

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee** held on Thursday, 29th September, 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 Q Abel, M Benson, J Buckley, L Crane, T Dean, L Gilbert, P Groves, J Parry, A Critchley, S Hogben and J Clowes

OFFICERS IN ATTENDANCE

Paul Bayley- Director of Environment and Neighbourhood Services
Helen Davies- Democratic Services
Emma Fairhurst, Conservation and Design Officer
Ralph Kemp- Head of Environmental Services

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Joy Bratherton (Councillor Steven Hogben was substituting), Councillor Ashley Farrall (Councillor Anthony Critchley was substituting) and Councillor Charlotte Leach (Councillor Janet Clowes was substituting).

26 DECLARATIONS OF INTEREST

In the interests of Openness and Transparency, Councillor Mike Benson noted that he had received correspondence in respect of item six: Household Waste Recycling Centre Contract. The Chair noted all of the Committee had been sent similar correspondence from a number of residents on the same item and agreed that this would not affect the judgement of any Committee Members.

27 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the 04 August 2022 meeting be received and noted as a correct and accurate record.

28 PUBLIC SPEAKING/OPEN SESSION

There were five individuals registered to speak on Agenda item 6: Household Waste and Recycling Contract:

- 1) Congleton Town Councillor Kay Wesley, Chair of the Community and Environment Committee of Congleton Town Council made the following points to the Committee:
- Congleton was one of the biggest service centres in Cheshire East and was twice as big as five of the seven towns currently provided with household waste and recycling centres in the new contract;
 - The development of 4,000 new homes around Congleton;
 - The perceived lack of consultation by residents of Congleton on the new Household Waste and Recycling Centre (HWRC) contract;
 - Consistent complaints from Congleton residents to the Town Council about the removal of the previous HWRC in Congleton; and
 - The number of elderly residents, low-income families and single parents in Congleton who do not have transport to travel to HWRCs in other towns.

Congleton Town Councillor Wesley asked the Committee to ensure the new contract included resident expectations, namely a HWR and Re-Use Centre in Congleton.

- 2) Chair of Brereton Parish Council, Parish Councillor Andy Lindsay asked the Committee if a process to establish a new recycling centre in Congleton could be found and made the following points to the Committee:
- The Eastern part of Brereton included the community of Brereton Heath which had doubled in size due to house building;
 - The Arclid recycling site closed in 2017, and since then signposted residents to the Congleton site, 8 minutes away, but now the nearest HWRC is 18-20 minutes away; and
 - There had been a 43% increase in fly-tipping in Congleton from the time the HWRC closed in September 2021.
- 3) Congleton Town Councillor Robert Douglas made the following points to the Committee:
- That in March the report on HWRCs to this Committee noted no implications for rural communities which he believed to be wrong advice;
 - The population of ten parishes represented by eight parish councils and Congleton Town Council equated to a population of 35,000 and set to increase significantly in the future;
 - The replacement site figure of £4million quoted by Cheshire East Council he believed was incorrect and more in-line with £2million (the cost of the new Town Council precept over the last two years) with annual finance costs of £125,000; and
 - The redirection of rubbish into the domestic grey bins;

- 4) Congleton Town Councillor Suzy Firkin addressed the Committee and made the following points:
- That Kent and Bristol were noted areas of good practice in the development of HWRCs;
 - The willingness of Congleton Town Council to be part of a network of waste reduction and recycling initiatives with Cheshire East Council, to date the only outcome had been a textile waste charity drop-point in Congleton, with a second point proposed but not yet active;
 - The only two Reuse-Centres being proposed were in Macclesfield and Crewe both areas with existing HWRCs; and
 - The disadvantage to rural residents or those with low car-usage as rural areas would not be considered an appropriate area for a potential pop-up service.

Congleton Town Councillor Firkin asked what reassurances the Committee could give that the needs of Congleton residents would be reconsidered for the future.

- 5) Lesley Turner a resident of Congleton made the following points to the Committee:
- She noted that the Waste and Resources Action Programme (WRAP) guidance on the frequency of HWRCs was one to every 150,000 inhabitants, 1 per every 50,000 households or a maximum drive-time of 20 minutes. The distance travelled should be 3-5 miles or 7-miles in rural areas and the vast majority of Congleton was outside this area;
 - the presentation the Committee considered in February 2022 only considered the drive-time;
 - she believed the additional travel-time had been under-estimated and noted the impacts to climate change plus the cost of fuel and time for the inhabitants of Congleton, and disproportionately affected those without a car such as the elderly and the disadvantaged;
 - she felt a pop-up centre would be an unreasonable substitute; and
 - that funding for a recycling centre could be found via a Community Infrastructure Levy (CIL) set at £200 per square metre as per the model in Oxford.

There was one individual registered to speak on Agenda item 7:
Maintenance of Green Space.

- 6) Sandbach Town Councillor Nicola Cook, Councillor for the Elworth Ward made the following points:

- That the withdrawal of maintenance had affected six parcels of land within the Elworth Ward, causing significant distress to the residents;
- This land had been identified as amenity land;
- That Sandbach Town Councillor Cook believed the decision to withdraw maintenance had been taken by Cheshire East Council with no explanation to the residents; and
- The same residents identified other parcels of land in Sandbach owned by private individuals and investors yet these were still being maintained by Cheshire East Council. Since then 547 parcels of land have been identified in total.

Sandbach Town Councillor Cook spoke in favour to recommence the maintenance of green spaces in Elworth (as recommended in agenda item seven) and asked the committee to challenge the statement that the three plots of land which had been fenced could not be maintained as these green spaces were amenity land. Sandbach Town Councillor Cook did not believe these parcels of land should be fenced in as access had to be maintained and therefore maintenance should be restarted.

29 CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS

Emma Fairhurst, Conservation and Design Officer presented the report that sought approval to adopt Conservation Area Appraisals and Management Plans for Alderley Edge, Macclesfield Town Centre, and Ollerton School Lane. Each of the areas were part of a three-year work programme to review the conservation areas across Cheshire East.

The appraisals had been subject to public consultation for 4 weeks and were part of a three-year work programme to review the Council's Conservation Areas.

Alderley Edge had received the most response (over 20), with over half in support. There was no boundary change but confusion over the existing conservation area boundary had been identified.

Clarity was given to the Committee by the Conservation and Design Officer, that new conservation areas were being considered all the time. There was a query about Macclesfield Town Centre, and Ollerton School Lane Plans being paid for by Town and Parish Councils but that Alderley Edge had been completed in-house at Cheshire East. The Committee was advised that Alderley Edge had been on the risk for Heritage England for some time. Town and Parish Councils had provided resources to enable the completion of the plans despite there being no heritage no threat.

RESOLVED (Unanimously) That:

- a) the feedback from the public consultation be received and noted;

- b) the Ollerton School Lane Conservation Area Appraisal (including a boundary review) and Management Plan be adopted;
- c) the Macclesfield Town Centre Conservation Area Appraisal and Management Plan be adopted;
- d) the Alderley Edge Conservation Area Appraisal and Management Plan be adopted; and
- e) that authority be delegated to the Director of Environment and Neighbourhood Services, in consultation with the Chair, to take all necessary actions to serve the Article 4 Direction on the identified buildings in the Alderley Edge Conservation Area.

30 HOUSEHOLD WASTE RECYCLING CENTRE CONTRACT

Visiting Cheshire East Councillors Rob Moreton and Suzie Akers Smith attended the Committee and were given the discretion of the Chair to speak ahead of the presented report.

Councillor Moreton made the following points:

- Councillor Moreton believed that the former Conservative council sold the Congleton HWRC and signed a lease that expired in 2021;
- That no money was put into the budget for a new HWRC in Congleton, but that £4million was added to the capital addendum; and
- Councillor Moreton had spoken at the last Cabinet meeting for the council on this issue and was concerned about the impact of political block-voting;

Councillor Moreton asked the committee to recognise the importance of a HWRC for Congleton with an agreement to setup a working group to identify land and funding.

Councillor Akers Smith made the following points:

- The importance of a HWR and Re-Use Centre for Congleton;
- The perception that residents believe funding was received by Crewe, Wilmslow and Macclesfield with nothing being received by Congleton;
- The addition of at least 10,000 residents into Congleton and surrounding parishes over the next 10-years, making it the 3rd largest town in the borough after Crewe and Macclesfield.
Councillor Akers Smith believed the additional revenue received by the Council in Council Tax would be enough to fund a HWR and Re-Use centre in Congleton ;
- The addition of at least 4250 new dwellings, with no plans for additional doctors, dentists or infrastructure to support those residents;

Councillor Akers Smith made a request to the Committee to create a cross-party working group including her, Councillor Moreton and other

borough councillors to look at land availability in and around Congleton and report back to the Committee with potential HWR and Re-Use sites.

Committee Member Councillor June Buckley read a statement on behalf of Cheshire East Councillor Denis Murphy who had moved the original Notice of Motion at Full Council on 15 December 2021. Most of the points raised by Councillor Murphy had been made by the public speakers, but also included:

- Councillor Murphy believed people were not travelling to HWRCs out of town but instead choosing to dispose of waste in the domestic grey bins;
- Concerns about an increase in fly-tipping specifically in rural areas where it could be unnoticed or unreported; and
- Councillor Murphy forcefully expressed his request that the Committee lobby for a local HWRC in easy reach for residents of Congleton, one of the largest towns in the borough with a growing population.

Ralph Kemp, Head of Environmental Services presented the report that provided an update to the Committee on the range of services that will be provided in the new HWRC contract from 1 April 2023. The Committee advised that the provision of the seven HWRCs across the borough plus core services would be affordable within the existing budget.

The Chair acknowledged that most of the public speakers had spoken exclusively on the Congleton HWRC but reminded the Committee that the report dealt with the procurement of the contract rather than the specifics of the Congleton Household Waste and Recycling Centre.

The item was opened up to the Committee for questions and clarity was given by the Head of Environmental Services who confirmed that any Working Group formed from this Committee could consider the points made by public speakers such as the Kent and Bristol models or CIL funding.

The Committee were given reassurance that the new contract had been designed in a way that sites could be added or removed during its lifetime and would therefore not preclude any changes to current ways of working or be open to penalty clauses.

During the debate the report recommendations were moved and seconded, but an amendment was proposed by Councillor Tony Dean to remove recommendation 3.4 and replace with:

“That the committee establish a Member Advisory Panel (MAP) to oversee the relevant senior officers finding a site for a future HWRC in Congleton and arranging for the necessary funding to be put into the Medium-Term Financial Strategy (MTFS) at the next annual review.”

The amendment was seconded by Councillor June Buckley and the Committee debated the amendment.

Councillor Janet Clowes proposed a friendly amendment to the one being debated:

“That the committee establish a Working Group to look at future household waste and recycling centre provision with particular attention to provision for Congleton and to further look at the scope and remit of what the group should be.”

The changes to the original amendment were accepted by Councillor Tony Dean and Councillor June Buckley.

RESOLVED (Unanimously): That

- a) the successful procurement to maintain the current seven Household Waste Recycling Centre sites through the new contract from 1st April 2023 be received and noted;
- b) that delegated authority be granted to the Head of Environmental Services to take all necessary actions to implement the new Household Waste Recycling Centre Services contract;
- c) that delegated authority be granted to the Head of Environmental Services to introduce the service enhancements under the new contract as and when they can be afforded within the available budget; and
- d) a Working Group be established by the Committee to look at future household waste and recycling centre provision with particular attention to provision for Congleton and to further look at the scope and remit of what the group should be.

31 MAINTENANCE OF GREEN SPACE

Paul Bayley, Director of Environment and Neighbourhood Services presented the report to the Committee.

The Committee was advised that in 2021, the council became aware of some parcels of amenity green space it maintains which were being marketed for sale on the open market.

Following a wider review, 547 parcels of land were identified as being maintained by but not in council ownership. Some of this land might simply not have been registered or there had been an agreement (e.g., closed cemetery).

The Committee was given the opportunity to ask questions, clarity was sought as to ensuring this did not happen again in light of new house builds across the borough.

The Committee was advised there were two options, either land was transferred, or the developer established a management company.

The Committee was advised that Environmental Services was trialling different ways of managing green space, including re-wilding to enhance the biodiversity.

RESOLVED (Unanimously) That:

- a) Within 12-months a review of those plots of land not in the ownership of the Council that it has historically maintained to identify options for future management and maintenance be approved; and
- b) the continued maintenance of those plots of land it has historically maintained until the review is completed unless the landowner withdraws permission for the Council to maintain it be approved.

32 REPORTING OF OFFICER DELEGATED DECISIONS

RESOLVED:

That the officer decisions taken following a delegation from the Committee be received and noted.

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

Councillor Tony Dean, Chair of the Member Advisory Panel for Planning updated the Committee on progress to date. The Deep-Dive Planning report was now scheduled for a special committee date in October, delays had occurred due to the numbers of people who needed to be consulted.

The report has already seen effective change and the backlog of applications was reducing.

RESOLVED:

That the update be received and noted.

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

The Director of Environment and Neighbourhood Services updated the Committee on work to date. There was planned public engagement on the draft objectives agreed by the Panel. Effective communication was needed to ensure it was clear to the public that the land in Sandbach, has been accepted for cemeteries plus the address of any public concerns.

The MAP had a scheduled meeting for Monday.

RESOLVED:

That the update be received and noted.

35 **WORK PROGRAMME**

The Director of Environment and Neighbourhood Services advised the Committee that there had been some items added to the Work Programme since the last meeting, this included a change to publication, the mid-year performance was now scheduled for 2 February 2023.

The Committee noted concern of the mid-year review late Jan/Feb 2023 and the MTFS at the same time.

RESOLVED:

That the Work Programme be received and noted.

The meeting commenced at 10.30 am and concluded at 12.01 pm

Councillor M Warren (Chair)