators are split out as follows: No problem, Housing problem, Urgent housing problem and Other. Urgent housing problem and housing problem are made up of the following sub-categories:

*Urgent housing need: Lives on streets/rough sleeper, Uses night shelter (night-by-night basis)/emergency hostels, Sofa surfing/sleeps on different friend's floor each night.*

*Housing problem: Staying with friends/family as a short-term guest, Night winter shelter, Direct Access short stay hostel, Short term B and B or other hotel, Placed in temporary accommodation by Local Authority, Squatting. (Source: NTDSMS 2020)*

This data allows us to look for trends in housing status at the time of treatment, specifically in Cheshire East. For the purposes of this strategy, the treatment reasons have been split out to identify any emerging patterns.

**Alcohol treatment**

	2014/15	2015/16	2016/17	2017/18	2018/19
<b>No housing problem</b>	295	225	210	205	195
<b>Housing problem</b>	10	5	0	5	5
<b>Urgent housing problem</b>	10	20	20	10	0

**Non-opiate treatment**

	2014/15	2015/16	2016/17	2017/18	2018/19
<b>No housing problem</b>	20	30	35	30	35
<b>Housing problem</b>	5	0	0	0	0
<b>Urgent housing problem</b>	0	0	5	5	0

**Opiate treatment**

	2014/15	2015/16	2016/17	2017/18	2018/19
<b>No housing problem</b>	120	125	130	170	165

<b>Housing problem</b>	5	5	0	0	20
<b>Urgent housing problem</b>	30	45	40	45	35
<b>Other</b>	0	0	0	5	0

Table 5.5 – Source: National Drug Treatment Monitoring System (NDTMS), 2019

Focusing on these trends and numbers above, there are a number of patterns emerging in terms of the housing status clients who access treatments. For alcohol treatment, there has been a steady, consistent decline in those who state they have no housing problem. There is a relatively stable cohort who identify as having a housing problem, and a decline in those who have an urgent housing problem.

Contrasted with opiate treatment, clients who state they don't have a housing problem has shown a steady increase since 2014, however housing problem clients have spiked from 0 in 2017, to 20 in 2018. Equally, clients with urgent housing problems has remained broadly stable with numbers between 30 (2014/15) and a peak of 45 (2015/16 and 2017/18).

### Chapter conclusions and key priorities for Drugs and Alcohol

As drug and alcohol misuse can form part of a wider menu of complex issues for an individual, it is difficult to promote housing options which are specific to their needs. This strategy suggests there needs to be additional research which should advise the accommodation pathway of drug and alcohol users within the borough and this should be used to determine the correct housing options at whichever stage of dependency, treatment and subsequent recovery the individual is in. This will reduce the inappropriate use of other accommodation types which may be unsuitable and potentially put people at risk.

Routes to permanent accommodation solutions should be promoted and well signposted to clients so they are aware of the options they have throughout their journey and can make informed decisions.

On a wider level, the access to safe and secure accommodation, either through housing providers or via the private rented sector needs to be of paramount importance. Therefore, it is essential that Cheshire East focus on raising and maintaining the standards of accommodation across the borough.

<b>Priority: Ensure safe and suitable accommodation is available for drug and alcohol users throughout all stages of their recovery journey</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Explore accommodation pathways for alcohol or drug dependent residents to ascertain their needs	<ul style="list-style-type: none"> <li>Cheshire East Council</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>
Maintain active engagement with drug and alcohol services across the borough	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>External agencies and support organisations</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>

## Physical and Sensory Disabilities

### Background

Residents of Cheshire East who have a physical or sensory disability have a wide and varied range of essential accommodation requirements, which ensure that they are able to live in their home independently and with dignity.

Cheshire East is committed to ensuring that its residents who have additional physical needs are able to maintain their independence and are able to accommodate accessible properties across the borough. Government guidance for local authorities with regards to providing accessible homes for physically disabled residents states that:

The provision of appropriate housing for people with disabilities, including specialist and supported housing, is crucial in helping them to live safe and independent lives. Unsuitable or unadapted housing can have a negative impact on disabled people and their carers. It can lead to mobility problems inside and outside the home, poorer mental health and a lack of employment opportunities. Providing suitable housing can enable disabled people to live more independently and safely, with greater choice and control over their lives. Without accessible and adaptable housing, disabled people risk facing discrimination and disadvantage in housing. An ageing population will see the numbers of disabled people continuing to increase and it is important we plan early to meet their needs throughout their lifetime

(MHCLG, 2019)

It is clear from the guidance that there is a commitment to safety, choice and control for residents with physical disabilities. With the previously mentioned ageing demographic across the borough of Cheshire East, and the increased desire by occupiers to remain in the own home, there is a strong requirement for Cheshire East to ensure that dwellings across the borough are adaptable and accessible for all client groups.

This section will focus on the demand for accessible properties, as well as how Cheshire East are responding to this demand and future-proofing dwellings across the borough.

### Evidence Base

- Housing for older and disabled people (MHCLG, 2018)
- Cheshire East Residential Mix Assessment (ORS, 2019)
- Cheshire East JSNA
- Orbitas monthly reports (Apr-June 2019)
- DFG annual report paper (2017/18 and 2018/19)

## Detailed Findings

### Current and future demand

Physical disability can encompass a wide variety of conditions which can impact upon a person's wellbeing and their ability to live in a home with independence. In Cheshire East there are an estimated 50,700 households where there are one or more individuals who have a life-limiting illness or disability. Analysis of these figures by ORS advised that of this number, there are 16,100 households where this illness or disability affected their housing needs.

The majority of these households (13,500) are living in a suitable property. There are an estimated 1,280 households where their current property is not suitable and they will need to move to a more suitable dwelling. There are also an additional 1,350 households where additional adaptations are required for them to remain in their current property (Cheshire East Residential Mix Assessment 2019 – Report of Findings, June 2019).

These figures set out the current position of the housing need across the borough, however when combined with future population increases and demographic changes such as the ageing population, the data shows significant need, as detailed below.

	Total
<b>Existing need in 2018</b>	
Households where an existing illness or disability affects their housing need and need to move in 2018	1,277
<b>Projected future need 2018-30</b>	
Additional households in 2030 where illness or disability affects their housing need or will develop within 10 years.	25,328
<b>Maximum need for adapted housing 2018-30 (households)</b>	26,605
Less households living in dwellings adaptable to M4(1) standard	17,487
<b>Minimum need for adapted housing 2018-30</b>	9,118

Table 6.1 - Cheshire East Residential Mix Assessment 2019, ORS

The stated need for 26,605 adapted properties by the end of the Local Plan period includes those that will come forward as accessible homes as required via the mandatory technical standards of Building Regulations, however this figure may be subject to fluctuation due to the ongoing work where adaptations are installed in occupier's homes through various types of funding, such as the Disabled Facilities Grant detailed below.

In relation to service users accessing services within Cheshire East who have a primary support reason as either a physical or sensory disability, this data can be split down as follows:

	Accommodation Type				Total
	Permanent Residential or Nursing Care Home	Short-term Residential or Nursing Care Home	Long-term Support – Non-Residential	Other Community Service	
Physical - Access and Mobility	53	3	221	771	<b>1048</b>
Physical - Personal Care Support	465	17	1142	663	<b>2287</b>
Sensory - Dual Impairment	6	0	17	11	<b>34</b>
Sensory - Hearing Impairment	0	0	11	11	<b>22</b>
Sensory - Visual Impairment	8	0	41	45	<b>94</b>
<b>Total</b>	<b>532</b>	<b>20</b>	<b>1432</b>	<b>1501</b>	<b>3485</b>

Table 6.2 – Source: Cheshire East Council Adult Services data, via LiquidLogic, 2019

This demonstrates a clear emphasis on support which is delivered in the community, as opposed to in specialist residential care facilities. The need for accessible accommodation is significant at both a national and local level. National planning policy allows local planning authorities to set optional technical standards for new housing in relation to accessibility and wheelchair standards through their local plans. As well as the mandatory standards which need to be abided by, use of the optional technical standards will allow new housing to be more easily adaptable and support people with living in their homes for longer.

These optional standards, part of the Building Regulations 2010, can be broken down as follows:

- M4 (2) Category 2: Accessible and adaptable dwellings
- M4 (3) Category 3: Wheelchair user dwellings

Cheshire East, as part of their emerging Site Allocations and Development Policies document is proposing to introduce the optional technical standard relating to accessibility.

The Publication Draft SADPD Policy HOU 6, states:

**i. For major developments:**

- a. at least 30% of housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and
- b. at least 6% should comply with requirement M4 (3) of the Building Regulations regarding wheelchair adaptable dwellings.

**ii. For specialist housing for older people:**

- a. all specialist housing for older people should comply with M4 (2) of the Building Regulations regarding accessible and adaptable dwellings; and
- b. at least 25% of all specialist housing for older people should comply with requirement M4 (3) of the Building Regulations regarding wheelchair adaptable dwellings.

In terms of current location for service users who are accessing social care for physical or sensory disabilities, this information can be surmised as below:

	Physical - Access and Mobility	Physical - Personal Care Support	Sensory - Visual Impairment	Sensory - Hearing Impairment	Sensory - Dual Impairment	Total	Total as %
Alderley Edge, Chelford, Handforth, Wilmslow	66	220	10	3	7	306	9
Bollington, Disley, Poynton	45	144	5	2	6	202	6
Congleton, Holmes Chapel	102	290	5	2	5	404	12
Crewe	256	455	27	8	2	748	21
Knutsford	57	115	4	1	4	181	5
Macclesfield	115	395	12	0	4	526	15
Nantwich and Rural	123	205	10	4	0	342	10
Sandbach, Middlewich, Alsager, Scholar Green and Haslington	270	393	20	1	3	687	20
Unknown	14	70	1	1	3	89	2
<b>Grand Total</b>	<b>1048</b>	<b>2287</b>	<b>94</b>	<b>22</b>	<b>34</b>	<b>3485</b>	<b>100%</b>

Table 6.3 - Source: Cheshire East Council Adult Services data, via LiquidLogic, 2019

This data clearly shows that physical disabilities claim the majority share for individuals accessing support through Cheshire East, and within that group there is a clear majority for personal care and support. In terms of geographical spread, it is clear that the larger settlements within Cheshire East accommodate the majority of service users, however there are still a notable amount of service users distributed across the whole borough. It can therefore be deduced that there is a significant need throughout Cheshire East for home adaptations and alterations to enable increased independence and dignity for residents.

### **Disabled Facilities Grants**

One of the main ways in which people with physical or sensory disabilities can remain in their own home is through adaptations and aids which can enable them to retain their independence and continue to live a fulfilling and active lifestyle.

In Cheshire East, one of the methods of enabling this is through the Disabled Facilities Grant (DFG) scheme. This involves an allocation of funds distributed to local authorities to pay for adaptations to a resident's home, so long as they meet the criteria of the scheme.

This is a highly successful and sought-after scheme. Analysis of the DFG delivery since 2017/18 shows an increase from 304 households who were approved grant funding, up to 404 in 2018/19.

Further detail can be retrieved from these figures which break down the demographics of those accessing the grant.

Number of grants approved	2017/18	2018/19
<b>Number of grants approved by tenure of applicant</b>		
Owner Occupiers	118	178
Private Tenant	8	30
Social Tenant	178	196
Other	0	0
<b>Number of grants approved by age of the disabled person</b>		
17 and under	18	29
18 to 64	96	124
65 and over	190	251
<b>By total value of grant approved</b>		
Under £5,000	247	293
£5,000 to £15,000	41	86
£15,000 to £30,000	11	15
Over £30,000	5	10

Table 6.4 - Disabled Facilities Grants 2018-19 Activity and Performance Data

The data above shows a clear increase in the demand and access to the DFG service over a 12 month period. Funding for the 2018/19 DFG service across all authorities was approximately £505m, of which Cheshire East was successful in being awarded just over £2m. Combined with funds carried over from the previous year, the total budget for DFG's and adaptations in Cheshire East totalled just over £2.5m.

There has been increased investment by central government for the DFG monies; however the allocation to each local authority is not representative of the need in the location. As can be seen from the table above, there is a shift in accessing the grant and an increase in individuals requiring adaptations who have complex needs. This, in turn, increases costs and pressures on the annual budget for DFG's. Cheshire East has responded to this shift by increasing the maximum grant allocation from £30,000 up to £50,000.

There has also been an increase in adaptations for individuals with learning disabilities and those on the autistic spectrum. In terms of demographics, whilst the actual number of grant allocations to children is relatively low, the actual costs of the works required are disproportionately high. The types of work carried out also gives some evidence as to the needs of residents across the borough. By far the most common adaptation was the installation of a level access shower (287 total), followed by installing a stair lift (75 total). Other examples of works completed include door opening mechanisms, installation of ramps and fitting of specialist baths.

Furthermore, it is also noteworthy that a large proportion of works are carried out by landlords or registered providers through their own funding arrangements. This type of work accounts for the main reason that works aren't carried out through the Cheshire East DFG funding. There are a number of existing agreements in place with registered providers in Cheshire East which outline when and how the landlord will fund the required adaptations. This goes some way to relieve the excessive financial and organisational burden on the local authority.



### **Other routes to adaptations**

Orbitas are a Cheshire East wholly-owned company and provide a handyman service across the borough to assist with the installation of aids and adaptations, or completing tasks that are out of the scope of the occupier. This includes works such as fitting grab rails, hand rails and ramps, as well as smaller jobs such as fixing leaking taps. This is a high demand for this service, evidenced by the amount of referrals received. Over a 3 month period between April and June 2019, there were a total of 166 referrals for adaptations to residents' homes.

Separate to the DFG funding and Handyman service, there is an Occupational Therapy Panel Fund which completes adaptations which are not eligible for the DFG. The costs for these adaptations are under £1,000, however they are classed as a larger job than a 'minor adaptation'. This is a borough-wide service and the breakdown of locations since 2016 is detailed below.

<b>Location</b>	<b>Number of adaptations</b>
Crewe	12
Sandbach	6
Congleton	5
Wilmslow	5
Macclesfield	4
Knutsford	4
Nantwich	3
Holmes Chapel	2
Alsager	2
Poynton	2
Nantwich	1
Rode Heath	1
Shavington	1
Handforth	1
Stockport	1
Bollington	1
Middlewich	1

Table 6.5 – Source: CCG returns 2016-19

As part of the Cheshire East Council Homelessness and Rough Sleeping Strategy's action plan, there is a commitment to make better use of the current stock of accommodation which is accessed via the Council's Choice Based Lettings system, HomeChoice.

One of the actions is to have an improved knowledge base of adapted properties and where they are located across the borough. This action is monitored by Housing Options and goes some way to ensure that lettings via the Council are suitable for residents and their needs.

## Chapter conclusions and key priorities for Physical and Sensory Disabilities

There is a clear focus in the strategy to support vulnerable and older people who are experiencing physical or sensory disabilities. This is a twin-tracked approach by ensuring new build accommodation is built to a suitable standard and is able to meet the needs of this cohort.

Similarly, there is a focus on enabling residents to remain in their own homes and have additional adaptations and aids incorporated into them to help facilitate this. There are benefits to both approaches. It is obviously dependent on the nature and degree of the disability, but both approaches can compliment each other to enable resident to access suitable accommodation.

There is also a focus of looking at assistive technology to enable residents to access support if needed. This can comprise of a less invasive and disruptive adaptation to a property which maintain independence and dignity for those living in the borough.

<b>Priority: Support residents with physical and sensory disabilities to maintain their accommodation or access suitably adapted types of accommodation</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Encourage the delivery of housing across the borough which meets mandatory and optional technical standards for accessibility	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Registered providers</li> <li>Housing developers</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Explore potential for assistive technology to be incorporated into dwellings to enable independent living	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Housing providers</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>
Continue to provide adaptations to homes across the borough via the Disabled Facilities Grant	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Central government funding</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing subject to funding</li> </ul>



## Domestic Abuse

### Background

Domestic abuse is a complex issue which can present itself in many forms, and the housing needs for residents who are experiencing domestic abuse can be complex and difficult to navigate. The government definition of domestic abuse defines this as:

*Any incident or pattern of incidents of controlling , coercive , threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. It can encompass, but is not limited to, the following types of abuse:*

- *Psychological*
- *Physical*
- *Sexual*
- *Financial*
- *Emotional*

Cheshire East is committed to supporting families and individuals who have experienced or are experiencing domestic abuse. Since the 2014 housing strategy, there has been positive work completed by Cheshire East and its partners, which has resulted in a reduction of the amount of requests for accommodation. Despite this positive downward trend, there is still significant demand for suitable accommodation across the borough which meets the needs of this cohort.

This section will explore the current demand on services for support and accommodation, as well as highlight the current housing provision, the aspirations of the service, and how these can be fulfilled.

### Evidence Base

- CEC Domestic Abuse and Sexual Violence Partnership Board Annual Report 2018-19
- Domestic abuse in England and Wales: year ending March 2018 (ONS, November 2018)
- Crime Survey for England and Wales (2018)
- Domestic Abuse Services: Future Delivery of Support to Victims and their Children in Accommodation-Based Domestic Abuse Services (MHCLG, May 2019)
- Housing Options presentations data 2018/19

### Detailed Findings

According to ONS and Crime Survey data, the estimated number of individuals who suffer from domestic abuse is currently at 6.1% of people aged 16-59 years. This equates to almost 2 million people. In terms of prevalence rates, there appears to be no significant changes in domestic abuse compared to the previous year.

Estimates via the Office for National Statistics Crime Survey (November 2018) suggest that as of March 2018, the number of individuals who had experienced some form of domestic abuse between

the ages of 16 and 59 years was an estimated 2 million people. Within these figures, there is a significant representation by female clients (1.3 million), compared to males (695,000).

A key factor to consider with these figures is the prevalence of un-reported domestic abuse.

Cheshire East Council works closely with its partner housing associations, CEC Independent Domestic Violence Advocacy Service and myCWA (Cheshire Without Abuse) which was re-commissioned in April 2019. It is this commission which provides refuge type accommodation.

Many other statutory and voluntary sector partners come together through Multi-Agency Risk Assessment Conferencing (MARAC) and the local Domestic Abuse Board to support and signpost clients of domestic abuse. Sourcing suitable and safe housing plays a vital role in the overall aims and objectives of all partners and specialist domestic abuse services in particular.

The most recent data for the Cheshire East Domestic Abuse Service (CEDAS) suggests that demand on their services remains at an extremely high level. The Cheshire East Domestic Abuse Hub provides a single point of access for domestic abuse clients and provides information and specialist services including interventions when necessary. This is a 24/7 service to encourage reporting of domestic abuse cases. For 2018/19, there was a 6% reduction in referrals where the risk was deemed as 'not high' or was unclear, totalling 1419 individual referrals.

Additional to these, there were 449 referrals classed as 'high risk'. Over the past 3 years, this amount has been reducing from 531, to 493, then 414, however is now showing a slight increase. Statistics from Police records also show an increase in the recording of domestic abuse crimes in Cheshire East, as well as an increase in domestic violence with injury crimes, as outlined below.

Domestic Abuse Crimes in Cheshire East	
Total 2017/18	Total 2018/19
3440	4566

Domestic Violence with injury in Cheshire East	
Total 2017/18	Total 2018/19
928	957

Table 7.1 – Source: CEC Domestic Abuse and Sexual Violence Partnership Board Annual Report 2018-19

Figures from the CEDAS annual report for 2018/19 shows demand on the commissioned services totalled 581 individual cases. The interventions which were provided for these contacts covered a wide range of topics, of which housing played an important role.

Awareness of domestic abuse through the sub regional 'Open the Door' campaign and the success of myCWA's community bases has meant that service requests are rising significantly in 2019-20, including for housing support.

In addition to the figures above, homelessness presentations to the local authority record the reasons for presenting. During 2018/19, 108 households presented to the council stating 'fleeing domestic abuse' as their primary reason for approaching the Council for assistance.

One of the key focuses of the domestic abuse partnership's strategy is to allow the client to remain in their own home. This is to minimise the disruption involved in a move for both adults and children and we have an increased range of means to enable victims to be safe within familiar networks and communities. In some circumstances, this option is either unsuitable or unsafe for the individuals involved. As such, myCWA are commissioned to provide 'refuge' provision across various locations within the borough, which is utilised as emergency accommodation as and when required. This current provision totals 16 units across Cheshire East, and includes a range of housing options including larger family accommodation and properties with individual bedrooms and shared living spaces.

The relatively small amount of emergency housing provision means that there is additional need across the borough to accommodate the levels of demand which are presenting themselves to services. Whilst emphasis is placed on accommodating abuse clients in the most appropriate property, both in terms of their location and their circumstances, it is not always possible for this to happen.

It is also important to note that not all requests for accommodation received by the service are from residents of Cheshire East. There has been a decreasing trend in requests for accommodation via Cheshire East residents and the reasons for this are determined to be related to effective prevention work taking place before an accommodation move is required. Since 2016, this figure has reduced from 57, to 39, and for 2018/19 this figure reduced again to 36.

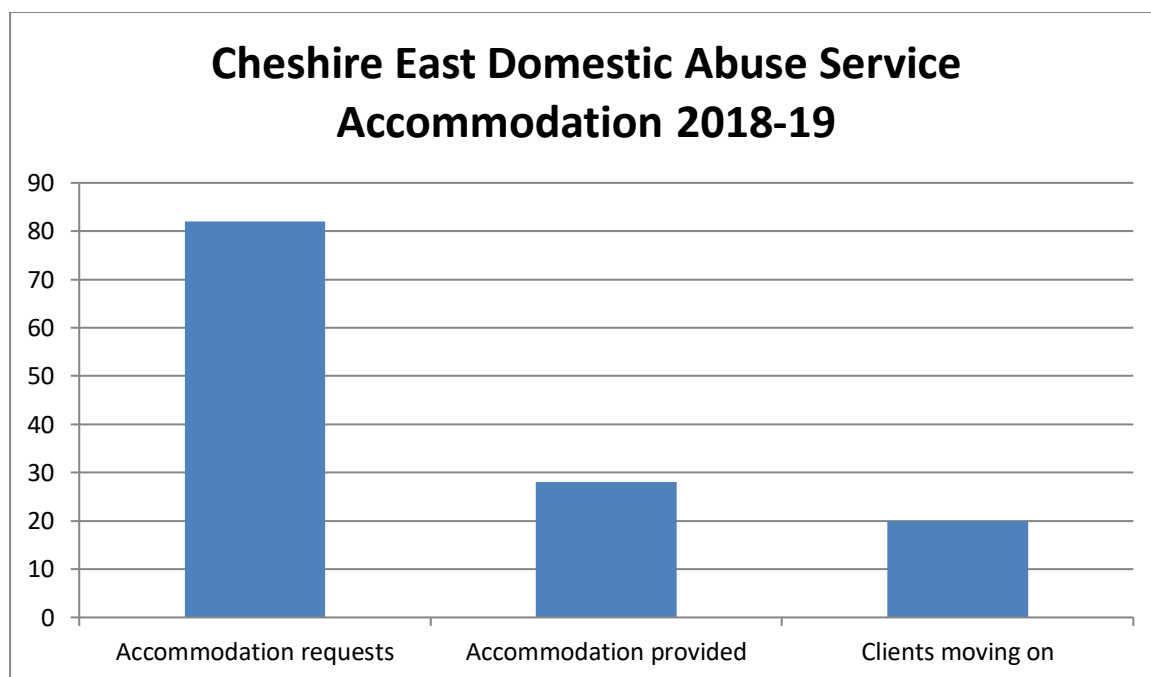


Table 7.2 – Source: CEC Domestic Abuse and Sexual Violence Partnership Board Annual Report 2018-19

The figures above suggest that almost two-thirds of accommodation requests come via individuals outside of Cheshire East. It is however worth noting that this is a reciprocal arrangement and accommodation requests outside of Cheshire East can be facilitated for residents within the borough.

The majority of the current provision of emergency accommodation is situated in the urban conurbations of Macclesfield, Crewe, and Nantwich.

Additional to the refuge provision, housing association partners play a key role in keeping domestic abuse clients safe. Registered provider partners engage with domestic abuse services by providing 'target hardening' services. This involves enhanced security measures which are incorporated into existing dwellings to keep tenants protected and safe. There is also a small funding pot to assist those in private accommodation to access target hardening and as a result to maintain their preferred and most appropriate accommodation solution.

### **Complex and chaotic presentation**

There are two more recent pieces of work which ought to inform our work on complexity.

Firstly working together across Cheshire, Halton and Warrington, government funding was accessed to support clients with complex presentation and housing need who have minimal other engagement with services. This is a small but highly vulnerable cohort whose substance misuse and mental ill health needs are often as predominant as their requirement for domestic abuse support. Locally, this service is delivered by myCWA through use of their existing emergency accommodation or supporting clients in other vulnerable housing provision.

This project has known some key successes in engaging otherwise extremely disaffected people in help services. However it has had an adverse impact on wider refuge provision because it may be necessary to dedicate a whole house to one chaotic client and thereby halve its use.

Currently myCWA are mapping the journeys of these complex individuals through accommodation options to try to identify what sort of approach and housing offer can make the greatest impact. This may not always be dedicated refuge space, especially where mental ill health or substance misuse are significant factors.

Secondly, advances in how MARAC (high risk multi-agency work) is delivered locally mean that we can more easily identify the most complex cases where an assertive outreach approach is needed from all partners, and not just domestic abuse services, to change entrenched patterns of behaviour by both victim and perpetrator.

Together these two developments mean that it is vital that there is connectivity between the commissioning of domestic abuse and substance misuse and mental ill health services in relation to housing support and wider recovery and self management.

### **Chapter conclusions and key priorities for Domestic Abuse**

From the evidence above, it is clear that there is significant demand on the Cheshire East domestic abuse service. Their commitment to preventative and person-focused support is evident, however in terms of housing provision; there are still gaps in what can be offered to domestic abuse victims.

As well as meeting responsibilities on a local level in terms of accommodating Cheshire East residents, there is also a focus on being able to accommodate 'out of area' referrals. The emphasis is on keeping people safe during difficult periods of their life.



Discussions with members of the domestic abuse team highlights a need for up to 8 additional 1 and 2 bedroom properties which are close to the Cheshire East principal towns of Crewe and Macclesfield. This additional provision would allow further refuge and support opportunities for victims, both local to Cheshire East and beyond.

<b>Priority: Increase the provision of suitable accommodation for residents who experience domestic abuse</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Explore funding opportunities to increase refuge and move-on housing provision	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Cheshire East Members</li> <li>Registered providers</li> <li>Housing developers</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>
Ensure positive relationships maintained with registered providers to enable target hardening as well as provide the small funding pot to support people in private accommodation	<ul style="list-style-type: none"> <li>Cheshire East Council</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Ensure positive relationships maintained with DA services to assess their housing requirements and any future changes	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>In house and commissioned DA services</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Promote strategic and operational commitment to changing responses to complex presentation	<ul style="list-style-type: none"> <li>Cheshire East Council Housing and Commissioning</li> <li>Public Service Transformation Board (sub regional work)</li> <li>In house and commissioned DA services</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>

## Homelessness

### Background

Homelessness is a national issue and one that can present itself in many forms. Research suggests that homelessness is increasing across the UK and estimates that there are approximately 320,000 individuals who are classed as homeless in the UK. These figures include a multitude of various types of homelessness, including rough sleeping, individuals in temporary accommodation and data retrieved from social services departments across the country.

Perhaps unsurprisingly, London has the highest rate of clients who are classed as homeless with over 170,000 people, 1 in 52, meeting this definition. The Shelter document, which provided these figures, places the blame for this increase on “a combination of unaffordable rents, frozen housing benefits and a severe shortage of social housing” (2018).

Undoubtedly, there are still a number of challenges ahead facing the authority. This section aims to explore the significant national changes in local authority duties, as well as how Cheshire East has responded to these, and focuses for the future.

### Evidence Base

- Cheshire East Council Homelessness Strategy 2018-2021
- Rough Sleepers data
- Homelessness returns data
- Hard to House Panel Review Briefing
- Crisis: The homelessness monitor England 2019

### Detailed Findings

Since the 2014 strategy was published, there have been significant changes relating to homelessness, both at a national and local level. The introduction of the Homeless Reduction Act (HRA) in 2017 placed additional duties on local authorities to address potential homelessness issues before they escalated, with potential savings for local authorities and voluntary services in terms of time and money when dealing with clients in crisis.

There is a focus on prevention of homelessness and demonstrating a person-centred approach to solving a clients housing issues. A brief overview of the legislation’s key points includes:

- Improved advice and information about homelessness and the prevention of homelessness
- Extension of the period ‘threatened with homelessness’
- Introducing new duties to prevent and relieve homelessness for all eligible people, regardless of priority need and intentionality
- Introducing assessments and personalised housing plans, setting out the actions housing authorities and individuals will take to secure accommodation

- Encouraging public bodies to work together to prevent and relieve homelessness through a duty to refer

### **Local Findings**

Cheshire East has responded to the Homeless Reduction Act in a positive way and has developed an updated Homelessness Strategy which covers the period 2018-2021.

The strategy outlined the position of the authority in terms of how it will respond to the challenges of the HRA and gave an overview of the homeless position across the borough. The priorities of the strategy were to:

- Enable more people to remain in their home and prevent them from becoming homeless
- Help people who are homeless to secure appropriate affordable accommodation
- Provide interventions so no-one has to sleep rough in Cheshire East
- Ensure adequate support is in place to help people maintain and sustain accommodation

In 2019, the strategy was subject to its first review and feedback was given to providers outlining the successes and challenges which Cheshire East had faced since the HRA came into being. The achievements by Cheshire East in 2018/19 showed significant positive results.

The HRA requires local authorities to record their duties for homeless preventions and homeless reliefs. Data from April 2018 through to March 2019 in Cheshire East shows that there were 2343 approaches to the Housing Options team by individual households. Outcomes for these households are as follows:

- Advice provided – 1215 households
- Prevention duty – 715 households
- Relief duty – 412 households

The overall figure for presentations to the Housing Options team is *higher* than previous years, although this may be explained due to the introduction of the HRA where any household who approaches the Council with a threat of homelessness is recorded. Presentations for homelessness are accepted at the Crewe and Macclesfield council offices. For presentations in Crewe, Cheshire East makes use of a number of different accommodation provisions including temporary accommodation, the council's own homeless hostel in Macclesfield, as well as bed and breakfast accommodation.

The costs to the council of housing someone in bed and breakfast accommodation are extremely high as rent levels can only be claimed at LHA rates. The remaining balance needs to be funded via Cheshire East council. In response to this, the local authority has explored the opportunity of purchasing additional temporary accommodation which will remain in Cheshire East ownership. This provision will be able to be utilised for homeless duties and will cut down, but not eradicate, additional costs from bed and breakfast accommodation. At the time of writing, this provision is provided in Crewe, Macclesfield and most recently in Congleton.

In terms of move-on from hostel accommodation, Cheshire East has been successful when relocating households into settled accommodation. The Homeless team have achieved move-on for 83% of households who have accessed the service which is above their annual target. In addition to these

positive results, Cheshire East's approach to the HRA has been used as an example of good practice for other local authorities to learn and develop their strategies and actions.

### **Complex Cases**

A recurring theme, both on a local level as well as nationally, is an increase in the complexity of households presenting to local authorities. The homelessness monitor (Crisis, 2019) received a number of responses from local authorities across the country, one of which focuses on the trend of increasing complexity of households. Just under half (48%) of all responses from the local authorities surveyed suggested there was a "notable change in the profile of people seeking housing options assistance during the past year". This was reflected in an increase in single households where there were 'complex needs' such as ill mental health, poor physical health and a rise in substance misuse issues. Some suggestions by the surveyed authorities for the reasoning for this increase was a result of cuts to public services such as Adult Social Care and individuals not meeting the threshold to access mental health services.

In terms of Cheshire East, data for 2018/19 shows that 2726 households approached the local authority, presenting as homeless or at risk of homelessness. Note –this number includes households who approached the authority on more than one occasion. In terms of presentations by individuals (as opposed to couples, families, etc), this can be split down as 483 females, 1037 males and 4 transgender. The vast majority of presentations were UK nationals (2179). In relation to the reason for presenting, the most common reasons stated:

- Asked to leave (family) – 412 households
- Notice to Quit (Private let – Section 21) – 267 households
- Rent/Mortgage arrears (Social/Private/Mortgage) – 242 households
- Asked to leave (friends) – 210 households
- Relationship breakdown (non-violent) – 202 households

In addition to these, there were 100 households presenting following prison release and 68 stating rough sleeping. This data doesn't strictly suggest that cases are more 'complex', although discussions with the Housing Options team suggest that this is a notable trend within the borough. The implementation of the Hard to House Panel (detailed on pg.54) was initiated specifically to address complex cases where all avenues had been explored.

### **Rough Sleeping Initiative**

In 2018, the Government announced a new initiative aimed at reducing the number of rough sleepers. Funding of £30m was allocated to local authorities and Cheshire East was successful in accessing £350,564.

The purpose of this fund was to facilitate interventions by local authorities with a view to reducing rough sleeping across the country. The Government's stated commitment was to "halving rough sleeping by 2022 and eliminating it all together by 2027".

Rough sleeping in Cheshire East had seen a steady growth from 2015 onwards, where the total rough sleeping count for the borough was 0, increasing to 4 in 2016 and then to 21 in 2017. This significant increase prompted intervention by the council.

By March 2019, the funding provided by the Rough Sleeping Initiative had allowed for:

- The recruitment of a Rough Sleepers Co-ordinator
- The recruitment of 4 Rough Sleepers Outreach Workers
- The delivery of 28 additional units of emergency accommodation
- The delivery of housing-led placements.

Following these positive steps, a further bid for funding was submitted to Government and Cheshire East was successful in a further £388,303 to continue this work. These funds will be used to:

- Create a Rough Sleepers Contract Monitoring Officer role
- Continue funding the provision of 4 Rough Sleepers Outreach Workers
- Provide additional enhanced accommodation comprising:
  - 14 No Second Night Out (NSNO) emergency units
  - 8 complex needs temporary accommodation bed spaces
  - 4 Extended Winter Provision bed spaces (used between November – March)
  - Provide 4 housing-led placements

Details from the most recent rough sleeper's count showed the numbers reduce from 21, to 10, and finally to 2, both situated in Macclesfield. This positive direction in travel is a reflection of the proactive and preventative approach taken by the Rough Sleeper's team.

At the time of writing, the Ministry for Housing, Communities and Local Government (MHCLG) have announced that there will be a further year's funding available from a £112m funding pot as part of the Government's rough sleeping programme, and Cheshire East has made a successful bid for funding for 2020/21. However, we have also been making preparations to embed the Rough Sleeping Initiative interventions within our core services where possible. The intention is to accomplish this through the re-commissioning of our housing related support services in the borough.

### **Housing Related Support**

Every three years, Cheshire East commissions housing related support across the borough which enables the provision of short-term hostel accommodation, or maintains independent living through support at a client's home. This enables people to maintain their support networks as well as their independence.

The program of housing related support can include:

- Single homeless
- Homeless families
- Young People
- Older people with support needs
- Teenage parents
- People affected with drug and alcohol misuse
- People with disabilities
- Offenders or people at risk of offending
- People affected with mental health issues
- Resettlement from supported housing

Housing related support plays a vital role in addressing homeless needs across the borough and seeks to support individuals who are threatened with homelessness or facing a crisis which could potentially result in homelessness. The current recommissioning of the HRS contracts will aim to provide a wide range of services which will assist in prevention of homelessness and support for those who are sleeping rough. A breakdown of the required contracts is as below:

- 30 bed spaces across the entire borough for emergency accommodation for those at risk of homelessness
- 57 bed spaces across the entire borough to accommodate complex individuals who may be experiencing mental health problems and aged 25 and over
- 47 bed spaces to provide accommodation and support to service users aged under 25, who need fast tracking due to crisis or emergency, and women and families
- 125 bed spaces to provide resettlement and sustained floating support to provide stability and a suitable housing solution

Once the housing related support contracts are in place, they will ensure that Cheshire East is able to provide a safe and appropriate housing offer to those who are in need, and continue to address the homeless issues faced in the borough.

#### **Hard to House Panel**

In response to complex housing cases where individuals have exhausted the majority of mainstream housing options and are at risk of homelessness, Cheshire East has responded by setting up a 'Hard to House Panel'. This is a multi-disciplinary meeting, combining the expertise of relevant professionals involved in an individual's care, support and housing needs.

The panel meets on an ad-hoc basis and can be arranged on a relatively short basis to ensure that housing issues are prevented from escalating unnecessarily. Despite the short amount of time that the panel has been active, there have been a number of positive outcomes. To date, 17 individuals have been involved within the Hard to House Panel and of these, 5 have moved on to successful outcomes. These outcomes include accessing supported housing and accessing general needs accommodation. For those cases where a solution wasn't found via the Panel, individual outcomes range from staying with friends and family, remaining in the same accommodation, or no solution was found due to a lack of engagement with the individual's concerned.

Cheshire East Council continues to hold the Hard to House Panel as it aligns with the Homelessness strategy priorities and the prevention priorities of the Homelessness Reduction Act.

#### **Housing First**

Housing First is a Finnish model of support and accommodation aimed at tackling homelessness and entrenched rough sleepers. This model has been subject to a number of pilots across the UK, following the successful integration in a number of other countries. Housing First works on the premise that safe and secure accommodation forms the starting point of an individual accessing support and rebuilding their life. Tenancies are granted in the first instance and are not viewed as a 'reward' or dependent on engagement with services.

Housing First is showing signs of successes. Research which explored nine services across the UK advised that as well as reducing numbers of rough sleepers, there were additional gains relating to reduced drug and alcohol dependency, a reduction in anti-social behaviour, some evidence of

improvement in client physical and mental health, and a positive focus on social integration and clients re-connecting with family.

There is appetite to explore the Housing First model within Cheshire East to ascertain the impact and potential positives, as well as wider financial savings on public services. This strategy aims to prioritise exploring this model in the future.

### Chapter conclusions and key priorities for Homelessness

It is evident from the data listed above that whilst Cheshire East has experienced the expected increase in homeless presentations, the team should be commended in how they have responded to these additional pressures. The combination of a number of initiatives and an emphasis on partnership working and collaboration has allowed the team to excel.

In terms of priorities, the Homelessness strategy was subject to an annual review in Spring 2019 where the priorities were determined to remain relevant and appropriate. Therefore, those priorities will be echoed and added to, as below.

The recommissioning of the Housing Related Support contracts will assist the local authority in meeting demand from residents who need housing and homeless advice and support.

<b>Priority: Reduce homelessness and rough sleeping across Cheshire East</b>		
<b><i>How we will do this</i></b>	<b><i>Who by</i></b>	<b><i>When by</i></b>
Continue to work with housing providers and landlords to enact prevention and relief duties	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Housing providers</li> <li>Private landlords</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing through strategy lifetime</li> </ul>
Provide interventions to prevent rough sleeping, facilitated via the Rough Sleeping Initiative	<ul style="list-style-type: none"> <li>Cheshire East Council</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
Ensure adequate support is in place to help people maintain and sustain accommodation via housing related support contracts	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Contract providers</li> </ul>	<ul style="list-style-type: none"> <li>April 2020</li> </ul>
Explore options of using Housing First model in Cheshire East	<ul style="list-style-type: none"> <li>Cheshire East Council</li> <li>Registered providers</li> </ul>	<ul style="list-style-type: none"> <li>Within 12 months of strategy adoption</li> </ul>



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*Working for a brighter future together*

Key Decision Y
Date First Published: 6/3/20

## Cabinet

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**Date of Meeting:** 05 May 2020

**Report Title:** Procurement of a Housing Development Framework

**Portfolio Holder:** Councillor Nick Mannion, Environment and Regeneration

**Senior Officer:** Frank Jordan - Executive Director - Place

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### 1. Report Summary

- 1.1. Cheshire East Council's Economic and Environment Strategies set out the vision for "Place". They articulate the ambition to create inclusive and suitable growth in the Borough.
- 1.2. A fundamental element of achieving this is delivering the right type of housing in the Borough.
- 1.3. We cannot however rely solely on the market to deliver housing growth and Cheshire East Council have been considering mechanisms to firstly increase the provision of sustainable and affordable homes, for rent and homeownership, as well as providing the ability to generate a revenue stream to support our Medium Term Financial Strategy.
- 1.4. This also provides an opportunity to influence the design, type and quality of new homes, ensuring that the right mix of housing tenure is delivered to meet identified housing need.
- 1.5. This report outlines our journey so far and the options considered, putting forward a recommendation to approve the procurement of a Housing Development Framework.

## **2. Recommendations**

### **2.1. That Cabinet**

- 2.1.1. Approves the procurement and establishment of a Housing Development Framework to commission the development of mixed tenure housing provision on identified Council owned land.
- 2.1.2. Delegates authority to the Executive Director Place in consultation with the Portfolio Holder for Environment and Regeneration to:
  - 2.1.2.1 Award and enter into a Framework Agreement with a minimum of two and up to eight Housing Providers who meet the procurement criteria and requirements of the Framework.
  - 2.1.2.2 To identify and approve appropriate Council owned land assets to be taken through the Framework.
  - 2.1.2.3 To approve the award of financial contributions held by the Council in lieu of affordable housing provision, to enhance development opportunities which are in line with the requirements specified under the terms of any Section 106 agreement where such financial contributions are made.

## **3. Reasons for Recommendations**

- 3.1. There are a number of factors which have contributed to the decision to seek authority to develop affordable housing using the Council's land holdings and these include both social and financial influences set out below.
- 3.2. We currently have 8,548 applications on the social housing waiting list, of which 1,838 are within the Council's 'reasonable preference' categories (high priority). Stock turnover is on average 1600 units per annum and whilst we are seeing high levels of affordable housing delivered through Section 106 agreements (727 in 2018), this is still not keeping pace with the increased number of applicants registering for social housing, which on average is 500 new applications per month. Supply is not meeting the increasing demand for social housing provision.
- 3.3. We rely on the private rented sector to help us address housing need, however we are now seeing a reluctance from private landlords to house those in receipt of Universal Credit as the tenant has to be 8 weeks in

arrears before a landlord can apply for a direct payment. Landlords are also reluctant in some areas to rent their properties out at the Local Housing Allowance rate, which means that some properties for those in receipt of benefits are unaffordable.

- 3.4. Affordability continues to be a barrier to accessing housing for sale. In 2018 the median house price in Cheshire East was 7.95 times the median gross annual earnings. This is significantly higher than the North West average of 5.86 and is only slightly below the national average of 8.00. Median house prices also differ across the authority with a median house price in Crewe of £136,000, Macclesfield £190,000, Sandbach £225,000 and Wilmslow £370,000. In some of our rural areas this increases to over £400,000 in Alderley Edge and Bunbury to £680,000 in Prestbury (source ONS published in 2019)
- 3.5. Access to the private rented sector is becoming increasingly difficult with a minimum income of £26,200 required to meet the average private rent in Cheshire East. Again there are disparities across the authority with an income requirement of £35,000 to meet the average private rented 2 bedroomed property in Knutsford (source Savills)
- 3.6. Due to the benefits cap larger families are now struggling to access the private rented sector. They are very much reliant upon social housing, however there is limited larger social housing stock and families are either left in properties which are overcrowded or are unable to pay the levels of rent.
- 3.7. There is an identified need for specialist affordable housing provision to meet the needs of some of our most vulnerable customers, who may have been placed out of area due to the limited housing options currently available within the authority area. Providing a bespoke housing offer within Cheshire East can bring forward potential service efficiencies as well as providing a housing offer close to social networks.
- 3.8. Direct sale of Council owned land and assets to the market reduces the ability to be in control of the type and tenure of the units developed on the site, this can only be achieved via a procurement process. Whilst it could be argued that the disposal of the sites would bring forward a large capital receipt, which could be utilised on other priority areas, and the market would provide the housing, consideration needs to be given to the long-term financial returns and social aspects, which could be achieved through the framework.

3.9. The ability to intervene in the market and bring forward further housing provision will also enable the Council to:

- Contribute towards the housing supply across the Borough in order to address identified housing need, including specialist housing provision and older persons housing provision.
- Support our economic ambition to increase the levels of working age professionals living in the area.
- To reduce the current use and cost of temporary accommodation.
- Have the potential to provide a revenue stream for the Council as opposed to a one off capital receipt.

3.10. This will contribute towards the outcomes set out within our Economic Development Strategy, which highlights the need to provide the right housing offer to support the Council's economic ambition.

#### **4. Other Options Considered**

4.1. A variety of mechanisms have either been considered or tested over a period of time to meet the objectives of increasing affordable housing provision, having control over the type and tenure of provision developed and securing a revenue stream. These options included the following and are outlined further with **Appendix One**:

- Direct disposal to the market
- The individual procurement of assets
- The development of a Local Housing Company
- The establishment of a Joint Venture
- Establishment of a Cheshire East Council Housing Development Framework (recommended option)
- Direct development through a Housing Revenue account or General Fund

4.2. Independent advice was commissioned to enable us to consider the options. What was evident from the work undertaken was that in order for certain option to be a viable, a volume of land to enable the delivery of between 300 to 500 units would be required. It also requires the development of mixed tenure sites as the development of affordable rented provision in isolation would not provide the yields in order to make it financially viable to the market.

4.3. When considering the available land assets it has become apparent that we do not have the availability of land to justify the development of a complex

vehicle, which would require significant investment along with additional specialist expertise. Our Strategic Land holdings form part of a wider investment strategy which is required to provide funding for improved infrastructure requirements and to supplement the Council's capital budget. Therefore we only have smaller land holdings, which could be taken forward for the provision of affordable housing.

- 4.4. The options have been outlined including the advantages and disadvantages and are presented in **Appendix One** which have been discussed in detail with the Portfolio Holder for Environment and Regeneration.

## **5. Background**

- 5.1. There is a business case to explore the options to utilise some of our land assets for mixed tenure housing schemes, which will not only address some of our housing need but will also provide a mechanism to generate revenue for the Council.
- 5.2. To date we have tested direct sale to the market with a condition and individual procurements, both having their advantages and disadvantages.
- 5.3. Without significant land holding to warrant the development of a more complex delivery vehicle then the best option would be the procurement of a Housing Development Framework. This would alleviate the need to undertake individual tendering exercises on an individual basis for each site. It would however provide the Council with the ability to control the type of provision to be developed on the land and have the potential to bring forward either a capital receipt or an ongoing revenue stream. The requirements for the developments would be set out within the tender documentation put to the framework and may vary from site to site.
- 5.4. The Framework would be procured in accordance within the Council's Contract Procedure and EU rules. The Council would be looking to appoint in the region of eight Housing Providers who have the experience and expertise to develop a range of affordable and market housing products to meet the identified housing need for the area and add social and environmental value. We currently have 24 developing Registered Housing Providers operating across Cheshire East. To include them all in a framework agreement would not be feasible and some have only recently started to develop in the area and some are very specific in relation to the type of properties they will consider.

- 5.5. The Framework would be in place for a period of 4 years and enable the Council to conduct mini competitions for the development of individual or packaged parcels of Council owned land. We would not have to provide a guarantee of the volume of sites to be procured through this route nor be contractually locked into this arrangement should a more viable alternative route be identified.
- 5.6. Cheshire East Council currently holds a number of financial contributions, which have been secured through s.106 Agreements in lieu of affordable housing provision on new development sites. In July 2014, Cabinet approved a process to award these contributions which included the use on Council led developments. Through the Framework there will be the ability to contribute financial contributions in line with the terms of the Section 106 agreement in order to provide additionality or provide gap funding where there are viability issues on sites.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The sale of developed or undeveloped land does not constitute a public works contract. However, it is generally accepted that any authority led development will generally result in the award of a public works contract which has to be procured in accordance with the Public Contracts Regulations 2015 ("the Regulations"). Where the Council intends to impose by way of legal obligations on the developer the requirement to develop a site in a specific way this will give rise to a need to procure such a contract. A Framework enables the Council to meet its need for a service, supply of goods or works for a set period of time in order to obviate the need to undertake a wide competitive procurement process for each individual scheme. It complies with the Regulations and the Council's Contract Procedure Rules.
- 6.1.2. The Regulations allow local authorities to enter into Framework Agreements with multiple suppliers, following a competitive tendering process, and thereafter the Council can choose to call off contracts under the Framework Agreement following a further mini competition between the suppliers appointed to the Framework.
- 6.1.3. The Framework Agreement would not contain any guarantees of work volumes to the appointed suppliers and could be utilised with other options.



- 6.1.4. The Council would use its powers pursuant to Section 123 of the Local Government Act 1972 to dispose of the land through the Framework. The Council would have to demonstrate best consideration for any disposals or meet the requirements of the General Disposals Consent and (where necessary) seek the permission of the Secretary of State to dispose at an undervalue.
- 6.1.5. Under section 123 of the Local Government Act 1972, a local authority has the power to dispose of land. The main caveat to this power is that the Council must not do so for “a consideration less than the best that can be reasonably obtained”. This is interpreted as being the best price achievable in the open market.
- 6.1.6. It is possible for Local Authorities to dispose of land at less than best consideration where the unrestricted value of the land is less than £2million, and to do this the Council must demonstrate that value is being received in other ways that justify the monies foregone to the public purse. For example the provision of affordable housing.
- 6.1.7. All disposals must comply with the European Commission’s State aid rules. When disposing of land at less than best consideration the Council is providing a subsidy to the occupier of the land, in addition to this making s106 funding available to supplement the development of the Council’s land could also come within the remit of State aid. In any such cases further legal advice will be obtained at the outset.

## **6.2. Finance Implications**

- 6.2.1. Disposing of land directly to the market would bring forward a capital receipt and would demonstrate best value, however if land is disposed of for the provision of affordable housing then the land value would be reduced and therefore this will have an impact on capital receipts. Consideration has to be given to the social value of providing affordable housing.
- 6.2.2. The costs associated with the development of the framework approach, which would predominately be legal costs would be covered by the existing Strategic Housing revenue budget.

## **6.3. Policy Implications**

- 6.3.1. Affordable housing in Cheshire East plays a fundamental role in realising the ambition to deliver jobs-led growth and sustainable vibrant communities. It contributes towards our five Residents First Outcomes.

Affordable housing creates balanced, sustainable communities whilst driving forward improved health and well-being outcomes for modest-income households. Moreover, it provides the vital impetus for economic activity and raising aspirations. The provision of affordable housing equips an area with the long-term capacity for labour and economic fluidity that will attract and develop business growth.

- 6.3.2. The delivery of affordable housing is a priority set out within the 2018-2023 Housing Strategy.

#### **6.4. Equality Implications**

- 6.4.1. Affordable housing provides an opportunity for some of our groups with protected characteristics to access decent, affordable accommodation.

#### **6.5. Human Resources Implications**

- 6.5.1. There are no direct implications for human resources.

#### **6.6. Risk Management Implications**

- 6.6.1. Failure to procure works in accordance with the Public Contracts Regulations 2015 and the Council's Finance and Contract Procedure Rules would leave the Council open to challenge and in breach of regulations, with a subsequent reputational impact.
- 6.6.2. The contract would be advertised on the North West Chest, and all companies expressing an interest in the framework would be invited to tender. The tenders would be evaluated using a range of published criteria based on quality, delivery, customer care, safeguarding and social value that can be secured for residents, as well as price, in order to establish the most economically advantageous tender.

#### **6.7. Rural Communities Implications**

- 6.7.1. There are no direct implications for rural communities, however some of the sites may be within rural locations which will enable local residents to access housing to enable them to continue to reside within their local communities.

#### **6.8. Implications for Children & Young People/Cared for Children**

- 6.8.1. Poor housing can have a negative impact on our children's well being. Increasing affordable housing provision will ensure that families have

access to appropriate housing options and reduces the risk of having to reside in temporary accommodation.

## **6.9. Public Health Implications**

6.9.1. Providing decent living accommodation will benefit some of our vulnerable residents' mental and physical wellbeing and reduce demand on health and social care services.

## **6.10. Climate Change Implications**

6.10.1. 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.

6.10.2. Building sustainability is a consideration in the specification and design of the homes, ensuring that every opportunity to reduce building operating costs are evaluated in order to tackle fuel poverty and tackle climate change.

## **7. Ward Members Affected**

7.1. All wards

## **8. Consultation & Engagement**

8.1. A Soft market testing was undertaken by Engine of the North with Housing Builders and Registered Housing Providers to establish the best approach to take when considering mechanisms to develop affordable housing.

## **9. Access to Information**

9.1. Appendix One

## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

Name: Karen Carsberg

Job Title: Head of Housing

Email: [Karen.carsberg@cheshireeast.gov.uk](mailto:Karen.carsberg@cheshireeast.gov.uk)

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## APPENDIX ONE – DEVELOPMENT MECHANISMS – ADVANTAGES AND DISADVANTAGES

Option	Advantages	Disadvantages
<b>Direct disposal to the market</b> - The quickest route is through direct disposal to the market. This route will ensure that best value is obtained, however the Council are not able to state any requirements on the site	<ul style="list-style-type: none"> <li>• Best Value can be achieved</li> <li>• No procurement process is required</li> </ul>	<ul style="list-style-type: none"> <li>• The Council is unable to stipulate the end use for the land.</li> <li>• The expectation through the planning process would be that 30% affordable housing would be required, however there is nothing to prohibit an owner from putting forward a viability case, or demonstrating that affordable housing cannot be accommodated on the site and offering a financial contribution in lieu.</li> </ul>
<b>The individual procurement of assets</b> - Where the Council intends to impose by way of legal obligations on the developer the requirement to develop a site in a specific way this will give rise to a need to procure such a contract. Due to the likely value of the asset to the housing developer/providers the Council will need to procure its partners in compliance with EU procurement rules	<ul style="list-style-type: none"> <li>• Total control over the process</li> <li>• Ability to stipulate the type and tenure of the housing to be developed</li> <li>• Ability to specify over 30% affordable housing requirement</li> <li>• Potential to generate either a capital receipt or a revenue income stream if required</li> <li>• Ability to meet local housing needs.</li> <li>• No requirement to borrow funding to develop the homes</li> </ul>	<ul style="list-style-type: none"> <li>• Dispose of land at less than best consideration</li> <li>• The requirement for land which will have an impact on capital receipts.</li> <li>• OJEU procurement process required each time which can take over 6 months</li> </ul>
<b>Housing Company</b> - The model is based on the authority setting up a fully staffed development company, whose role would be to take the development process from start to finish. This would be akin to a regional office of a housebuilder, employing specialist staff. It does not include any housing management function which would have to be procured separately.	<ul style="list-style-type: none"> <li>• Total control over the process</li> <li>• Higher financial returns (revenue)</li> <li>• 100% of value will be retained</li> <li>• Develops a long term plan, brand and vision</li> </ul>	<ul style="list-style-type: none"> <li>• Significant outlay in order to employ the specialisms required</li> <li>• Need to borrow in order to finance the developments as considerable capital injection required to deliver this option</li> <li>• Considerable commitment to establish a new housebuilding company</li> <li>• Substantial office space required</li> <li>• Recruitment required to create delivery team</li> <li>• Due to the time taken to establish the new company, speed to market will be slow</li> <li>• Standard housing types will need to be developed</li> <li>• New house building company will not have initial access to supply chain discounts etc.</li> <li>• Site abnormalities, constraints and risks will need to be addressed</li> </ul>

<p><b>Joint Venture (Cheshire East Fund and Risk) -</b> This model would require the Council to allocate land holdings, finance the venture and through a Joint Venture procure the development of the units. The Council would take all the development risk, but would also take a higher percentage of the profit. It does not include any housing management function which would have to be procured separately</p>	<ul style="list-style-type: none"> <li>• Still maintain control over the development process and the type of units</li> <li>• Financial returns are higher</li> <li>• Reduced start up costs to establish housing delivery vehicle</li> <li>• Reduced resource commitment to establish housing delivery vehicle</li> <li>• Joint venture partner will have an established supply chain/sector knowledge</li> <li>• Standard housing types will already be known and understood</li> <li>• Joint venture partner will have access to supply chain discounts etc.</li> <li>• Will not require the same resource commitment in comparison to the company</li> <li>• As JV partner has an established supply chain, speed to market will be improved</li> <li>• Sales and marketing function will already be established</li> <li>• Substantial office space not required</li> </ul>	<ul style="list-style-type: none"> <li>• Sales and marketing function will need to be developed</li> <li>• Considerable capital injection required to deliver this option</li> <li>• An element of the project value will be given away to JV partner</li> <li>• Potential for JV “politics”</li> <li>• Requirement to set up collaboration agreements etc.</li> </ul>
<p><b>Joint Venture (JV Partner Fund and Risk) -</b> This model would involve the procurement of a partner (this could also include a management partner but is not included in this model) whose role would be to develop the units, including financing the development and taking responsibility for all the development risk.</p>	<ul style="list-style-type: none"> <li>• There is less risk as the Council are not incurring any financial costs.</li> <li>• No requirement for capital borrowing</li> <li>• Control over the type of provision to be delivered on site</li> <li>• Reduced start up costs to establish housing delivery vehicle</li> <li>• Reduced resource commitment to establish housing delivery vehicle</li> <li>• Joint venture partner will have an established supply chain/sector knowledge</li> <li>• Standard housing types will already be known and understood</li> <li>• Joint venture partner will have access to supply chain discounts etc.</li> </ul>	<ul style="list-style-type: none"> <li>• An element of the project value will be given away to JV partner</li> <li>• Potential for JV “politics”</li> <li>• Requirement to set up collaboration agreements etc.</li> <li>• CEC will need to provide the majority of the JV funding</li> </ul>

	<ul style="list-style-type: none"> <li>• Will not require the same resource commitment</li> <li>• As JV partner has an established supply chain, speed to market will be improved</li> <li>• JV partner will provide the majority of the JV funding</li> <li>• Substantial office space not required</li> </ul>	
<p><b>Housing Development Framework Approach</b> - This model would enable the procurement of a number of Registered Housing Providers who would be able to perform specific contracts for example the development of affordable housing. The framework would establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.</p>	<ul style="list-style-type: none"> <li>• Ability to meet local housing needs.</li> <li>• Control over the type of provision which is developed on the Councils land assets.</li> <li>• Potential to generate a revenue income stream.</li> <li>• There is only the requirement to carry out a mini tendering process once the framework is established.</li> <li>• No requirement to borrow funding to develop the homes.</li> </ul>	<ul style="list-style-type: none"> <li>• The initial framework has to be established through an OJEU compliant process.</li> <li>• The requirement for land which will have an impact on capital receipts.</li> </ul>
<p><b>Direct development - Housing Revenue Account</b> - This model would require the Council to establish a Housing Revenue Account if it was to develop over 199 homes. Councils who have retained responsibility for Social Housing have to operate a Housing Revenue Account (HRA). This is separate to the Council's other budgets and operations (e.g. the General Fund) and income (for example, from rents) cannot be spent on other Council activities but is used to maintain existing housing stock and develop new provision. Those operating a HRA have the ability to borrow money within their HRA to build more homes.</p> <p><b>General Fund</b> - A local authority may hold up to 199 homes outside the HRA under Direction, so local authorities that have previously transferred their stock to a housing association, or that retain very low levels of council housing,</p>	<ul style="list-style-type: none"> <li>• Meeting local housing needs</li> <li>• Control over the type of provision which is developed</li> <li>• Ability to generate income to be reinvested into new development</li> </ul>	<ul style="list-style-type: none"> <li>• This would involve recruitment to employ the specialisms required to manage a housing stock and if over 200 units manage a HRA.</li> <li>• The Housing stock would be subject to Right to Buy. The current Right to Buy (RTB) rules mean 75% of proceeds are kept locally with 25% going to the government.</li> <li>• Considerable borrowing would be required in order to develop the homes.</li> <li>• Could be subject to further changes in regulations which could have a positive or negative impact on the Council.</li> </ul>



may borrow prudentially through the General Fund to enable development. Local authorities planning to build outside the HRA must write to the Secretary of State for Housing, Communities and Local Government to apply for a direction that permits these homes to be held outside the HRA.		
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