

# Environment and Communities Committee

## Agenda

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**Date:** Thursday, 8th June, 2023  
**Time:** 10.00 am  
**Venue:** Committee Suite 1,2 & 3, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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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 at the top of each report.

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

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

1. **Apologies for Absence**

To note any apologies for absence from Members.

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. **Minutes of Previous Meeting** (Pages 3 - 6)

To approve as a correct record the minutes of the previous meeting held on 30 March 2023.

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For requests for further information

**Contact:** Josie Lloyd

**Tel:** 01270 686466

**E-Mail:** [josie.lloyd@cheshireeast.gov.uk](mailto:josie.lloyd@cheshireeast.gov.uk) with any apologies

#### 4. **Public Speaking/Open Session**

In accordance with paragraph 2.24 of the Council's Committee Procedure Rules and Appendix on Public Speaking, set out in the [Constitution](#), a total period of 15 minutes is allocated for members of the public to put questions to the committee on any matter relating to this agenda. Each member of the public will be allowed up to two minutes each to speak, and the Chair will have discretion to vary this where they consider it appropriate.

Members of the public wishing to speak are required to provide notice of this at least three clear working days in advance of the meeting.

#### 5. **Notice of Motion: Silica Sand Extraction Site Buffer** (Pages 7 - 14)

To consider the Notice of Motion which is seeking the inclusion of a buffer zone of at least 1000 metres between new or proposed silica sand quarries and residential areas.

#### 6. **Environment and Communities Committee Budgets 2023/24** (Pages 15 - 32)

To consider the report which sets out the allocation of approved budgets for 2023/24 for services under the Committee's remit, as determined by the Finance Sub Committee.

#### 7. **2022/23 Annual Performance Review - Environment and Neighbourhood Services** (Pages 33 - 50)

To receive a report on the performance of Environment and Neighbourhood Services for 2022/23.

#### 8. **Appointments to Sub-Committees, Working Groups, Panels, Boards and Joint Committees** (Pages 51 - 60)

To appoint members to the committee's working groups.

#### 9. **Work Programme** (Pages 61 - 64)

To consider the work programme and determine any required amendments.

**Membership:** Councillors J Bird, M Brooks, L Buchanan, T Dean, A Farrall, S Gardiner, D Jefferay, B Posnett, H Seddon, L Smetham, J Snowball (Vice-Chair), M Warren (Chair), H Whitaker, L Anderson, D Edwardes and J Saunders

## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Environment and Communities Committee**  
held on Thursday, 30th March, 2023 in the Committee Suite 1,2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

### PRESENT

Councillor M Warren (Chair)  
Councillor S Akers Smith (Vice-Chair)

Councillors Q Abel, M Benson, J Bratherton, J Buckley, L Crane, T Dean,  
P Groves, J Parry, R Bailey, M Hunter and D Brown

### OFFICERS IN ATTENDANCE

Tom Shuttleworth – Interim Director of Environment and Neighbourhoods  
Jane Gowing – Interim Director of Planning  
Wendy Broadhurst – Lead Finance Partner  
James Thomas – Principal Solicitor – Planning & Highways  
Josie Lloyd – Democratic Services Officer

### 67 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Farrall, Cllr Gilbert and Cllr Leach. Cllr Hunter, Cllr Brown and Cllr Bailey attended as substitutes.

### 68 DECLARATIONS OF INTEREST

Cllr Hunter declared, in relation to item 5 2023/23 Financial Update, that he was a Non-Executive Director of Ansa.

Cllr Brown declared that he was a member of Congleton Town Council and had voted on the waste recycling centre.

### 69 MINUTES OF PREVIOUS MEETING

#### RESOLVED:

That the minutes of the meeting held on 2 February 2023 be agreed as a correct record.

### 70 PUBLIC SPEAKING/OPEN SESSION

Councillor Ann Nevitt from Sandbach Town Council attended the meeting to speak in relation to item 6 – update on the Cheshire East Cemeteries Strategy Review. Cllr Nevitt outlined her concerns about the current strategy, particularly in relation to Sandbach cemetery, and stated that the consultation document in 2018 had not mentioned plans for Sandbach cemetery which had designated cemetery land in an adjacent field.

Sandbach Town Council had objected to the strategy at the time but felt that this was not given consideration. Cllr Nevitt advised that she was seeking assurance that the current review would give consideration to all residents of towns and villages throughout the borough. Cllr Nevitt agreed to listen to the verbal update under item 6 in response.

Councillor Robert Douglas from Congleton Town Council spoke in relation to item 7 – update on the Household West and Recycling Centres Working Group. Cllr Douglas raised concerns about fly-tipping in Congleton due to the closure of the recycling site and stated that the number of fly-tipping incidents had almost quadrupled since the site was closed. It was reported that this had resulted in increased fly-tipping costs for Congleton rate payers. Cllr Douglas referred to consultants' reports that were commissioned by Cheshire East in 2018 and identified two potential recycling sites for Congleton and asked for assurance that these reports would be considered by the working group. In response, Cllr Crane, Chair of the working group, advised that they will be reviewing as much documentation as is relevant but cannot comment on what will be found at this time.

## 71 **2022/23 FINANCIAL UPDATE**

The committee received the report which set out the financial update for the year 2022/23.

A request was made for future financial reports to contain more detail for individual committees instead of the overview which was received by the Finance Sub-Committee in order for Members to better understand and scrutinise the committee's budget. The committee were advised that this request would be taken back to the Finance team to look into and that consideration was being given to finance training for Members.

### **RESOLVED:**

That the Environment and Communities Committee:

1. Notes the report of the Finance Sub-Committee:  
[\(Agenda for Finance Sub-Committee on Wednesday, 8th March, 2023, 2.00 pm | Cheshire East Council\)](#) specifically the recommendations of that committee.

1.1 Finance Sub-Committee recommend Service Committees to:

- 1.1.1 note the financial update and forecast outturn relevant to their terms of reference.
- 1.1.2 note the delegated decisions relating to supplementary revenue estimates for specific grants coded directly to services in accordance with Financial Procedure Rules as detailed in Appendix 5, Section 2, Table 2.

2. Notes Appendix 5 and the following sections specific to this Committee:

- Changes to Revenue budget 2022/23
- Corporate Grants Register
- Debt Management
- Capital Strategy
- Reserve Strategy

**72 STANDING ITEM: MEMBERS ADVISORY PANEL: CHESHIRE EAST CEMETERIES STRATEGY REVIEW**

Cllr Bratherton, Chair of the Cheshire East Cemeteries Strategy Review Member Advisory Panel, provided a verbal update to the committee.

The Panel had received the results from the 2022 consultation and this would be circulated to the committee.

The number of consultation responses had increased since the last consultation in 2018. It was noted that 26% of the responses were from residents of Sandbach where consideration was being given to the use of land adjacent to the cemetery which had permission to be used as a cemetery but was currently being used as public open space.

74% of respondents felt that provision should be made in all cemeteries although it would not be possible to extend every cemetery in the borough. Only 31% indicated a preference for a burial plot which suggested that the demand for burials was decreasing over time and this would be considered when determining the amount of land to be allocated.

The next steps were to finalise the consultation report, publish it and advance work on the updated strategy document. The committee to receive the updated strategy for approval, targeted for the September 2023 meeting.

Cllr Bratherton thanked the officers involved for the work that had been put into this so far.

**73 STANDING ITEM: WORKING GROUP: HOUSEHOLD WASTE & RECYCLING CENTRES**

The working group had been provided with a recent update before pausing due to the upcoming election. The work would be picked up again following the election. It was acknowledged that there could be a change in membership but that there was sufficient information available to assist any new members in understanding the work undertaken to date.

**74 WORK PROGRAMME**

A draft work programme for the new municipal year had been circulated to members. It was noted that this was still being worked on but would be formalised in due course.

**RESOLVED:**

That the work programme be noted.

The meeting commenced at 10:30 and concluded at 11:01

Councillor M Warren (Chair)



Working for a brighter future together

## Environment and Communities Committee

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|                             |  |
|-----------------------------|--|
| <b>Date of Meeting:</b>     | 8 June 2023  |
| <b>Report Title:</b>        | Notice of Motion: Silica Sand Extraction Site Buffer |
| <b>Report of:</b>           | Jayne Traverse, Executive Director of Place          |
| <b>Report Reference No:</b> | EC/01/23-24  |
| <b>Ward(s) Affected:</b>    | All  |

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### 1. Purpose of Report

- 1.1. At the full Council Meeting of 22 February 2023, a Notice of Motion (NoM) was proposed in relation to the introduction of a Silica Sand Extraction Site Buffer. This report responds to that notice of motion.

### 2. Executive Summary

- 2.1. A NoM relating to the establishment of a 1,000 metre buffer around silica extraction sites was proposed to Council at its meeting on 22 February 2023. The motion was proposed by Councillor P Williams and seconded by Councillor J Buckley. Council referred the motion to the Environment and Communities Committee.
- 2.2. *Notice of Motion: Establishment of a 1,000 metre buffer around silica extraction sites*

*Quarrying and extraction is important to the economy of our Borough with its rich deposits of salt, silica and sand. The industry is, quite rightly, well-regulated but there remain concerns about the health and environmental impacts. These concerns are particularly acute where quarrying silica extraction takes place close to residential areas. Airborne dust and noxious fumes can have serious health implications for people, particularly children, older adults and others with existing disease, exposed to them for prolonged periods.*

*Matt Western MP issued a Private Members' Bill in the UK Parliament in December 2021 calling for a buffer zone of at least 1,000 metres between new or proposed quarries of silicates and residential areas. The Bill is supported by a number of Labour, Conservative and Liberal Democrat MPs.*

*We ask that Cheshire East Council should implement a distance restriction of at least 1,000 metres when considering applications for quarrying or silica extraction. We propose that the relevant environmental and planning committees and the Council's emerging minerals strategy take account of this issue for the well-being of residents.*

- 2.3.** Very fine Respirable Crystalline Silica dust (RCS) is generated when rock types containing crystalline silica are cut or crushed by industrial processes. If high levels of RCS are inhaled regularly over many years, such daily exposure can result in a risk of developing lung conditions such as silicosis. Silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust, such as in quarries, foundries etc. Officers are not aware of any documented cases of silicosis among members of the general public in the UK. A situation that is confirmed by the Health and Safety Executive who conclude that environmental exposures to silica dust are not sufficiently high to cause this occupational disease.
- 2.4.** Paragraph 211 of the National Planning Policy Framework (NPPF) identifies that councils determining mineral planning applications should ensure that there are no unacceptable impacts on human health and ensure that any unavoidable dust and particle emissions are controlled, mitigated or removed at source. No specific buffer distances or particle size limits are identified for dust in planning guidance.
- 2.5.** As the local planning authority, the Council details its planning policies on minerals matters, including on air quality (dust & odour) through the Cheshire East Local Plan including the draft Minerals and Waste Plan (MWP) and saved policies in the Cheshire Replacement Minerals Local Plan 1999 (CRMLP). A consultation on the Council's draft MWP was undertaken for 6 weeks during November and December 2022. The responses to the consultation are currently being considered. The matter raised in this NoM was also submitted as an objection to the draft MWP and will be addressed through the established statutory procedure for preparing a Local Plan. A further public consultation is expected to be undertaken on the MWP later this year and the plan will eventually be subject to an independent examination where any outstanding objections will be considered.
- 2.6.** Officers do not consider it is appropriate to stipulate a set buffer distance from receptors as part of policy as the risk to those receptors would depend on many factors as described in the background section below and the Council would need to have relevant technical guidance/industry best practice as evidence. Officers are not aware of any planning authority who have stipulated a specific distance in their local plan. In fact, the Inspector at the recent Warwickshire Minerals Local Plan rejected an objection made on similar grounds to the NoM. Nor is it clear if the proposed 1000m buffer limit is based on any scientific evidence. Equally, as identified above, there is nothing in national planning policy that supports such an approach.



- 2.7. Officers consider that the proposed policies in the MWP together with the existing policies within the Local Plan Strategy (LPS), Site Allocations and Development Policies Document (SADPD) and CRMLP enable concerns around dust, including silica dust, to be fully considered and addressed at the planning application stage.

### **3. Recommendations**

- 3.1. That the Committee note the national guidance and proposed local planning policy position in relation to air quality including crystalline silica dust.
- 3.2. That the Committee reconfirm the Council's proposed approach as set out in the draft Minerals and Waste Plan and that the matter be considered in the normal way through the statutory local plan preparation process.

### **4. Reasons for Recommendations**

- 4.1. The Cheshire East Council Constitution sets out the procedure for Notices of Motion submitted to Council. A motion referred to the relevant decision-making body must be considered within two meeting cycles. At the meeting to which the motion has been referred for consideration, the proposer of the motion if present shall be invited to speak first, followed by the seconder. The matter will then be opened up to wider discussion.

### **5. Other Options Considered**

- 5.1. No other options were considered. In the interests of being open and transparent, the Notice of Motion to Council was referred to the relevant service committee for consideration in accordance with the Council's Constitution.

### **6. Background**

- 6.1. Very fine Respirable Crystalline Silica dust (RCS) is generated when rock types containing crystalline silica are cut or crushed by industrial processes. If high levels of RCS are inhaled regularly over many years, such daily exposure can result in a risk of developing lung conditions such as silicosis. It is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust, such as in quarries, foundries etc. Officers are not aware of any documented cases of silicosis among members of the general public in the UK. Because of this potential, activities involving exposure to RCS dust generated by a work process was added to the EU Directive "Protection of workers from the risks related to exposure to carcinogens or mutagens at work" (Directive 2004/37/ EC as amended) in 2017 and HSE therefore require mineral operators to accord with their H&S legislation and implement health and safety controls to manage the potential exposure to employees working on the site. These measures also assist to reduce the impact of dust outside the processing area, and the wider site.
- 6.2. The presence of silica dust beyond the boundary of a minerals site is dependent on the geology and the processing operations, along with local geography, climate and prevailing wind direction. Sand grade particles typically sold from our

quarries are significantly larger than the very fine (PM2.5) to fine (PM10) particulate matter (measured in microns) associated with RCS dust, which would only arise from grinding or milling processes or constant abrasion undertaken when silica is cut or crushed. This type of production is not normally a feature of the quarries in Cheshire East. Equally the method of extraction and mineral handling undertaken in Cheshire East assists in limiting potential for residual sand dust exposure.

- 6.3.** Paragraph 211 of the National Planning Policy Framework (NPPF) identifies that councils determining mineral planning applications should ensure that there are no unacceptable impacts on human health and ensure that any unavoidable dust and particle emissions are controlled, mitigated or removed at source.
- 6.4.** In addition, Minerals Planning Practice Guidance identifies that the planning system should ensure "that new development is appropriate for its location - taking account of the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution. In doing so the focus of the planning system should be on whether the development itself is an acceptable use of the land, and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under regimes. Mineral planning authorities should assume that these non-planning regimes will operate effectively" (Paragraph: 012. Reference ID: 27-012-20140306).
- 6.5.** No specific buffer distances or particle size limits are identified for dust in planning guidance. In addition, the Health and Safety Executive have produced guidance in relation to the exposure of fine dust containing crystalline silica and the potential associated lung disease "silicosis". Their website states that "It usually takes a number of years of regular daily exposure before there is a risk of developing silicosis. Silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust, such as quarries, foundries, the potteries etc. No cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficiently high to cause this occupational disease<sup>1</sup>".
- 6.6.** The minerals industry has responded to calls for buffer controls by producing an information factsheet<sup>2</sup> and establishing a website on crystalline silica<sup>3</sup> to contextualise and address the health concerns that have been raised.
- 6.7.** The Cheshire East Minerals and Waste Plan (MWP) details the Council's planning policies on minerals and waste matters. It is part of the suite of planning policy documents that once all approved will together form the Council's Local Plan. The MWP focuses on issues that are specific to minerals and waste matters

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<sup>1</sup> [HSE - Quarries - Silica](#)

<sup>2</sup> [MPA Quarries and Dust Air Emissions 2022.pdf \(mineralproducts.org\)](#)

<sup>3</sup> [FAQs Crystalline Silica and Silicosis | Safe Silica](#)

with the overall aim of achieving the sustainable provision of minerals and the sustainable management of waste within the borough. A consultation on the draft MWP was undertaken for 6 weeks during November and December 2022. The responses to the consultation are currently being considered. The matter raised in this NoM was also submitted as an objection to the draft MWP and will be addressed through the established statutory procedure for preparing a Local Plan. A further public consultation is expected to be undertaken on the MWP later this year and the plan will eventually be subject to an independent examination.

- 6.8.** The Council's draft MWP proposes a general policy (Policy DM 1) to ensure that planning proposals do not have any unacceptable impacts. Criterion i. specifically refers to local amenity and health (including noise levels, odour, air quality, dust, litter, vermin, light pollution and vibration).
- 6.9.** A more detailed policy on air quality is proposed by Policy DM 9 (Air Quality: Dust and Odour) as follows:
1. Proposals for new minerals and waste development, and for the expansion of existing operations, will only be permitted where the applicant can demonstrate that the proposed development will not have a unacceptable adverse impact on amenity, human health, air quality and the natural and historic environment, with regard to dust, odour, bioaerosols and other emissions (including no detrimental impact on the AQMAs). All emissions should be controlled, mitigated or removed at source and should not have a significant detrimental impact on residential amenity or human health.
  2. Where relevant, a site-specific impact assessment may be required to determine existing/ambient levels, identify potential impacts and appropriate avoidance and/or mitigation measures to be implemented. Where applicable, a site management and monitoring plan should be developed to ensure the implementation and maintenance of mitigation measures throughout operations. Applicants should liaise with appropriate personnel within the Environment Agency and the Council's Environmental Protection Team prior to the submission of a planning application to establish the scope of any assessments required.
- 6.10.** Part of the justification for the proposal in the NoM is the Quarries (Planning) private members Bill by Matt Western MP. The Parliamentary website indicates that "The 2021-2022 session of Parliament has prorogued and this Bill will make no further progress". Therefore, it has no legal or planning status.
- 6.11.** Officers do not consider it is appropriate to stipulate a set buffer distance from receptors to put in the policy as the risk to those receptors would depend on many factors as described in the background section above and the Council would need to have relevant technical guidance/industry best practice as evidence. Officers are not aware of any organisation who have stipulated a specific distance. Nor is it clear if the proposed 1000m buffer limit is based on

any scientific evidence. Equally, as identified above, there is nothing in national planning policy that supports such an approach. Overall, it is considered that existing and proposed policies will provide the necessary means to address the concerns raised within the context of appropriate national planning guidance and legislation.

**6.12.** A similar concern was raised recently at the Warwickshire Minerals Local Plan (WMLP) Examination. The WMLP has adopted a similar approach to that proposed by the Council by having a general development management policy (DM 4 - Health, Economy and Amenity - Minimising the impacts of Mineral Development) to cover off these matters. Paragraph 83 of the Inspector's report (June 2022) identifies that "Whilst the Plan does not specifically refer to crystalline silica, I am satisfied that it provides an appropriate approach to the consideration of any such issues as part of any subsequent planning application pursuant to the provisions of Policy DM 4. Consequently, I do not consider that the potential, or otherwise, for the health implications of sand and gravel working giving rise to crystalline silica emissions is a matter that is required to be considered in any detail in the Plan. I am satisfied that the Plan, when taken as a whole, provides an appropriate policy basis for such matters to be addressed". The Plan was adopted in July 2022.

**6.13.** Proposed policies DM 1 and DM 9 in the Council's draft Minerals and Waste Plan identify the issue of health and air quality as determining factors for the Council when considering planning applications. Adopted LPS Policy SC 3 (Health and Well-Being) and SADPD policies ENV 12 (Air Quality) & HOU 12 (Amenity) are also relevant. As are saved policies in the CRMLP that relate to controlling the impact of dust from minerals related development i.e. Policy 9 (Planning applications) and Policy 28 (Dust). These provide appropriate policy hooks for the issues raised in the NoM to be dealt with at the planning application stage. The Council would at the planning application stage include the HSE as a statutory consultee, along with the UK Health Security Agency (formerly Public Health England), Environment Agency, and of course the Council's environmental health and public health officers. The Council would rely on them to advise on any risks and identify the necessary mitigation.

## **7. Implications**

### **7.1. Legal**

7.1.1. This Report notes that no specific buffer distances or particle size limits are identified for dust in planning guidance. National Planning Policy also makes it clear that when considering relevant planning applications, mineral planning authorities should ensure that there are no unacceptable adverse impacts on the environment or on human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.

**7.2. Finance**

7.2.1. There are no financial implications arising from this report. Any update to planning policy can be considered as part of the planned activity to review and update the Minerals and Waste Plan.

**7.3. Policy**

7.3.1. There are no policy implications arising from this report.

**7.4. Equality**

7.4.1. There are no equality implications arising from this report.

**7.5. Human Resources**

7.5.1. There are no Human Resources implications arising from this report.

**7.6. Risk Management**

7.6.1. The recommendations of the motion propose to influence planning policy that would be contrary to national planning guidance. This could result in the MWP failing to get through independent examination.

**7.7. Rural Communities**

7.7.1. There are no implications for rural communities arising from this report.

**7.8. Children and Young People/Cared for Children**

7.8.1. There are no implications for children and young people arising from this report.

**7.9. Public Health**

7.9.1. There are no implications for public health arising from this report.

**7.10. Climate Change**

7.10.1. There are no implications for climate change arising from this report.

| <b>Access to Information</b> |   |
|------------------------------|---|
| Contact Officer:             | Stuart Penny, Planning Policy & CIL Manager<br>stuart.penny@cheshireeast.gov.uk |
| Appendices:                  | None  |
| Background Papers:           | None  |

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OPEN

**Environment and Communities  
Committee**

**8 June 2023**

**Environment and Communities  
Committee Budgets 2023/24**

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**Report of:** Alex Thompson, Director of Finance & Customer Services

**Report Reference No:** EC/16/23-24

**Ward(s) Affected:** All wards and all members will be affected and impacted by the content of the MTFs and Corporate Plan

**Purpose of Report**

- 1 This report sets out the allocation of the approved budgets for 2023/24 to the Environment and Communities Committee.
- 2 The report contributes to the Council's objective of being an open and enabling organisation.

**Executive Summary**

- 3 The Medium-Term Financial Strategy (MTFS) for Cheshire East Council for the four years 2023/24 to 2026/27 was approved by full Council on 22 February 2023.
- 4 The Finance Sub Committee meeting on the 8 March approved the allocation of the approved revenue and capital budgets, related budget policy changes and earmarked reserves to each of the service committees.
- 5 The financial reporting cycle will ensure that the Committee is provided with updates through the year on progress against budget policy changes, the forecast outturn position, progress on capital schemes, movement on reserves and details of supplementary estimates and virements. The timetable for 2023/24 was approved by Finance Sub-Committee on 7 June 2023.

## RECOMMENDATIONS

The Environment and Communities Committee is recommended:

1. To note the decision of the Finance Sub-Committee to allocate the approved revenue and capital budgets, related budget policy changes and earmarked reserves to the Environment and Communities Committee, as set out in **Appendix A**
2. To note the financial reporting timetable for 2023/24 set out in **Appendix B** as approved at Finance Sub-Committee on 7 June.

## Background

- 6 All councils are legally required to set a balanced budget each year. The MTFS was approved by full Council on 22 February 2023.
- 7 The MTFS includes a Report from the Chief Finance Officer in line with the Section 25(1) of the Local Government Finance Act 2003. This report confirms that the MTFS is balanced and that the Chief Finance Officer is satisfied with the robustness of the estimates and the adequacy of the financial reserves of the Council. The report also highlights the factors taken into account in arriving at this judgement including relevant financial issues and risks facing the Council during the medium term.
- 8 Finance Procedure Rules set limits and responsibilities for movement of funds, treating reserves as part of this overall balanced position. Any movement within this balanced position is treated as a virement. To increase the overall size of the MTFS requires a supplementary estimate, which must be backed with appropriate new funding and approved in line with the Procedure Rules.
- 9 To support accountability and financial control under the Committee system the 2023/24 budget is being reported across the Service Committees based on their associated functions. This report sets out the allocation of the revenue and capital budgets and earmarked reserves to the relevant service committee in accordance with their functions.



- 10 Each set of Committee budgets reflects the group of services line-managed by Directors. Budget holders are responsible for budget management. Where a team supports multiple services under other Directors the budget for each Committee is included with the line-managing Director's services and is not split across other Committees. For example, Governance and Democratic Services are aligned to the Corporate Policy Committee, even though the activities of those teams relate to support services provided to all Directorates of the Council.
- 11 The financial alignment of budgets to each Committee is set out in Table 1 with further details in Appendix A.

**Table 1: Revenue and Capital Budgets allocated to service committees as per the approved MTFS**

| ALL COMMITTEES - Summary     |                     |                 |                |                |                                  |
|------------------------------|---------------------|-----------------|----------------|----------------|----------------------------------|
| Service Area                 | Revenue Budget      |                 |                | Capital Budget | Total Revenue and Capital Budget |
|                              | 2023/24             |                 |                | 2023/24        | 2023/24                          |
|                              | Expenditure<br>£000 | Income<br>£000  | Net<br>£000    | £000           | Net<br>£000                      |
| Adults and Health            | 201,476             | -65,144         | 136,332        | 472            | 136,804                          |
| Children and Families        | 88,774              | -9,649          | 79,125         | 53,829         | 132,954                          |
| Corporate Policy             | 114,842             | -73,854         | 40,988         | 12,826         | 53,814                           |
| Economy and Growth           | 35,594              | -11,172         | 24,422         | 71,598         | 96,020                           |
| Environment and Communities  | 59,459              | -10,638         | 48,821         | 12,011         | 60,832                           |
| Highways and Transport       | 23,384              | -12,255         | 11,129         | 63,948         | 75,077                           |
| Finance Sub-Committee        | 14,209              | -1,900          | 12,309         | 0              | 12,309                           |
| <b>Total Cost of Service</b> | <b>537,738</b>      | <b>-184,612</b> | <b>353,126</b> | <b>214,684</b> | <b>567,810</b>                   |

\* Place committee budgets reallocated since the MTFS due to restructuring budget being managed fully within Economy and Growth

- 12 The 2023-27 MTFS includes a net revenue budget of £353.1m and an approved capital programme of £214.7m for the financial year 2023/24. Further details on the schemes within the capital programme are provided in **Appendix A**.

## Consultation and Engagement

- 13 The annual business planning process involves engagement with local people and organisations. Local authorities have a statutory duty to consult on their budget with certain stakeholder groups including the Schools Forum and businesses. In addition, the Council chooses to consult with other stakeholder groups. The Council continues to carry out stakeholder analysis to identify the different groups involved in the budget setting process, what information they need from us, the information we currently provide these groups with, and where we can improve our engagement process.

- 14 Cheshire East Council conducted an engagement process on its Medium-Term Financial Plans through a number of stages running from January 2023 to Council in February 2023.
- 15 The budget consultation launched on-line on the 6 January 2023, included details of the budget policy changes against each Corporate Plan aim. This consultation was made available to various stakeholder groups and through a number of forums.

### **Reasons for Recommendations**

- 16 The Environment and Communities Committee has the responsibility for the oversight, scrutiny, reviewing outcomes, performance, budget monitoring and risk management of the Directorate of Environment and Neighbourhood, including: the Planning Service; Environmental Services; Regulatory Services; Neighbourhood Services and Emergency Planning.
- 17 The Finance Sub-Committee is responsible for allocating budgets across the Service Committees. This responsibility includes the allocation of revenue and capital budgets as well as relevant earmarked reserves.
- 18 Finance Sub-Committee met on 8 March and set out the budgets in accordance with the above responsibilities.

### **Other Options Considered**

- 19 Do nothing. Impact – members are not informed of service budgets specifically relevant to this committee following MTFS approval at Council. Risks – Not abiding by the Constitution to provide regular reports.

### **Implications and Comments**

#### *Monitoring Officer/Legal*

- 20 The legal implications surrounding the process of setting the 2023 to 2027 Medium-Term Financial Strategy were dealt with in the reports relating to that process.

#### *Section 151 Officer/Finance*

- 21 Contained within the main body of the report.

#### *Policy*

- 22 The Corporate Plan sets the policy context for the MTFS and the two documents are aligned. Any policy implications that arise from activities

funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

**An open and enabling organisation**

Ensure that there is transparency in all aspects of council decision making

*Equality, Diversity and Inclusion*

- 23 Under the Equality Act 2010, decision makers must show ‘due regard’ to the need to:
- Eliminate unlawful discrimination, harassment and victimisation;
  - Advance equality of opportunity between those who share a protected characteristic and those who do not share it; and
  - Foster good relations between those groups.
- 24 The protected characteristics are age, disability, sex, race, religion and belief, sexual orientation, gender re-assignment, pregnancy and maternity, and marriage and civil partnership.
- 25 Having “due regard” is a legal term which requires the Council to consider what is proportionate and relevant in terms of the decisions they take.
- 26 The Council needs to ensure that in taking decisions on the Medium-Term Financial Strategy and the Budget that the impacts on those with protected characteristics are considered. The Council undertakes equality impact assessments where necessary and continues to do so as budget policy changes and projects develop across the lifetime of the Corporate Plan. The process assists us to consider what actions could mitigate any adverse impacts identified. Completed equality impact assessments form part of any detailed Business Cases.
- 27 Positive impacts include significant investment in services for children and adults (protected characteristics primarily age and disability). Specific examples are Investment in Cared for Children and Care Leavers, SEND services and School Transport. There is also significant investment in Adult Social Care and support to care providers (protected characteristics primarily age and disability).

- 28 The Corporate Plan’s vision reinforces the Council’s commitment to meeting its equalities duties, promoting fairness and working openly for everyone. Cheshire East is a diverse place and we want to make sure that people are able to live, work and enjoy Cheshire East regardless of their background, needs or characteristics.

*Human Resources*

- 29 Any HR implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

*Risk Management*

- 30 Financial risks are assessed and reported on a regular basis, and remedial action taken if and when required. Risks associated with the achievement of the 2023/24 budget and the level of general reserves were factored into the 2023/24 financial scenario, budget and reserves strategy.

*Rural Communities*

- 31 The report provides details of service provision across the borough.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

- 32 The report provides details of service provision across the borough.

*Public Health*

- 33 Public health implications that arise from activities that this report deals with will be dealt with as separate reports to Members or Officer Decision Records as required.

*Climate Change*

- 34 Any climate change implications that arise from activities funded by the budgets that this report deals with will be dealt within the individual reports to Members or Officer Decision Records to which they relate.

| <b>Access to Information</b> |  |
|------------------------------|--|
| Contact Officer:             | Alex Thompson<br>Director of Finance and Customer Services (Section 151 Officer) |

|                    |  |
|--------------------|--|
|                    | <a href="mailto:alex.thompson@cheshireeast.gov.uk">alex.thompson@cheshireeast.gov.uk</a>   |
| Appendices:        | <b>A</b> - Allocation of capital and revenue budgets, earmarked reserves and budget policy changes to service committees<br><br><b>B</b> – Financial Reporting Timetable 2023/24   |
| Background Papers: | The following are links to key background documents:<br><br><a href="#">Medium-Term Financial Strategy 2023-27</a><br><br><a href="#">Agenda for Finance Sub-Committee on Wednesday, 8th March, 2023, 2.00 pm   Cheshire East Council, Item 62</a> |

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# **Environment and Communities Committee Budgets 2023/24 Appendix A**

# Environment and Communities Committee

## Contents

### Environment and Communities Committee Extracts

1. Allocation of Revenue and Capital Budgets
2. Approved Budget Policy Change items
3. Capital Programme
4. Earmarked Reserves



# Environment and Communities Committee

## 1. Allocation of Revenue and Capital Budgets

| ENVIRONMENT and COMMUNITIES COMMITTEE - Summary    |                |                |               |                |                                  |
|--|----------------|----------------|---------------|----------------|----------------------------------|
| Service Area                                       | Revenue Budget |                |               | Capital Budget | Total Revenue and Capital Budget |
|  | 2023/24        |                |               | 2023/24        | 2023/24                          |
|  | Expenditure    | Income         | Net           |                | Net                              |
|  | £000           | £000           | £000          | £000           | £000                             |
| Director of Environmental & Neighbourhood Services | 142            |                | 142           | 0              | 142                              |
| Development Management                             | 4,453          | -3,170         | 1,283         | 0              | 1,283                            |
| Building Control                                   | 1,176          | -1,160         | 16            | 0              | 16                               |
| Local Land Charges and Planning Support            | 688            | -595           | 93            | 0              | 93                               |
| Strategic Planning                                 | 805            |                | 805           | 45             | 850                              |
| Neighbourhood Planning                             | 229            | -175           | 54            | 0              | 54                               |
| Environmental                                      | 41,409         | -3,923         | 37,486        | 9,375          | 46,861                           |
| Regulatory Services                                | 3,932          | -1,230         | 2,702         | 23             | 2,725                            |
| Libraries  | 3,649          | -315           | 3,334         | 51             | 3,385                            |
| Leisure Commissioning                              | 180            |                | 180           | 2,517          | 2,697                            |
| Emergency Planning                                 | 224            | -58            | 166           | 0              | 166                              |
| Head of Neighbourhood Services & ASB/CEO           | 631            | -12            | 619           | 0              | 619                              |
| Pay Inflation                                      | 1,941          |                | 1,941         | 0              | 1,941                            |
| <b>Total Cost of Service</b>                       | <b>59,459</b>  | <b>-10,638</b> | <b>48,821</b> | <b>12,011</b>  | <b>60,832</b>                    |

Note restructuring is included in the Economy and Growth table

## 2. Approved Budget Policy Change items

| MTFS Section 1 Ref No | Detailed List of Approved Budget Changes – Service Budgets  | Last MTFS Reference or New | 2023/24 £m   | 2024/25 £m    | 2025/26 £m   | 2026/27 £m   |
|-----------------------|---|----------------------------|--------------|---------------|--------------|--------------|
|                       | <b>Environment and Communities Committee</b>  |                            | <b>3.968</b> | <b>-0.428</b> | <b>0.837</b> | <b>1.696</b> |
| 80 (Revised)          | Waste Disposal - Contract Inflation and Tonnage Growth  | MTFS 22-26 [53]            | 4.976        | 0.989         | 0.402        | 0.721        |
| 81                    | Pay Inflation – Wholly Owned Companies  | MTFS 22-26 [3&4]           | 1.378        | 0.440         | 0.507        | 0.519        |
| 82 (Revised)          | Pay inflation - CEC   | MTFS 22-26 [3&4]           | 1.239        | 0.503         | 0.431        | 0.443        |
| 83                    | Planning and Building Control income  | NEW                        | 0.800        | -             | -            | -            |
| 84                    | Environmental Hub maintenance   | NEW                        | 0.447        | 0.023         | 0.018        | 0.012        |
| 85                    | Review of governance of Council Wholly Owned Companies and seeking increased opportunities for savings / commercial opportunities | MTFS 22-26 [20]            | 0.240        | -             | -            | -            |
| 86                    | Orbitas management fee uplift   | NEW                        | 0.175        | -             | -            | -            |
| 87                    | Bereavement income  | NEW                        | -0.175       | -             | -            | -            |
| 88                    | Closed Cemeteries   | NEW                        | 0.093        | 0.005         | 0.005        | 0.005        |
| 89 (Revised)          | Local Plan Review   | NEW                        | 0.036        | 0.255         | -0.160       | 0.033        |
| 90                    | Strategic Leisure Review  | NEW                        | -1.291       | 1.056         | -0.207       | -0.037       |
| 91 (Revised)          | Maintenance of green spaces   | NEW                        | -0.398       | -0.200        | -            | -            |
| 92                    | Review Waste Collection Service - Green Waste   | NEW                        | -0.900       | -3.150        | -            | -            |
| 93 (Revised)          | Libraries - Service Review  | NEW                        | -0.519       | -0.200        | -            | -            |
| 94 (Revised)          | Pension Costs Adjustment  | NEW                        | -0.676       | -0.151        | -0.159       | -            |
| 95                    | Investment in improving the customer experience in Planning Services  | MTFS 22-26 [58]            | -0.500*      | -             | -            | -            |
| 96 (Revised)          | Restructuring Potential   | NEW                        | -0.500       | -0.268        | -            | -            |

| MTFS Section 1 Ref No | Detailed List of Approved Budget Changes – Service Budgets             | Last MTFS Reference or New | 2023/24 £m | 2024/25 £m | 2025/26 £m | 2026/27 £m |
|-----------------------|--|----------------------------|------------|------------|------------|------------|
| 97                    | Review Closed Landfill Sites   | NEW                        | -0.300     | 0.300      | -          | -          |
| 98                    | Move to a single contractor to maintain all Council owned green spaces | NEW                        | -0.075     | -          | -          | -          |
| 99                    | Environment Strategy and Carbon Neutrality                             | MTFS 22-26 [56]            | -0.061     | -          | -          | -          |
| 100                   | CCTV   | NEW                        | -          | -0.030     | -          | -          |
| 101                   | Household Waste and Recycling Centres - introduce residency checks     | NEW                        | -0.021     | -          | -          | -          |

# 3. Capital Programme

## Environment and Communities

## CAPITAL

### CAPITAL PROGRAMME 2023/24-2026/27

| Scheme Description                                      | Forecast Expenditure       |                  |                              |                              |                              |                              | Total Forecast Budget 2023/27 £000 | Forecast Funding |                             |                            |                       |                           | Total Funding £000 |
|---|----------------------------|------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------------|------------------|-----------------------------|----------------------------|-----------------------|---------------------------|--------------------|
|   | Total Approved Budget £000 | Prior Years £000 | Forecast Budget 2023/24 £000 | Forecast Budget 2024/25 £000 | Forecast Budget 2025/26 £000 | Forecast Budget 2026/27 £000 |                                    | Grants £000      | External Contributions £000 | Revenue Contributions £000 | Capital Receipts £000 | Prudential Borrowing £000 |                    |
| <b>Committed Schemes</b>                                |                            |                  |                              |                              |                              |                              |                                    |                  |                             |                            |                       |                           |                    |
| <b>Environment Services</b>                             |                            |                  |                              |                              |                              |                              |                                    |                  |                             |                            |                       |                           |                    |
| Arnold Rhodes Public Open Space Improvements Phase 2    | 94                         | 89               | 5                            | 0                            | 0                            | 0                            | 5                                  | 0                | 5                           | 0                          | 0                     | 0                         | 5                  |
| Barony Skate Park Refurbishment                         | 100                        | 0                | 100                          | 0                            | 0                            | 0                            | 100                                | 100              | 0                           | 0                          | 0                     | 0                         | 100                |
| Carbon Offset Investment                                | 1,000                      | 125              | 125                          | 250                          | 500                          | 0                            | 875                                | 0                | 0                           | 0                          | 0                     | 875                       | 875                |
| Congleton Household Waste Recycling Centre Development  | 50                         | 35               | 15                           | 0                            | 0                            | 0                            | 15                                 | 0                | 0                           | 0                          | 0                     | 15                        | 15                 |
| Energy Improvements at Cledford Lane                    | 985                        | 845              | 140                          | 0                            | 0                            | 0                            | 140                                | 0                | 0                           | 0                          | 0                     | 140                       | 140                |
| Fleet Vehicle Electric Charging                         | 585                        | 65               | 225                          | 179                          | 116                          | 0                            | 520                                | 0                | 0                           | 0                          | 0                     | 520                       | 520                |
| Future High Street Funding - Sustainable Energy Network | 2,577                      | 302              | 2,275                        | 0                            | 0                            | 0                            | 2,275                              | 2,275            | 0                           | 0                          | 0                     | 0                         | 2,275              |
| Green Investment Scheme (Solar Farm)                    | 3,950                      | 464              | 3,486                        | 0                            | 0                            | 0                            | 3,486                              | 0                | 0                           | 0                          | 0                     | 3,486                     | 3,486              |
| Household Waste Recycling Centres                       | 860                        | 50               | 810                          | 0                            | 0                            | 0                            | 810                                | 0                | 0                           | 0                          | 0                     | 810                       | 810                |
| Litter and Recycling Bins                               | 208                        | 106              | 50                           | 52                           | 0                            | 0                            | 102                                | 0                | 0                           | 0                          | 0                     | 102                       | 102                |
| Park Development Fund                                   | 946                        | 560              | 236                          | 150                          | 0                            | 0                            | 386                                | 0                | 0                           | 0                          | 0                     | 386                       | 386                |
| Pastures Wood Decarbonisation                           | 51                         | 39               | 12                           | 0                            | 0                            | 0                            | 12                                 | 0                | 0                           | 12                         | 0                     | 0                         | 12                 |
| Solar Energy Generation                                 | 14,180                     | 20               | 280                          | 13,880                       | 0                            | 0                            | 14,160                             | 0                | 0                           | 0                          | 0                     | 14,160                    | 14,160             |
| Victoria Park Pitch Improvements                        | 29                         | 17               | 12                           | 0                            | 0                            | 0                            | 12                                 | 0                | 12                          | 0                          | 0                     | 0                         | 12                 |
| <b>Total Environment Services Schemes</b>               | <b>25,614</b>              | <b>2,718</b>     | <b>7,770</b>                 | <b>14,511</b>                | <b>616</b>                   | <b>0</b>                     | <b>22,897</b>                      | <b>2,375</b>     | <b>17</b>                   | <b>12</b>                  | <b>0</b>              | <b>20,493</b>             | <b>22,897</b>      |
| <b>Neighbourhood Services</b>                           |                            |                  |                              |                              |                              |                              |                                    |                  |                             |                            |                       |                           |                    |
| Congleton Leisure Centre                                | 12,225                     | 12,175           | 50                           | 0                            | 0                            | 0                            | 50                                 | 0                | 0                           | 0                          | 0                     | 50                        | 50                 |
| Macclesfield Leisure Centre Improvements                | 3,865                      | 3,398            | 467                          | 0                            | 0                            | 0                            | 467                                | 0                | 0                           | 0                          | 0                     | 467                       | 467                |
| Libraries - Next Generation - Self Service              | 374                        | 323              | 51                           | 0                            | 0                            | 0                            | 51                                 | 0                | 0                           | 0                          | 0                     | 51                        | 51                 |
| Poynton Leisure Centre                                  | 4,606                      | 391              | 2,000                        | 2,215                        | 0                            | 0                            | 4,215                              | 0                | 0                           | 0                          | 0                     | 4,215                     | 4,215              |
| <b>Total Neighbourhood Services</b>                     | <b>21,070</b>              | <b>16,287</b>    | <b>2,568</b>                 | <b>2,215</b>                 | <b>0</b>                     | <b>0</b>                     | <b>4,783</b>                       | <b>0</b>         | <b>0</b>                    | <b>0</b>                   | <b>0</b>              | <b>4,783</b>              | <b>4,783</b>       |
| <b>Planning Services</b>                                |                            |                  |                              |                              |                              |                              |                                    |                  |                             |                            |                       |                           |                    |
| Replacement Planning & Building                         | 410                        | 365              | 45                           | 0                            | 0                            | 0                            | 45                                 | 0                | 0                           | 0                          | 0                     | 45                        | 45                 |
| Regulatory Services & Environmental Health ICT System   | 313                        | 290              | 23                           | 0                            | 0                            | 0                            | 23                                 | 0                | 0                           | 0                          | 0                     | 23                        | 23                 |
| <b>Total Planning Services</b>                          | <b>723</b>                 | <b>655</b>       | <b>68</b>                    | <b>0</b>                     | <b>0</b>                     | <b>0</b>                     | <b>68</b>                          | <b>0</b>         | <b>0</b>                    | <b>0</b>                   | <b>0</b>              | <b>68</b>                 | <b>68</b>          |
| <b>Total Committed Schemes</b>                          | <b>47,407</b>              | <b>19,659</b>    | <b>10,406</b>                | <b>16,726</b>                | <b>616</b>                   | <b>0</b>                     | <b>27,748</b>                      | <b>2,375</b>     | <b>17</b>                   | <b>12</b>                  | <b>0</b>              | <b>25,344</b>             | <b>27,748</b>      |
| <b>New Schemes</b>                                      |                            |                  |                              |                              |                              |                              |                                    |                  |                             |                            |                       |                           |                    |
| <b>Environment Services</b>                             |                            |                  |                              |                              |                              |                              |                                    |                  |                             |                            |                       |                           |                    |
| Fleet EV Transition                                     | 6,897                      | 0                | 1,605                        | 1,991                        | 3,301                        | 0                            | 6,897                              | 0                | 0                           | 0                          | 0                     | 6,897                     | 6,897              |
| <b>Total New Schemes</b>                                | <b>6,897</b>               | <b>0</b>         | <b>1,605</b>                 | <b>1,991</b>                 | <b>3,301</b>                 | <b>0</b>                     | <b>6,897</b>                       | <b>0</b>         | <b>0</b>                    | <b>0</b>                   | <b>0</b>              | <b>6,897</b>              | <b>6,897</b>       |
| <b>Total Environment and Communities Schemes</b>        | <b>54,304</b>              | <b>19,659</b>    | <b>12,011</b>                | <b>18,717</b>                | <b>3,917</b>                 | <b>0</b>                     | <b>34,645</b>                      | <b>2,375</b>     | <b>17</b>                   | <b>12</b>                  | <b>0</b>              | <b>32,241</b>             | <b>34,645</b>      |

## 4. Earmarked Reserves

### Environment and Communities Committee

| Name of Reserve                               | Opening Balance<br>1st April<br>2022<br>£000 | Forecast<br>Movement in<br>Reserves<br>2022/23<br>£000 | Opening<br>Balance<br>1st April 2023<br>£000 | Forecast<br>Movement in<br>Reserves<br>2023/24<br>£000 | Forecast<br>Closing<br>Balance<br>31st March<br>2024<br>£000 | Notes  |
|---|--|--|--|--|--|--|
| <b>Environment and Neighbourhood Services</b> |  |  |  |  |  |  |
| Strategic Planning                            | 568  | (287)  | 281  | (281)  | 0  | To meet costs associated with the Local Plan - site allocations, minerals and waste DPD.   |
| Trees / Structures Risk Management            | 202  | (52)   | 150  | (50)   | 100  | New reserve to respond to increases in risks relating to the environment, in particular the management of trees, structures and dealing with adverse weather events. |
| Spatial Planning - revenue grant              | 89   | (47)   | 42   | (14)   | 28   | Funding IT costs over 4 years.   |
| Neighbourhood Planning                        | 82   | (38)   | 44   | (44)   | 0  | To match timing of expenditure with the receipt of Government grants.  |
| Air Quality                                   | 36   | 0  | 36   | (36)   | 0  | Air Quality Management - DEFRA Action Plan. Relocating electric vehicle chargepoint in Congleton.  |
| Street Cleansing                              | 26   | (26)   | 0  | 0  | 0  | Committed expenditure on voluntary litter picking equipment and electric blowers, due to be fully utilised in 2022/23.   |
| Custom Build & Brownfield Register            | 19   | (19)   | 0  | 0  | 0  | Due to be fully utilised in 2022/23.   |
| Community Protection                          | 17   | (17)   | 0  | 0  | 0  | Due to be fully utilised in 2022/23.   |
| Licensing Enforcement                         | 15   | (15)   | 0  | 0  | 0  | Three year reserve to fund a third party review and update of the Cheshire East Council Taxi Licensing Enforcement Policies.   |
| Flood Water Management (Emergency Planning)   | 2  | 0  | 2  | (2)  | 0  | Plans to draw down the reserve in 2023/24 relating to Public Information Works.  |
| <b>ENVIRONMENT AND COMMUNITIES TOTAL</b>      | <b>1,056</b>                                 | <b>(501)</b>   | <b>555</b>                                   | <b>(427)</b>   | <b>128</b>   |  |

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## Appendix B – Financial Reporting Timetable 2023/24

| Report  | Financial Cycle | Committee   | When                       |
|---|-----------------|---|----------------------------|
| Service Budgets 2023/24   | Planning        | All Committees  | June 2023                  |
| Local Government Pension Scheme and Cheshire Pension Fund   | Monitoring      | Finance Sub-Committee                                   | 7 June 2023                |
| Medium Term Financial Strategy Assumptions and Reporting Cycle for 2023/24                                    | Planning        | Finance Sub-Committee                                   | 7 June 2023                |
| Draft Statement of Accounts 2022/23   | Reporting       | Finance Sub-Committee<br>Audit and Governance Committee | 7 June 2023<br>8 June 2023 |
| Companies Draft Financial Statements 2022/23  | Reporting       | Finance Sub-Committee<br>Audit and Governance Committee | 7 June 2023<br>8 June 2023 |
| Financial Outturn 2022/23   | Reporting       | All Service Committees                                  | July 2023                  |
| First Financial Review 2023/24  | Monitoring      | All Committees  | September / October 2023   |
| Companies First Financial Review 2023/24  | Monitoring      | Shareholder Working Group                               | TBC                        |
| Medium Term Financial Planning Assumptions - Feedback from Task Group   | Planning        | Finance Sub-Committee                                   | 6 September 2023           |
| Financial Management Code   | Monitoring      | Finance Sub-Committee                                   | 6 September 2023           |
| Final Statement of Accounts 2022/23   | Reporting       | Audit and Governance Committee                          | 28 September 2023          |
| Companies Audited Financial Statements 2022/23  | Reporting       | Audit and Governance Committee                          | 28 September 2023          |
| Medium Term Financial Strategy Consultation for 2024/25-2027/28   | Planning        | Corporate Policy Committee                              | 5 October 2023             |
| Audit of Accounts 2022/23 External auditors report  | Reporting       | Council   | 18 October 2023            |
| Companies Business Plans for 2024/25+   | Planning        | Finance Sub-Committee                                   | 1 November 2023            |
| Second Financial Review 2023/24   | Monitoring      | All Committees  | November 2023              |
| Companies Second Financial Review 2023/24   | Monitoring      | Shareholder Working Group                               | TBC                        |
| Medium Term Financial Strategy Consultation 2024/25-2027/28 – consideration of policy proposals per Committee | Planning        | All Committees  | November 2023              |
| Cheshire Pension Fund Briefing (Financial Review 1)   | Monitoring      | Finance Sub-Committee                                   | 1 November 2023            |
| Council Tax Base 2024/25  | Reporting       | Corporate Policy Committee                              | 30 November 2023           |
| Financial Strategies 2024/25 - Treasury Management, Investment, Capital and Reserves Strategies               | Planning        | Finance Sub-Committee                                   | 17 January 2024            |

| Report   | Financial Cycle | Committee                  | When                    |
|--|-----------------|----------------------------|-------------------------|
| Medium Term Financial Strategy Consultation 2024/25-2027/28<br>- Provisional Settlement update and feedback from consultation period | Planning        | All Committees             | January / February 2024 |
| Third Financial Review 2023/24   | Monitoring      | All Committees             | January / February 2024 |
| Cheshire Pension Fund Briefing (Financial Review 2)  | Monitoring      | Finance Sub-Committee      | 17 January 2024         |
| Companies Third Financial Review 2023/24   | Monitoring      | Shareholder Working Group  | TBC                     |
| Medium Term Financial Strategy 2024/25-2027/28<br>- including any supplementary updates  | Planning        | Corporate Policy Committee | 8 February 2024         |
| Constitution - Financial Limits - Annex Update   | Reporting       | Constitution Working Group | TBC                     |
| Cheshire Pension Fund Briefing (Financial Review 3)  | Monitoring      | Finance Sub-Committee      | 5 June 2024             |



**OPEN**

By virtue of paragraph(s) X of Part 1 Schedule 1 of the Local Government Act 1972.

**Environment and Communities Committee****8 June 2023****2022/23 Annual Performance Review - Environment and Neighbourhood Services****Report of: Peter Skates, Acting Executive Director of Place****Report Reference No: EC/04/23-24****Ward(s) Affected: All****Purpose of Report**

- 1 The purpose of the report is to provide the Committee with an update on the performance across Environment and Neighbourhood Services for the fiscal year 2022-23 against the relevant priorities, actions and measures of success within the Council's Corporate Plan 2021-25.

**Executive Summary**

- 2 This report gives an update on performance across Environment and Neighbourhood Services for 2022-23.

**RECOMMENDATIONS**

The Environment and Communities Committee is recommended to:

1. Note the performance of the department.

## Background

- 3 Environment and Neighbourhood Services is responsible for delivering a range of Place based front line customer facing services and statutory functions. These include Waste and Recycling, Street Cleansing, Planning, Building Control, Environmental Health, Licensing, Trading Standards, Leisure Services, Libraries, Bereavement Services, Parks, Play Areas, Playing Pitches and Green Spaces.
- 4 Several of our services are commissioned through the Council's wholly owned companies including Ansa Environmental Services Ltd and Orbitas Bereavement Services Ltd, and the independent leisure trust Everybody Health & Leisure.
- 5 The Cheshire East Council Corporate Plan 2021-25 sets out our vision for an open, fairer, greener Cheshire East with three broad aims to be an open and enabling organisation; a council which empowers and cares about people, and a thriving and sustainable place. The Environment and Neighbourhood Services department contributes to a number of the priorities under the aim of a thriving and sustainable place:
  - (a) A great place for people to live, work and visit
  - (b) Welcoming, safe, and clean neighbourhoods
  - (c) To reduce the impact on our environment
  - (d) To be carbon neutral by 2025
- 6 The department provides leadership and management for the Council's Environment Strategy and associated action plans, including the Carbon Neutral Action Plan to deliver the commitment to be a carbon neutral council by 2025. An update on delivery of the Carbon Neutral Action Plan was provided to the Committee on 2 February 2023 and a further progress update will be presented later in 2023/24.
- 7 The department also contributes to the priority to be an open and enabling organisation, increasing transparency in decision-making through the Environment and Communities Committee during the year and undertaking borough wide consultations on draft policies and plans. We have also engaged with residents on projects and initiatives at a local level.

## Environmental Services

| Corporate Plan 2021-25: Key priorities    |  |
|---|--|
| Welcoming, safe, and clean neighbourhoods | Improved green spaces for all, enabling people to exercise and socialise in our parks and open spaces  |
| To reduce our impact on our environment   | To have minimised overall waste generated in the borough and maximised our levels of recycling<br>To improve biodiversity and natural habitats in the borough  |
| To be carbon neutral by 2025              | Deliver actions in the Cheshire East Council Carbon Action Plan <ul style="list-style-type: none"> <li>• Introduction of green vehicles across the fleet (including waste and highways)</li> <li>• Reduce use of Gas by decarbonising sources of heating for our buildings</li> <li>• Promote carbon neutrality and carbon zero development across Cheshire East, providing information, advice and guidance for householders and businesses to reduce their carbon use</li> </ul> |

| Key Performance Indicators   | 2021/22 Outturn | 2022/23 Mid-year | 2022/23 Outturn | 2022/23 Target |
|--|-----------------|------------------|-----------------|----------------|
| Residual household waste collected per household (kgs)                                       | 480kg           | 237kg*           | 462kg           | <510kg         |
| Increase the % of all waste collected sent for recycling, reuse and (to achieve 65% by 2035) | 57.5%           | 55%*             | 53%             | >50%           |
| Maintain volunteers in waste awareness   | Approx. 100     | Approx. 100      | Approx. 100     | 100            |

(\* pending approval by Defra)

- 8 The Council's official recycling rate for 2021-22 has been released by Central Government stated as 56.3%. This is a slight reduction from the 2020-21 at 57.5% and continues to drop in estimates for 2022-23 largely due to waste and recycling levels returning to more normal pre covid levels.
- 9 It is encouraging to see a continued drop in waste per household in Cheshire a key objective to reduce overall waste produced. Waste Prevention Schools work continues with 'Dennis to the Rescue' converted waste vehicle visiting 20 primary schools expecting to reach over 3000 children. Promoting the reduce, reuse, recycle message. The

Service is grateful for our network volunteers managed through Ansa including Waste Reduction, Clean Teams and Friends of Parks Groups. Circa 145 volunteers, contributing to waste and litter reduction and engagement in our green spaces.

- 10 The Council continues to inspect, repair and where investment is available improve our play areas and parks. A major project funded by the Crewe Towns Fund will refurbish 8 pocket parks as key greens spaces amongst densely populated areas of Crewe. The scheme will offer health, wellbeing and amenity enhancement to these vibrant green spaces amidst densely populated areas of Crewe. Wider parks development continues with number of public open space projects completed including Victoria Park, Macclesfield, Pheasant Walk Knutsford, and Little Lindow, Wilmslow.
- 11 The NHS, Cheshire East Public Health and voluntary sector Green Spaces for Wellbeing social prescribing scheme is now established with group sessions taking place at Queens Park in Crewe & Victoria Park in Macclesfield. Ongoing collaboration with a variety of health sector stakeholders is underway to maximise outreach to promote accessibility to the health and wellbeing benefits offered by this initiative.
- 12 The Council is on track to be carbon neutral as an organisation by 2025, however, there remains a risk related to the delivery of our second solar insetting scheme together with ongoing risk due to external factors of increased gas usage from covid ventilation measures and lack of availability of affordable electric fleet vehicles.
- 13 Carbon Action Plan priorities continue with work to decarbonise Council buildings. Seventeen solar installations have been completed, providing approximately 1GWh per year. The Council has also put in place a programme of replacing gas boilers with air source heat pumps with 15 installations underway. We continue to replace petrol and diesel vehicles with electric across our services with a key milestone being the launch of our Car club running three electric pool cars for staff use.
- 14 Wider Borough 2045 target: Base line modelling of Carbon emissions from the Borough is completed and approval has been granted by the Environment and Communities committee to develop a key priorities action plan over the coming year. The Council has also hosted a regional Carbon Net Zero conference with Reaseheath College focused on small businesses decarbonisation and skills in February. We also continue to work with key partners and providing our tool kit and network for town and parish Councils.

## Planning

| Corporate Plan 2021-25: Key priorities                        |   |
|---|---|
| A great place for people to live, work and visit              | Enable access to well designed, affordable, and safe homes for all residents<br>New development to be appropriately controlled to protect and support our borough   |
| To reduce our impact on our environment                       | To improve biodiversity and natural habitats in the borough   |
| A transport network that is safe and promotes active travel   | Improvements in the strategic infrastructure that support sustainable and inclusive growth across the borough<br>Safer and well-maintained roads<br>More residents to use walking routes                              |
| Thriving urban and rural economies with opportunities for all | Delivery of a strategic regeneration plan for Crewe<br>Delivery of a strategic regeneration plan for Macclesfield<br>Maximise the commercial and regeneration opportunities associated with HS2 for the whole borough |

| Key Performance Indicators                                      | 2021/22 Outturn | 2022/23 Outturn | 2022/23 Target |
|---|-----------------|-----------------|----------------|
| Number of major applications registered                         | 126             | 115             | -              |
| Number of non-major applications registered                     | 3,329           | 2,639           | -              |
| Major applications determined within 13 weeks or agreed time    | 96%             | 97%             | >90%           |
| Non-major applications determined within 8 weeks or agreed time | 81%             | 84%             | >90%           |
| % Planning appeals allowed                                      | 36%             | 38%             | <30%           |
| Supply of deliverable housing land                              | 6.3 years       | 11.6 years*     | 5 years        |

(\*base date March 2022)

- 15 The Planning service remains under pressure with continued high workloads and high demands across the whole service, with significant challenges to retain and recruit skilled staff to meet statutory

requirements. Customer expectations and managing that expectation, remains a key issue. Despite these challenges the team continue to deliver complex services whilst progressing the modernisation plan and its associated recommendations.

### Planning Applications

- 16 Although slowly reducing, the 'backlog' of planning applications persists which continues to affect normal timeframes for determination. The number of live applications in the backlog has reduced over the 12-month period from 2,654 to 1,959 (end of March 2023). For context, the normal level of live applications is approximately 1,300 so continues to impact upon customer service
- 17 Application numbers have dropped during 2022-23 by 20% compared to the previous year. The figures reported in the table above only include applications which are reported to DLUHC and so do not include other minor applications such as prior approvals or discharge of conditions which add significantly to the actual applications to be determined. For example, for the calendar year of 2022 all applications numbered 5,019, compared with 6,482 in 2021.
- 18 Planning application performance against statutory performance measures (including agreed extensions to time) is above target for major applications but below for minors. However there has been a slight improvement in performance to 84% for non-majors being determined within 8 weeks or agreed time.
- 19 Although application numbers have dropped, in common with national trends, Cheshire East continues to be the busiest Planning Authority in the Northwest region and in the top ten nationally for planning applications.
- 20 As the backlog of applications has reduced, the holding pattern for new applications has ended meaning applications are allocated to a named officer once registered. Customer expectations however continue to be managed through updates to the Council's website and direct correspondence. Pre-application services remain suspended for all but major applications to enable a focus on delivery of the core statutory requirements to continue.
- 21 Reliance on our external provider Capita has also reduced. Since October 2021 they have handled 1,568 applications (as at end of March 2023). Capita's involvement has been scaled back to one officer which will likely continue into the summer of 2023.
- 22 Despite the above challenges the team have assisted in facilitating delivery of significant major development schemes on identified

allocated sites across the Borough. This has enabled large employment development and job creation in Middlewich, Wardle, Holmes Chapel and residential developments at Poynton, Macclesfield and Wilmslow providing both market and affordable homes for the future. The mixed-use strategic allocation around Congleton continues to evolve with employment sites now coming forward. The service has also facilitated smaller regeneration schemes in Crewe for Lyceum Square, the new History Centre and public realm works on the existing library site, and school extensions to meet special needs expansion. A milestone for Handforth Garden Village was reached with a resolution for approval in January.

- 23 Planning Appeal performance has slightly decreased for the year, but the Service is making soundly based decisions and there are no notable significant adverse trends. Inspectors' decisions are always reviewed to consider if there is any learning and change in approach to be made.

#### Modernisation Plan

- 24 On the back of the backlog of applications a wider Service Review was undertaken in January 2022, culminating in a report presented to Environment and Communities Committee on 31 October 2022. The report detailed various recommendations for service improvements and wider actions to modernise the service.
- 25 This work is now being taken forward through a Service Modernisation Plan which will be implemented over the next 12-18 months. It has already undertaken and completed various changes and improvements as part of normal operations and activity to manage the backlog and seek changes to ways of working. Four priority areas have been identified which include the reduction of application backlog, implementation of the new ICT system, to undertake a staffing review and service restructure, and to focus on customer service and communications.
- 26 Work on all these key areas is on-going but it is notable that they all largely require resourcing from within the service so actual delivery represents a significant challenge alongside the day-to-day operations of the service. Both the new ICT system for Planning and restructure are expected to be complete by November.

#### Strategic Planning and Policy Making

- 27 A significant milestone for the Council was the adoption of the Site Allocations and Development Policies Document (SADPD) in December 2022. This represents a significant achievement for Cheshire East

meaning the legacy Local Plans from the three previous district Councils can be finally laid to rest.

- 28 The Council has also taken the decision to review the Local Plan, and this will be a key focus over the coming months and years.
- 29 Due to changes in the way housing figures are calculated due to the standard method set out in national guidance, the Council's five-year housing supply figure now stands at a healthy 11.6 years. There were net completions of 2,779 dwellings during the 2021-22 monitoring year.
- 30 The first draft of the Cheshire East Mineral and Waste Development Plan has been out to public consultation at the turn of year and will also progress over the coming months. A number of Supplementary Planning Documents (SPDs) are also in progress including for Sustainable Drainage Systems (SUDs); Biodiversity Net Gain, Developer Contributions; Environmental Protection and Jodrell Bank. A Housing SPD was adopted in July 2022.

Planning Enforcement

- 31 Enforcement complaints have reduced from the previous year which perhaps reflects the continued trend of people returning to workplaces following the pandemic. It also reflects the approach that some very minor complaints are not being logged but addressed on 'first response'. The table below shows the number of complaints open and closed over the last 3 years.

| Year    | Enforcement cases opened | Enforcement cases closed |
|---------|--------------------------|--------------------------|
| 2020-21 | 1,091                    | 593                      |
| 2021-22 | 1,033                    | 777                      |
| 2022-23 | 869                      | 826                      |

- 32 The Enforcement team have issued 6 Enforcement Notices, 1 Stop Notice ,1 Listed Building Enforcement Notice, 7 Planning Contravention Notices, 1 Breach of Condition Notice, 2 Temporary Stop Notices.
- 33 Notable success was also achieved in obtaining a high court injunction for unauthorised development in the open countryside including two dwellings for a site in Wirswall. This was a case with a lengthy history and followed a previous enforcement notice and dismissed appeal. The successful case involved a huge amount of work from officers and close liaison with legal services to prepare the necessary evidence. The extensive work and case preparation was praised by the Judge who awarded costs to the Council.



- 34 Recruitment to Enforcement remains difficult with currently 3 vacancies (effectively 30%) of the team.

#### Environmental Planning

- 35 Thousands of consultation responses have been provided for planning applications and pre-application advice from forestry, design, conservation, landscape and ecology colleagues. Significant input has also been made into Supplementary Planning Documents as well as other Corporate priorities such as HS2.
- 36 The number of 'works to protected trees' applications has suffered a similar surge and backlog as mainstream applications due to shortage of resources. 6 new Tree Preservation Orders have however been served during this period.
- 37 The Council's Ecologists have consistently sought to secure appropriate mitigation for developments either for on or off-site. Biodiversity net gain is therefore already well engrained within the Service to capture the future requirements of the Environment Act and is securing significant financial contributions through legal agreements.
- 38 Consultations on draft Conservation Area Appraisals for parts of Macclesfield, Ollerton and Alderley Edge have been undertaken, and an Urgent Works Notice was served on a property in Congleton to protect its heritage value.

#### Building Control

- 39 Building Control has seen a reduced number of applications submitted with approx. 1,541 notices representing 2,378 separate elements of construction within the Borough. In 2,266 notices were registered from private sector building control bodies. A total of 85 projects were reverted back to the Authority (as the only enforcing body) from the private sector to enable appropriate action to be taken. The team continued to provide a 24/7 out of hours response to reports of dangerous structures and identified 32 cases of unauthorised works. In addition to dealing with the application process, officers have inspected 10,000 elements of construction ensuring compliance of the Regulations is met throughout the build process.
- 40 Building Control have successfully implemented a new ICT Software solution that now provides an improved customer experience allowing for online application submissions to be made, together with online inspection requests. The solution also provides greater control to ensure the health and safety of officers.

41 Like other parts of the Service, Building Control continues to face challenges in terms of resources, losing key members of the team whilst striving to respond to demand and residents' expectations. The commercial aspects of Building Control which operates in a competitive market (with the key exception of certain statutory requirements) creates particular problems for recruitment. This has reduced the number of qualified officers considerably and places further pressure on those who remain. There are also pressures to ensure the team will have required competencies to meet the needs of the new Building Safety Regime. Recruitment to two senior vacant posts in the structure is currently underway, this has had to be extended due to limited response. Issues regarding the team structure, resources and how best to meet new and emerging challenges are being considered in the restructure.

### Regulatory Services

| Corporate Plan 2021-25: Key priorities    |   |
|---|---|
| Welcoming, safe, and clean neighbourhoods | Crime and anti-social activity and anti-social behaviour to be reduced<br>Victims of crime and exploitation to be supported effectively by the council and partners through collaboration<br>To protect residents and improve our environment |

42 A procurement exercise for the design, supply and implementation of a new wireless CCTV network has been completed with the deployment of the project ongoing, working with Cheshire East Highways. Target completion for the system to go live is Autumn 2023.

43 The 2022 Annual Air Quality Status Report was approved by Defra and work continues on implementing the objectives within the Air Quality Action Plan which is supported by colleagues across other service areas including highways, development control and public health. Following grant funding by Defra an extensive education and awareness campaign has been undertaken highlighting the impact of vehicle engine idling and domestic fuel burning. Plans are underway for the use of residual funding in further activities which meet the brief of the original grant objectives, focussed particularly around schools.

44 During 2022/23 the Environment and Communities Committee approved a series of updated policies, including;

- The Corporate Enforcement Policy

- The Regulatory Services service specific enforcement policy
  - The Hackney Carriage and Private Hire Licensing policy reflecting updated national standards, effective from 1 November 2022.
  - A revised Statement of Gambling Principles
  - A new Animal Welfare Licensing Policy effective from February 2023.
- 45 During 2022-2023 the Food Hygiene and Food Standards Teams were operating to a recovery plan issued by the Food Standards Agency. The recovery plan was devised to acknowledge pressures put on food teams in response to the pandemic whilst ensuring that high risk activities were subject to suitable inspection/intervention work. The final year return issued to the FSA indicated that the teams have successfully achieved the requirements of the recovery plan putting us in a good position for business-as-usual activities from 1 April 2023. 97% of Cheshire East food premises score 3 or above for their Food Hygiene Rating.
- 46 As part of the updated Hackney Carriage and Private Hire Vehicle Policy introduced in November 2022 the service has introduced safeguarding training for all drivers as part of the new and renewal application process. Courses are offered on a monthly basis and are very well subscribed.
- 47 Trading Standards secured a successful prosecution against two sellers who profited from trading counterfeit goods on Ebay over a nine-year period. Both pleaded guilty in Court where a 30-month jail sentence for one and a 16-month suspended sentence for the other was handed out by the judge. In another case they were able to secure a consent order of £10,570 to be repaid to victims of a rogue trader.
- 48 Illicit cigarettes and tobacco continues to be a significant area of work. An operation with the police led to the seizure of 18,500 cigarettes and 8.59 Kg of rolling tobacco. In addition, illegal vaping equipment is becoming an increasing problem particularly given underage sales to young people. Ongoing test purchasing and inspection work is also identifying a prevalence of non-compliant products on the market.
- 49 Satisfaction with the Pest Control service remains extremely high with regular positive feedback received from our domestic and business customers.
- 50 At the end of March 2023 Regulatory Services went live with its new Business Support System, which is used to record, plan and report on activities carried out by the service as well as provide internal and external performance information. The service is now looking at further

development work to make the system more bespoke to local processes and procedures and to capitalise on potential efficiencies.

- 51 We continue to support four apprentices (Regulatory Compliance Officers and Business Administration) within the service and are extremely proud of their ongoing development and integration within the team. In addition, two trainee environmental health officers have just moved to full time positions and will be taking on additional training to allow them to have wider roles and responsibilities. In a profession where there is a national decline in available qualified officers, this approach to training and the mentoring provided by the officers across the team is extremely important.

### Neighbourhood Services

| Corporate Plan 2021-25: Key priorities           |  |
|--|--|
| A great place for people to live, work and visit | A high-quality accessible library service that remains relevant to the changing needs of Cheshire East residents and delivers value for money<br>High quality leisure and sports provision across the borough that delivers good value for money |
| Welcoming, safe, and clean neighbourhoods        | Crime and anti-social activity and anti-social behaviour to be reduced<br>Victims of crime and exploitation to be supported effectively by the council and partners through collaboration<br>To protect residents and improve our environment    |

| Key Performance Indicators            | 2021/22 Mid-year | 2021/22 Outturn | 2022/23 Mid-year | 2022/23 Target |
|---------------------------------------|------------------|-----------------|------------------|----------------|
| Number of visitors to libraries       | 272,477          | 684,574         | 506,779          | 750,000        |
| Number of visitors to leisure centres | 910,111          | 2,082,213       | 1,204,086        | 2,020,000      |

### Libraries

- 52 Building on the success of their original STEM skills programme Luminare and having successfully gained further funding from Arts Council England, staff at Crewe library ran a digital arts project in collaboration with Mako Create. This comprised a programme of 6

workshops for 3 age cohorts 11-14, 15-18, 18+. Each group learnt new skills in digital technologies to equip them for future employment.



- 53 During 2022/23 we refurbished 5 of our children's libraries and received very positive feedback from users.
- 54 We developed and launched our Ready for School bookbags which have been hugely popular with all loan availability consistently at maximum capacity and with waiting lists for each one.
- 55 Cheshire East Library News our GovDelivery newsletter exceeded 20,000 subscribers
- 56 Building on the Warm Places initiative we extended our programme of social inclusion activities
- 57 As part of the National Databank scheme we continued to provide free SIM cards to those experiencing digital poverty and had another successful bid to the Good Things Foundation for 36 further Galaxy tablets which can be gifted to those without access to the internet at home
- 58 We developed Social Stories for all Cheshire East libraries to be uploaded to our web pages and designed to reduce anxiety by helping neuro diverse residents know what to expect before visiting.

### Leisure

- 59 The redevelopment of Congleton Leisure Centre despite some recent issues during construction has now been completed and handed over to Everybody Health and Leisure to complete the fit out. An official opening ceremony is planned for June.
- 60 Learn to Swim Scheme has grown to 9,700 swimmers participating in weekly lessons and leisure memberships have exceed 20,000 for the first time, with over 2.5 million individual visits to our leisure centre sites.
- 61 Two new Chlorine Hydrolyser units have been installed in Macclesfield and Crewe leisure centres, this is an environmentally friendly means of producing chlorine and comes with lower operating costs.

### Community Enforcement & Anti-Social Behaviour Team

- 62 Our community enforcement team continues to make a significant impact in and around the alleyways in Crewe, under the banner of the Cleaner Crewe Project. This project is working in conjunction with Crewe Town Council as well as local resident groups.
- 63 The Multi Agency Action Group (MAGG) continues to meet on a quarterly based. It most recently met to discuss issues with anti-social behaviour (ASB) in Poynton. Through collaboration with partners, mitigation measures have been instigated which will reduce the significant levels of ASB that has been affecting the lives of the local residents.

### **Consultation and Engagement**

- 64 No specific consultation or engagement is required in support of this report.

### **Reasons for Recommendations**

- 65 The Environment and Communities Committee is responsible for reviewing and scrutinising the performance of the Environment and Neighbourhood Services department.

### **Other Options Considered**

- 66 Not applicable.

## **Implications and Comments**

### *Monitoring Officer/Legal*

67 There are no legal implications arising from this report.

### *Section 151 Officer/Finance*

68 The financial implications of changes in performance requirements or responding to current performance levels is provided in separate Finance Review reports to the Committee.

### *Policy*

69 The report sets out how the department is contributing to the Cheshire East Council Corporate Plan 2021-25.

### *Equality, Diversity and Inclusion*

70 There are no equalities implications arising from this report.

### *Human Resources*

71 There are no human resources implications arising from this report.

### *Risk Management*

72 The performance reporting process provides opportunities for the Council to identify and focus on areas for improvement to support achievement of its strategic ambitions. Timely performance reporting mitigates risk of the Council not achieving its outcomes by providing the opportunity to review outputs, identify trends and areas for improvement, and introduce corrective and/or preventative actions wherever necessary to address areas of poor - or under – performance.

### *Rural Communities*

73 There are no implications for rural communities arising from this report.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

74 There are no implications for children and young people arising from this report.

*Public Health*

75 There are no implications for public health arising from this report.

*Climate Change*

76 An update on delivery of the Carbon Neutral Action Plan will be provided in a separate report to the Committee in due course.

| <b>Access to Information</b> |   |
|------------------------------|---|
| Contact Officer:             | Tom Shuttleworth, Interim Director of Environment and Neighbourhood Services<br><a href="mailto:tom.shuttleworth@cheshireeast.gov.uk">tom.shuttleworth@cheshireeast.gov.uk</a><br>Jane Gowing, Interim Director of Planning<br><a href="mailto:Jane.gowing@cheshireeast.gov.uk">Jane.gowing@cheshireeast.gov.uk</a> |
| Appendices:                  | None  |
| Background Papers:           | None  |



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**Approvals trail: to be removed before Committee**


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| <b>Name</b>          | <b>Title</b>                                     | <b>Comments</b> | <b>Date</b> |
|----------------------|--|-----------------|-------------|
| <b>Contributors:</b> |  |                 |             |
| Chris Allman         | Head of Neighbourhood Services                   |                 |             |
| Tracey Bettaney      | Head of Regulatory Services                      |                 |             |
| Ralph Kemp           | Head of Environmental Services                   |                 |             |
| David Malcolm        | Head of Planning                                 |                 |             |
| Wendy Broadhurst     | Finance Lead - Place                             | None            | 16.05.23    |
| James Thomas         |  | None            | 16.05.23    |
| <b>Approvers:</b>    |  |                 |             |
| Tom Shuttleworth     | Interim Director of Environment & Neighbourhoods | None            | 10.05.23    |
| Jane Gowing          | Interim Director of Planning                     | None            | 16.05.23    |
|                      |  |                 |             |

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OPEN

**Environment and Communities  
Committee**

**8 June 2023**

**Appointments to Sub-Committees,  
Working Groups, Panels, Boards and  
Joint Committees**

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**Report of: David Brown, Director of Governance and Compliance**

**Report Reference No: EC/18/23-24**

**Ward(s) Affected: No specific wards**

**Purpose of Report**

- 1 This report seeks approval from the Environment and Communities Committee to appoint members to its working groups and panels for the 2023-24 municipal year.

**Executive Summary**

- 2 The Council, at its annual meeting on 24 May 2023, approved the political representation on its main committees. The appointment of certain sub-committees, working groups, panels and boards is a matter for the relevant service committees. This report addresses the composition of the working groups and panels of which membership is required to be appointed by the Environment and Communities Committee. Where political proportionality is applicable, the agreed conventions and methods of calculation have been applied.

## RECOMMENDATIONS

The Environment and Communities Committee is recommended to:

1. Appoint Members to the Cemeteries Strategy Member Advisory Panel and note its Terms of Reference
2. Appoint Members to the Household Waste and Recycling Centres Working Group and agree that the Terms of Reference be reviewed and confirmed at its first meeting
3. Appoint Members to the Local Plan Member Reference Group as follows: Con: 3; Lab: 3; Ind: 1; Lib Dem: 0; NGI: 0 and note its Terms of Reference
4. Establish and appoint Members to the Section 106 Member/Officer Working Group and agree that its Terms of Reference be agreed at its first meeting
5. Agree that the names of the Members appointed will be submitted to the Head of Democratic Services and Governance.

## Background

### 3 **Bodies which report to the Environment and Communities Committee**

#### 4 Cemeteries Strategy Member Advisory Panel

5 At its meeting on 11 November 2021, the Environment and Communities Committee received a report titled 'A Review of the Cemeteries Strategy' and resolved to establish a Member Advisory Panel to scrutinise the Cemeteries Strategy.

#### 6 [Environment and Communities Minutes 11 November 2021](#)

7 The Terms of Reference for this Member Advisory Panel are set out at Appendix 1.

It is proposed that the Environment and Communities Committee agree to the appointment of Members to the Cemeteries Strategy Member Advisory Panel, and that the nominees be notified to the Head of Democratic Services and Governance.

8 Previous membership

9 Councillors M Benson, J Bratherton, J Buckley and L Crane

10 Household Waste and Recycling Centres Working Group

11 At its meeting on 29 September 2022, the Environment and Communities Committee received a report titled 'Household Waste Recycling Centre Contract' and resolved to 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 what the scope and remit of the group should be.

12 [Environment and Communities Minutes 29 September 2022](#)

13 It is proposed that the Environment and Communities Committee agree to the appointment of Household Waste and Recycling Centres Working Group and that the nominees be notified to the Head of Democratic Services and Governance. It is also proposed that the Terms of Reference for this Working Group be reviewed and agreed at its first meeting.

14 Previous membership

15 Councillors J Buckley, L Crane, T Dean, R Moreton and J Parry

16 Local Plan Member Reference Group

17 At its meeting on 10 November 2022, the Environment and Communities Committee received a report titled 'Local Development Scheme 2022' and resolved to establish a Member Reference Group to support the preparation of the Local Plan.

18 [Environment and Communities Minutes 10 November 2022](#)

19 The agreed Terms of Reference (Appendix 2) state that the membership should reflect the political make-up of the Council.

20 It is proposed that the Environment and Communities Committee agree to the appointment of Members to the Local Plan Member Reference Group in line with the following, and that the nominees be notified to the Head of Democratic Services and Governance:

3 Conservative

3 Labour

1 Independent

21 Previous Membership

Councillors J Bratherton, J Buckley, C Browne, T Dean, M Warren, S Gardiner, M Hunter

22 Section 106 Member/Officer Working Group

At its meeting on 31 October 2022, the Environment and Communities Committee received a report titled 'Local Planning Authority Review and Service' and resolved to establish a Member/Officer Working Group following the findings of the proposed Section 106 funding internal audit, to explore the process of Section 106 planning obligations as part of the Modernisation Plan.

[Environment and Communities Committee Minutes 31 October 2022](#)

It is proposed that the Environment and Communities Committee agree to the appointment of the Section 106 Member/Officer Working Group to be convened following the findings of the proposed internal audit, and that the nominees be notified to the Head of Democratic Services and Governance. It is also proposed that the Terms of Reference for this Working Group be agreed at its first meeting.

**Consultation and Engagement**

- 23 There has been consultation with Group Leaders and Administrators in relation to the political representation of committees.

**Reasons for Recommendations**

- 24 In accordance with the Constitution, the Environment and Communities Committee is responsible for the appointment of its working groups and panels.

## Other Options Considered

| 12 | Option     | Impact  | Risk   |
|----|------------|---|--|
|    | Do nothing | The Council's Constitution requires these working groups and panels to be appointed in line with the legislation referenced in this report. Not appointing to these groups would negatively affect the Council's ability to make decisions in an open and transparent manner. | Failure to comply with the Council's Constitution and the legislation referenced in this report could leave the Council open to legal challenge. |

## Implications and Comments

### *Monitoring Officer/Legal*

- 25 The Local Government (Committees and Political Groups) Regulations 1990, made pursuant to the Local Government and Housing Act 1989, make provisions in respect of the political group representation on a local authority's committees in relation to the overall political composition of the Council. The legislation applies to the decision-making committees and sub-committees of the Council.
- 26 The legislation requires that, where proportionality applies, and seats are allocated to different political groups, the authority must abide by the following principles, so far as is reasonably practicable:
- 27 Not all of the seats can be allocated to the same political Group (i.e., there are no single group committees).
- 28 The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.
- 29 The total number of seats on all ordinary committees and sub committees allocated to each Political Group bears the same proportion to the proportion on the full Council.

- 30 The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.
- 31 The proposals contained in this report meet the requirements of the legislation.
- 32 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

*Section 151 Officer/Finance*

- 33 There are no financial implications that require an amendment to the Medium-Term Financial Strategy.

*Policy*

- 25 There are no direct policy implications.

**An open and enabling organisation**

Ensure that there is transparency in all aspects of council decision making

*Equality, Diversity and Inclusion*

- 26 There are no direct equality, diversity and inclusion issues.

*Human Resources*

- 27 There are no direct human resources implications.

*Risk Management*

- 28 Failure to comply with the Act and Regulations when appointing its committee memberships would leave the Council open to legal challenge.

*Rural Communities*

- 29 There are no direct implications for rural communities.



*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

30 There are no direct implications for children and young people.

*Public Health*

31 There are no direct implications for public health.

*Climate Change*

32 There are no direct implications for climate change.

| <b>Access to Information</b> |  |
|------------------------------|--|
| Contact Officer:             | Brian Reed<br>Head of Democratic Services and Governance<br><a href="mailto:Brian.reed@cheshireeast.gov.uk">Brian.reed@cheshireeast.gov.uk</a>     |
| Appendices:                  | Appendix 1 – Cemeteries Strategy Member Advisory Panel Terms of Reference<br><br>Appendix 2 – Local Plan Member Reference Group Terms of Reference |
| Background Papers:           | None   |

| <b>Member Advisory Group – Terms of Reference</b> |   |
|---|---|
| Title:  | Review of Cheshire East Cemeteries Strategy   |
| Background:                                       | At the Environment and Communities Committee held on 11 <sup>th</sup> November 2021, the Committee resolved to convene a Member Advisory Panel to scrutinise the current Cheshire East Cemeteries Strategy  |
| Link with the Corporate Plan:                     | <p>An open and enabling organisation- Listen, learn and respond to our residents, promoting opportunities for a two- way conversation</p> <p>A council which empowers and cares about people- All services to be developed together with our residents and communities, so they are based on what works for people in Cheshire East.</p> <p>A thriving and sustainable place- To reduce the impact on our environment.</p>  |
| Objectives:                                       | <p>To assess space and need by looking at how Cheshire East uses the land when it comes to the internment of remains and investigate different designs and approaches e.g., natural burial, woodland, grassland, building walls, renting space plus futureproofing, identification of any further land availability and asset transfer.</p> <p>To review all the current figures by the Church of England that relate to the closure of churchyards.</p> <p>To explore any potential opportunities to lobby government in change legislation relating to closed graveyards.</p> <p>Review issues of embellishments within burial plots (shrines) and sensitively approaching difficulties when graves overspill.</p> <p>Update data on demand and capacity (after the site visits and consideration of how we make best use of what we have)</p> <p>Engage with town and parish councils to understand appetite for asset (and service) transfer.</p> |

|                 |  |
|-----------------|--|
|                 |  |
| Key activities: | <p>Review of plans and site visits as a group to review cemeteries starting in Sandbach (highest profile) and taking into account Alsager and Crewe.</p> <p>Review the woodland burial site passed by Cheshire East Planning earlier this year.</p> <p>Take into account best practice locally and nationally, including major cities such as Liverpool and Manchester. Review Swanlow Lane cemetery in Winsford as this is operated by a private developer.</p> |
| Timescales:     | Dec 2021-Dec 2022  |
| Membership:     | <p>Cllr Mike Benson</p> <p>Cllr Joy Bratherton</p> <p>Cllr June Buckley</p> <p>Cllr Laura Crane</p>  |
| Lead Officers:  | <p>Paul Bayley, Director of Environment and Neighbourhood Services</p> <p>Ralph Kemp, Head of Environmental Services</p> <p>Helen Davies, Democratic Services Officer</p>  |

## Appendix 2

### **LOCAL PLAN MEMBER REFERENCE GROUP – TERMS OF REFERENCE (AGREED BY ENVIRONMENT AND COMMUNITIES COMMITTEE ON 10 NOVEMBER 2022)**

#### General remit of the Group

- An informal reference group of elected members established to support the preparation of the Council's Local Plan, providing a sounding board on key issues which the Local Plan must consider, and the reasonable options that exist to address those issues.
- The Group will not make formal decisions, which will be responsibility of the Environment and Communities Committee or Council.

#### Main tasks

- To consider and provide informal feedback to officers about matters related to the preparation of the Local Plan, including emerging evidence, issues and policy options.
- To contribute to proposals for stakeholder and community involvement in the Local Plan.

#### Membership

- To comprise 7 members reflecting the political make-up of the Council
- Membership to be reviewed on an annual basis (or post-election as appropriate).
- A Chair will be selected by the Group from amongst its number

#### Meetings

- Member Reference Group meetings will not be open to the public.
- Meetings to be held as and when necessary.
- Agendas to be sent to attendees 5 days prior to each meeting

#### Confidentiality

The way in which the Member Reference Group operates (not having decision-making powers and not open to the public or press) is intended to encourage members to have a free and frank debate, in which they may test concepts and ideas at a formative state. These ideas may not be subsequently taken forward. Papers will therefore (minutes, reports etc) be treated as confidential

## Work Programme – Environment and Communities Committee – 2022/23

A Report title in Bold indicates that this is a significant decision

| Reference   | Committee Date | Report title                                    | Purpose of Report  | Report Author /Senior Officer                            | Consultation and Engagement Process and Timeline | Equality Impact Assessment Required and Published (Y/N) | Part of Budget and Policy Framework (Y/N) | Corporate Plan Priority | Exempt Item and Paragraph Number |
|-------------|----------------|---|--|--|--|---|---|-------------------------|----------------------------------|
| EC/12/23-24 | 27 Jul 2023    | <b>Final Outturn 2022/23</b>                    | To note and comment on the final financial and performance outturn positions and, if necessary, to approve Supplementary Estimates and Virements.  | Director of Finance and Customer Services (s151 Officer) | No   | No  | Yes                                       | Open                    |                                  |
| EC/06/23-24 | 27 Jul 2023    | <b>Libraries Service Review</b>                 | To update Members on progress and outcomes from the public consultation and approve the details of the implementation plan for the review, in line with the Council MTFS decision.   | Director of Environment and Neighbourhood Services       | Yes  | Yes   | Yes                                       | Open                    |                                  |
| EC/02/23-24 | 27 Jul 2023    | <b>Local Plan Next Steps</b>                    | To consider the implications of the government's national planning reforms on the Council's new Local Plan programme, and to decide whether the Plan will be taken forward under the current legislative and national policy framework or be prepared as a new style plan under the revised legislative and national policy framework. | Director of Environment and Neighbourhood Services       | No   | No  | Yes                                       | Fair                    |                                  |
| EC/05/23-24 | 27 Jul 2023    | <b>Review of Waste Collection - Green Waste</b> | To approve the details of implementation of the paid subscription scheme for green waste collections.  | Director of Environment and Neighbourhood Services       | No   | Yes   | Yes                                       | Open                    |                                  |

| Reference   | Committee Date | Report title   | Purpose of Report  | Report Author /Senior Officer                            | Consultation and Engagement Process and Timeline | Equality Impact Assessment Required and Published (Y/N) | Part of Budget and Policy Framework (Y/N) | Corporate Plan Priority  | Exempt Item and Paragraph Number |
|-------------|----------------|--|--|--|--|---|---|--|----------------------------------|
| EC/03/23-24 | 27 Jul 2023    | Sustainable Drainage Systems Supplementary Planning Document | To seek approval to carry out public consultation on the draft Sustainable Drainage Systems Supplementary Planning Document which provides guidance on how developers can satisfy planning policy requirements related to surface water management and flooding whilst supporting improved design quality in the built environment.                                    | Director of Environment and Neighbourhood Services       | Yes  | Yes   | Yes                                       | Green  |                                  |
| EC/19/23-24 | 28 Sep 2023    | First Financial Review of 2023/24                            | To note and comment on the First Financial Review and Performance position of 2023/24, including progress on policy proposals and material variances from the MTFs and, if necessary, approve Supplementary Estimates and Virements.   | Director of Finance and Customer Services (s151 Officer) | No   | No  | Yes                                       | Open   | No                               |
| EC/07/23-24 | 28 Sep 2023    | <b>Green Spaces Maintenance Review Update</b>                | To update Members on progress with the review, seek approval subject to consultation of a policy document setting out typologies of site grounds maintenance by different site types and also present a proposed recommendation relating to those sites currently maintained but not in the Council's ownership and/or which it holds a legal responsibility to do so. | Director of Environment and Neighbourhood Services       | No   | Yes   | Yes                                       | Green  |                                  |
| EC/27/22-23 | 28 Sep 2023    | Review of the Cemeteries Strategy                            | To consider the review of the Cemeteries Strategy initiated by the Environment and Communities Committee in November 2021 of which a Member Advisory Panel was established to advise the review.   | Director of Environment and Neighbourhood Services       | Yes  | Yes   | Yes                                       | Listen, learn and respond to our residents, promoting opportunities for a two-way conversation | N/A                              |

| Reference   | Committee Date | Report title  | Purpose of Report   | Report Author /Senior Officer                            | Consultation and Engagement Process and Timeline | Equality Impact Assessment Required and Published (Y/N) | Part of Budget and Policy Framework (Y/N) | Corporate Plan Priority | Exempt Item and Paragraph Number |
|-------------|----------------|---|---|--|--|---|---|-------------------------|----------------------------------|
| EC/14/23-24 | 9 Nov 2023     | Medium Term Financial Strategy Consultation 2024/25 - 2027/28                               | To respond to the budget consultation for Environment and Communities services.   | Director of Finance and Customer Services (s151 Officer) | Yes  | No  | Yes                                       | Open                    |                                  |
| EC/10/23-24 | 9 Nov 2023     | Mid-Year Performance Review 2023/24   | To receive a report on the mid-year performance of Environment and Neighbourhood Services for 2023/24.  | Director of Environment and Neighbourhood Services       | No   | No  | No  | Open                    |                                  |
| EC/12/23-24 | 9 Nov 2023     | <b>Second Financial Review of 2023/24</b>   | To note and comment on the Second Financial Review and Performance position of 2023/24 and approve Supplementary Estimates and Virements as required.     | Director of Finance and Customer Services (s151 Officer) | No   | No  | Yes                                       | Open                    |                                  |
| EC/15/23-24 | 1 Feb 2024     | Medium Term Financial Strategy Consultation 2024/25 - 2027/28 Provisional Settlement Update | To receive the Medium Term Financial Strategy Consultation 2024/25 - 2027/28 Provisional Settlement Update.   | Director of Finance and Customer Services (s151 Officer) | Yes  | No  | Yes                                       | Open                    |                                  |
| EC/13/23-24 | 1 Feb 2024     | <b>Third Financial Review of 2023/24</b>  | To note and comment on the Third Financial Review and Performance position of 2023/24 and approve Supplementary Estimates and Virements as required.      | Director of Finance and Customer Services (s151 Officer) | No   | No  | Yes                                       | Open                    |                                  |
| EC/09/23-24 | TBC            | <b>Dog Fouling and Dog Control Public Spaces Protection Order</b>                           | To receive and approve an extension to the existing Order.  | Director of Environment and Neighbourhood Services       | Yes  | Yes   | No  | Fair                    |                                  |
| EC/08/23-24 | TBC            | <b>Alley Gating Public Spaces Protection Order</b>  | To receive and approve an extension and variation to the existing Order.  | Director of Environment and Neighbourhood Services       | Yes  | Yes   | No  | Fair                    |                                  |
| EC/11/23-24 | TBC            | <b>Strategic Leisure Review Update</b>  | To provide an update to Committee on progress with the review and proposed approach in advance of a formal public consultation in late 2023 / early 2024. | Director of Environment and Neighbourhood Services       | No   | Yes   | Yes                                       | Open                    |                                  |

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