

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Environment and Communities Committee**  
held on Thursday, 11th November, 2021 in the Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor M Warren (Chair)  
Councillor Q Abel (Vice-Chair)

Councillors M Benson, J Bratherton, J Buckley, L Crane, T Dean, A Farrall,  
L Gilbert, P Groves, C Leach, B Burkhill and N Mannion

## **OFFICERS IN ATTENDANCE**

Chris Allman- Head of Neighbourhood Services  
Paul Bayley- Director of Environment and Neighbourhood Services  
Tracey Bettany- Head of Regulatory Services  
Helen Davies- Democratic Services Officer  
Tom Evans- Neighbourhood Planning Manager  
Paul Goodwin- Finance Officer  
Ralph Kemp- Head of Environmental Services  
David Malcolm- Head of Planning  
James Thomas- Legal Officer  
Jayne Traverse- Executive Director of Place

## **23 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor James Nicholas (Councillor Barry Burkhill was substituting) and Councillor Jonathan Parry (Councillor Nick Mannion was substituting).

## **24 DECLARATIONS OF INTEREST**

There were no declarations of interest received.

## **25 MINUTES OF PREVIOUS MEETING**

RESOLVED: That the minutes of the meeting 09 September 2021 be accepted as a correct and accurate record.

## **26 PUBLIC SPEAKING/OPEN SESSION**

Sandbach resident Ann Nevitt and member of the Save Sandbach Cemetery Campaign and Phillip Brooks attended the meeting and made a statement in relation to agenda item 8, A review of the Cheshire East Cemeteries Strategy.

Ann advised that it had been thought that the conveyance for the land for Sandbach cemetery had been lost between 1933-present day. Ann presented a

copy of the conveyance to the Committee dated 3 March 1933, this showed clearly the evidence it was to be used as a cemetery. Ann noted that it had been extended in the 1970s and again in 1998. The Committee heard that Ann was seeking legal advice.

Philip advised the Committee that the land was not a football pitch and had been no organised matched on the land for 10 years. Philip noted that other fields, such as the Ramblers, had been given up at the same time and this land now contained houses.

Previously a freedom of information request had been submitted to the council that had asked for information that related to Sandbach cemetery but no information could be provided.

Philip asked the Committee to consider approving cemetery provision and that any review should include Sandbach specifically within the terms of reference.

RESOLVED: That Ann and Phillip be thanked for their attendance at Committee and providing their statements.

Alsager Town Councillor Sue Helliwell also made a statement that related to agenda item 8,

Sue noted that the council had previously decided to restrict new cemetery provision to Crewe and Macclesfield and requested that excellent public transport was needed for those living in Alsager in order for them to visit those buried there. Sue also noted the environmental responsibilities on the council given the climate emergency and recent move by the council to join the UK100 Pledge.

Sue asked a question that related to agenda item 12, Request for a review of the systems currently in use for determination of Planning applications by Cheshire East Council submitted by Councillor Tony Dean.

Sue noted the backlog of planning applications submitted to the council in spite of the hard work by officers to deal with cases. Sue questioned how long a planning application should take to be decided and how many appeals the council had lost because they had been unable to decide a planning application within the time frame.

RESOLVED: That:

- 1) Sue be thanked for her attendance at Committee and providing her statement and questions; and
- 2) That Paul Bayley, Director for Neighbourhoods and Environment, provide a response to the planning question under agenda item 5, Mid-Year Performance Review.

## **27 MID-YEAR PERFORMANCE REVIEW**

Paul Bayley introduced the item to the Committee. Heads of Service: Tracey Bettany, Chris Allman, Ralph Kemp and David Malcolm attended the meeting to answer any service specific questions the Committee may have had. Jayne Traverse the newly appointed Executive Director of Place also attended the meeting to meet the Committee and comment on work streams and future vision for the Place directorate.

The performance review covered the first half of 2021-2022, Paul noted the challenges to services that included the response to the Covid 19 pandemic as some parts of the service were impacted by government restrictions or were involved in helping with the response.

- There had been an increase in demand as a direct cause of pandemic such as noise complaints, animal health and welfare- dog care breeding and dog kennelling and ASB following lifting of restrictions.
- Libraries and leisure centres were restricted in their activities until 19<sup>th</sup> July 2021.
- In April- Council approved Part 2 of the Local Plan. Three weeks of virtual examination hearings were held from mid-October.
- Cleaner Crewe project- six alleyways were cleaned and enhanced with plants and art work.
- The refurbishment and redevelopment of Nantwich and Congleton Leisure centres was in progress.
- There had been pressure on the waste collection service due to increased tonnages of waste collected as a result of the increase of those working from home and the service had not seen a reduction to date although the recycling rates had maintained encouragingly high.
- There had been disruption due to staff absences to waste rounds, and a shortage of agency HGV drivers to provide cover.
- Planning had received an increase in smaller household applications but pressure was also attributed to the service from a shortage of staff. The council had procured support from an external provider and were actively recruiting to fill vacancies on a long-term basis.

Jayne advised the Committee that with regard to the planning service, a deep-dive review was being scheduled with a broad scope that included enforcement. Jayne was mindful that planning staff were under considerable pressure and that the challenge to deal with the application backlog was a key part of the review.

It was proposed that a Member Advisory Panel be convened to assist the work Jayne was suggesting, the Committee agreed with this proposal.

Paul went back to the planning question by Sue Helliwell under agenda item 4, public speaking. The council aimed to decide planning applications in 8 weeks, but larger applications can take up to 13 weeks; if a determination cannot be given in those time scales, the council must obtain written consent from the applicant to extend the time scale or if that cannot be agreed the applicant can appeal to the Secretary of State. In the first half of 2021-2022, 95% of major applications were determined within the agreed time and 83% of non-major applications. In the last 12-months, 13 appeals have been submitted on the basis of non-determination within the agreed time, of which three were upheld by the Planning Inspector. Over the same 12-month period 5,060 applications were determined by the Council.

The Committee were given the opportunity to comment or put questions to officers, there was some discussion that officers agreed to update Members about outside of the meeting:

- The importance of promoting the work carried out by the 100 active waste prevention volunteers;

- The effect of the pandemic on both domestic and commercial waste tonnages, and whether there had been a reduction in commercial waste to balance the increase in domestic waste;
- The importance of including Member satisfaction within the scope of the deep dive review of Planning;
- The waiting time on replacement waste bins;
- The Committee requested sight of the action plan that related to the Tree Risk Management Strategy;
- The importance of commenting on the Cheshire East Draft Hackney Carriage and Private Hire Licensing Policy Consultation available online;
- The playing pitches benefitting from the playing field improvement project;
- Whether there had been an increase in dog fouling reporting via the website following active promotion by Nantwich Town Council.

Finally the Committee wished to thank the officers and operators at ANSA for their work during this challenging period of time.

RESOLVED: That:

- 1) All officers be thanked for their attendance and contribution at the meeting;
- 2) the performance of the department report be received and noted; and
- 3) a Member Advisory Panel be convened to assist the review of the Planning Service by Jayne Traverse and consisted of Councillors: James Nicholas, Tony Dean, Ashley Farrell, Joy Bratherton and Councillor Barry Burkhill as a co-opted member to the panel.

## **28 FOOD LAW ENFORCEMENT PLAN**

Paul Bayley introduced the item to the Committee and Tracey Bettany gave further context to the report, commenting on key achievements and themes and answering all the questions from the Committee.

RESOLVED:

That Tracey be thanked for her attendance and contributions and that the Food Law Enforcement Plan as the councils approach to food enforcement activities be received and noted.

## **29 COMMUNITIES TEAM UPDATE**

Dan Coyne presented a verbal update to the Committee based on the circulated Operating Model, this included detail of the service and workstreams over the last 18 months and the forward ambition for the next few years.

Councillor Janet Clowes attended the Committee as a Visiting Member and asked questions on this item, Dan agreed to respond to the questions outside of the meeting.

RESOLVED:

That Dan be thanked for his attendance and presentation to the Committee and that the Connected Communities Operating Model 2021-2025 be received and noted.

### **30 A REVIEW OF THE CHESHIRE EAST CEMETERIES STRATEGY**

Paul Bayley introduced the item to the Committee and reminded it of the resolution passed at the last meeting on the 9 September 2021, for an Officer report to review the current cemeteries strategy, for the whole of the borough for future review by this Committee.

Ralph Kemp attended the meeting to give further context to the report and answer any questions the Committee had.

Councillor Janet Clowes attended the Committee as a Visiting Member and asked questions on this item.

The Committee all agreed that this subject is important and that the whole strategy should be given appropriate overview and scrutiny.

RESOLVED: That:

- 1) the current Cemeteries Strategy be noted;
- 2) an up to date assessment of the future demand and capacity for burial within the borough, including identifying options to optimise existing space within cemeteries where there is less than 30 years capacity remaining be approved; and
- 3) A Member Advisory Panel be convened to scrutinise the Cemeteries Strategy and consist of Councillors: Joy Bratherton, June Buckley, Mike Benson and Laura Crane.

### **31 WITHDRAWAL OF THE CREWE HUB AREA ACTION PLAN**

Paul Bayley introduced the item to the Committee and Tom Evans attended the meeting to give further context to the report and answer any questions from the Committee.

Councillor Janet Clowes and Councillor Rachel Bailey both attended the meeting and asked questions on this item.

RESOLVED: That:

- 1) Tom be thanked for his attendance and contributions to the Committee;
- 2) the decision of the Corporate Policy Committee on 4th November 2021 to withdraw the CHAAP and the Crewe SLRB preferred route be noted; and
- 3) the proposal to prepare a Supplementary Planning Document for Central Crewe be noted.

### **32 HOUSING SPD**

Paul Bayley introduced the item to the Committee and gave some context to the report, Tom Evans was available for any questions to Committee had.

Councillor Janet Clowes and Councillor Rachel Bailey both attended the meeting and asked questions on this item.

RESOLVED: That:

1) the feedback received to the draft Housing SPD public consultation exercise held between the 26 April 2021 and Monday 07 June 2021 and how it has been addressed in the Report of Consultation (appendix 1) be considered;

2) the publication of the final draft Housing SPD (appendix 2) and report of consultation (appendix 1) for public representations for a period of a minimum of four weeks be agreed;

3) the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA") (appendix 3) be published; and

4) the associated Equalities Impact Assessment Screening Report ("EQIA") (appendix 4) be published.

### **33 JODRELL BANK SUPPLEMENTARY PLANNING DOCUMENT**

Paul Bayley introduced the item to the Committee and gave some context to the report, Tom Evans was available for any questions to Committee had.

RESOLVED: That:

1) the draft Jodrell Bank Observatory Supplementary Planning Document (Appendix A) be approved for four weeks of public consultation;

2) the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA") (Appendix B) be published; and

3) the associated Equalities Impact Assessment Screening Report ("EQIA") (Appendix C) be published.

### **34 REQUEST FOR A REVIEW OF THE SYSTEMS CURRENTLY IN USE FOR DETERMINATION OF PLANNING APPLICATIONS BY CHESHIRE EAST COUNCIL SUBMITTED BY COUNCILLOR TONY DEAN**

Councillor Tony Dean addressed the Committee and gave reassurances that the reason for him bringing this item before the Committee was an attempt to support officers through a very challenging workload. Councillor Dean advised that since the agenda had been published he had received a large number of emails and phone calls from a variety of developers and members of the public which further highlighted the issue.

Councillor Dean was content that during agenda item 5, Mid-Year Performance Review, it had been resolved that a Member Advisory Panel (MAP) be convened to assist the work Jayne Traverse is overseeing. Councillor Dean was content with this outcome.

RESOLVED: That:

1) The suggestion made by Councillor Dean to triage system be introduced to fast track simple applications via one route whilst the more complex ones are dealt with as quickly as possible by other more experienced officers; and that current systems be reviewed as quickly as possible with the introduction of agreed changes to speed up the process using our existing and future resources as efficiently as possible be considered by the MAP; and

2) the Southern and Northern Planning Committee frequency be included in the scope of the review by the MAP.

### **35 WORK PROGRAMME**

Paul Bayley advised the Committee that the Work Programme was under review to identify if any items (to note) scheduled for January could be shared outside the formal meeting.

Councillor Mike Benson raised the point that the work Member Advisory Panel work should be a standing item on the Work Programme.

RESOLVED: That the Work Programme be received and noted.

The meeting commenced at 2.00 pm and concluded at 5.10 pm

Councillor M Warren (Chair)