

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee**
held on Thursday, 4th August, 2022 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Warren (Chair)
Councillor S Pochin (Vice-Chair)

Councillors J Buckley, L Crane, T Dean, L Gilbert, P Groves, C Leach,
J Parry, S Edgar, B Puddicombe and S Akers Smith

OFFICERS IN ATTENDANCE

Paul Bayley- The Director of Environment and Neighbourhood Services
Helen Davies- Democratic Services Officer
Kim Evans, Licensing Team Leader
Tom Evans, Neighbourhood Planning Manager and Interim Environmental
Planning Manager
Ralph Kemp- Head of Environmental Services

ACKNOWLEDGEMENTS

The Chair welcomed Chief Executive Dr. Lorraine O'Donnell to the meeting, who was in attendance for observation.

14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mike Benson (Councillor Steven Edgar was substituting), Councillor Joy Bratherton (Councillor Brian Puddicombe was substituting), Councillor Quentin Abel (Councillor Suzie Akers Smith was substituting) and Councillor Ashley Farrall (Councillor Anthony Critchley was substituting).

15 DECLARATIONS OF INTEREST

In the interests of openness, Councillor Charlotte Leach declared that in respect of agenda item 8, Developer Contributions Supplementary Planning Document (SPD), their employer was a property developer.

16 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the 01 July 2022 meeting be received and noted as a correct and accurate record.

17 PUBLIC SPEAKING/OPEN SESSION

There were no members of the public registered who wished to speak.

18 SINGLE USE PLASTICS UPDATE

Ralph Kemp, Head of Environmental Services presented the report and advised the Committee that this was a response to the resolution passed by this Committee in March to produce a report on the current use of single use plastics across the Council. The report showed a reduction of single use plastics across services. A campaign and community toolkit and resources have been developed to provide information on how to reduce plastic use in everyday life.

The Committee noted the correct balance had been found in certain circumstances, such as the decision to retain individual portion milk sachets so as not to waste milk in a milk jug. The Committee noted the continued use of single use plastic in vending machines within the building, the Head of Environmental Services took this as an action to follow up with Facilities Management.

Councillor Dean requested where possible statistics to represent a before and after analysis of single use plastic usage.

Councillor Laura Crane requested further communications being pushed in respect of the toolkit resource.

The Committee requested the scheduling of an annual report on the subject of single use plastic.

RESOLVED:

That the report be received and noted.

19 **HOUSEHOLD WASTE RECYCLING CENTRE USER GUIDE/POLICY**

The Head of Environmental Services presented the Household Waste Recycling Centre User guide/policy report that asked the Committee to adopt both documents.

The Committee were advised that the policy provided the council expectations as it moved to appoint a new contract on the 1 April 2023. There would be an update to this Committee at the September meeting on the award of the new contract,

The Committee were given the opportunity to ask any questions. The question of whether household waste and recycling centres needed to be open 7-days a week was asked. The Head of Environmental Services noted that some facilities did open less than 7-days a week and this had worked well. A review of the efficiency of the Household Waste Recycling Centres in 2016 led to reduced opening hours based on user info and when the peaks were. The data showed that school closing times and lunchtime on weekdays were peaks and that when closure days were looked into there was no significant saving because each site is sub-contracted so there would be no significant staff saving costs. This could

be an area of review beyond current contract, the Committee were in agreement with this.

There was a query about the type of plastic that could be taken to household waste and recycling centres, the Head of Environmental Services confirmed that under the current contract it was plastic bottles only, however the kerbside collection was the focus for plastic recycling as all plastic could be taken.

The Committee queried how much revenue was generated by the cost to residents to dispose of rubble, and any potential increased in rubble flytipping as a result of the charge. The Head of Environmental Services advised that this charge made approximately £70k per annum revenue for the council, with the biggest benefit being the diversion of rubble to privately hired skips. There had been no evidence of increase in flytipping. The charge had taken into account opportunities for small traders who had no means to cheaply dispose of rubble. The Committee noted that the new Government legislation might prevent this DIY disposal charge by local authorities in the future.

There was some discussion about the possibility of including further expectations on safe driving within the charter based on anecdotal evidence given about irresponsible driving witnessed at Macclesfield. The Head of Environmental Services noted this was something that could be considered as part of the new contract.

RESOLVED (Unanimously):

That the user guide/policy and customer charter be approved for adoption.

20 DEVELOPER CONTRIBUTIONS SPD

Tom Evans, Neighbourhood Planning Manager and Interim Environmental Planning Manager presented the report to the Committee. The Supplementary Planning Document (SPD) considered the financial or other contributions to mitigate the impact of development.

The Committee was advised there was a request to change the recommendation within the report at 3.2 *“Approve the draft Developer Contributions Supplementary Planning Document (Appendix A) for six weeks of public consultation starting 15th August.”* To read *“12 September”* rather than 15 August because there had been updates to the consultation portal that would not be ready until September.

The Neighbourhood Planning Manager noted that there were proposals that the Section 106 funds and Community Infrastructure Levy (CIL) would become one, but the work undertaken now was still useful, to be in a position to respond to changes as they came forward. The Committee queried if the merge would be good or bad, and was advised that the intention behind it was more flexibility.

There was some discussed by the Committee, it was clarified that the key audience for the consultation would be the development industry.

Concerns were raised by the Committee on ensuring Section 106 funding was received by the council, it was spent and Councillors were updated.

The Neighbourhood Planning Manager noted that the council had taken a manual approach to managing the Section 106 funding and this had been difficult to keep track of. Specific software was now being used that could be interrogated, this will make for an improved process for the future.

Other Members emphasised the importance of keeping track of Section 106 funding, some had found significant amounts of funding that the community were unaware of. The Committee agreed that a mechanism to make Councillors aware would be helpful and were encouraged by the new software.

The Chair queried if this could be an issue for the planning deep dive. Councillor Tony Dean, Chair of the Planning Member Advisory Panel, advised that Phase One related to the planning backlog and perceived lack of enforcement action, but was sure it would be part of the review.

The Committee noted under the current policy residents on new developments pay for the maintenance of play areas which implies exclusivity when they are intended to be for all residents. In addition they pay through their Council Tax towards other play areas which have been adopted by the Council under the earlier policy. The Neighbourhood Planning Manager acknowledged that Play areas were not exclusive.

The Neighbourhood Planning Manager noted that feedback from the consultation was key and that it was as much for the Councillors as the community. The Chair encouraged Members to respond to the consultation to enable amendments to the policy to get things right for Cheshire East.

The Committee noted that an annual spreadsheet used to be circulated to Members and it included Section 106 money. The Director of Environment and Neighbourhood Services advised this document had been provided on request for last two-years, it was a manual exercise and the priority was transitioning to new database, the latest information was in transition to the new system but Members could contact the Section 106 officer if specific details were required.

RESOLVED (Unanimously): That

- a) the draft Developer Contributions Supplementary Planning Document (Appendix A) be approved for six weeks of public consultation starting 12 September. This includes publication of the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA") (Appendix B);

and the associated Equalities Impact Assessment Screening Report (“EQIA”) (Appendix C); and

- b) the Head of Planning be authorised to make any other non-material changes to the consultation documents or supporting information ahead of the consultation and prepare any additional explanatory information to support the consultation.

21 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Kim Evans, Licensing Team Leader attended the Committee and presented the Policy to the Committee, the draft version of policy had been reviewed by this Committee in September 2021, where the resolution to consult had been agreed. Consultation finished in December 2021 and 230 responses were received, significantly more than in previous years. Officers had made some amends to draft policy based on the consultation responses that related to timescales for DBS and vehicle testing that were deemed admin and finance burdens for license holders.

On the 6 June 2022, the Licensing Committee considered the policy, it was supportive of it and recommended to this Committee for final adoption.

There was some discussion by the Committee that included:

- Avoiding the assumption that those who lived in rural areas would be able to afford taxis for trips such as the supermarket;
- The possibility of harmonisation of the three separate taxi zones and difference in fares. The Licensing Team Leader advised that there were current limits to the number of licenses administered in the Congleton zone and this policy would remove those. The conditions for drivers would be the same but the fare cards would be different. Currently a Hackney Carriage in Congleton cannot ply for hire in either of the other two zones. Any journeys it accepted must be pre-booked;
- The Committee noted that whilst Cheshire East had standards, other local authorities have their own standards too. If fares were sub-contracted out by drivers, Cheshire East would take the appropriateness of that driver on trust to meet acceptable standards; and
- The possibility of using technology (e.g. QR Codes) to ensure driver suitability.

The Licensing Team Leader advised that the reason to revise the policy had been because of the updated statutory guidance by the Department for Transport (DfT)

RESOLVED (Unanimously): That:

- a) the representations received to the consultation undertaken on the draft policy (Appendix 2) be considered; and

- b) the Cheshire East Council Hackney Carriage and Private Hire Licensing Policy (Appendix 1) be approved for adoption with an effective date of 1st November 2022.

22 STANDING ITEM: MEMBER ADVISORY PANEL: CHESHIRE EAST PLANNING PROCESS REVIEW

Councillor Tony Dean gave a verbal update to the Committee.

The Member Advisory Panel had not met since the last meeting, although this was intentional because Jayne Traverse, Executive Director of Place had requested for meetings to be every other month which had been agreed to.

Progress had been ongoing, a video had been launched as part of the ongoing recruitment campaign, this has been effective as there were 79 applications. However there had been no applications for the Senior planner role.

The Phase One report was scheduled for the September Committee, this related to the planning backlog and perceived lack of enforcement.

The Committee noted this was to be added to the Work Programme.

It was noted that the lack of applications for the senior position could be a requirement for a head-hunter.

RESOLVED:

That the verbal update be received and noted.

23 STANDING ITEM: MEMBERS ADVISORY PANEL: CHESHIRE EAST CEMETERIES STRATEGY REVIEW

Paul Bayley, Director of Environment and Neighbourhood Services updated the Committee that there had been work towards a consultation in autumn on the high-level objectives agreed by the Member Advisory Panel. The revised Cemeteries strategy was expected in February 2023.

There were no questions by the Committee.

RESOLVED:

That the update be received and noted.

24 WORK PROGRAMME

The Director of Environment and Neighbourhood Services noted there were a number of items to be added to the current published Work Programme, these were:

- 1) The Planning review report Phase One;
- 2) Conservation area appraisals;
- 3) Cheshire East Enforcement policy and Regulatory services enforcement policy;
- 4) Revised statement of gambling principles; and
- 5) Annual update on carbon neutral progress
- 6) Revised cemeteries strategy.

Councillor Dean noted an item for potential inclusion within the Work Programme would be food inspection services. He noted in the past, Members would receive a traffic light Red, Amber, Green (RAG) report and often food inspection services were rated red. The pandemic did change requirements but the Committee agreed that an update and the reinstatement of the RAG report would be preferred.

The Director of Environment and Neighbourhood Services advised that the Food Standards Agency (FSA) set a recovery plan following the pandemic, and the council followed this approach. The Council must produce an Annual Food Law Enforcement Plan for the FSA, it was agreed to circulate to Members.

RESOLVED:

That the update on the Work Programme be received and noted.

The meeting commenced at 10.00 am and concluded at 11.39 am

Councillor M Warren (Chair)