

# CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Highways and Transport Committee**  
held on Thursday, 23rd January, 2025 in the The Capesthorpe Room - Town  
Hall, Macclesfield SK10 1EA

## PRESENT

Councillor M Goldsmith (Chair)  
Councillor L Crane (Vice-Chair)

Councillors L Braithwaite, C Browne, A Burton, A Coiley, H Faddes, A Gage,  
M Muldoon, M Sewart, D Brown, L Wardlaw and G Marshall

## OFFICERS IN ATTENDANCE

Genni Butler, Countryside Access Development Manager  
Dom De Bechi, Head of Highways  
Mark Greenhough, Public Path Orders Officer  
Paul Griffiths, Head of Strategic Infrastructure  
Richard Hibbert, Head of Strategic Transport & Parking Services  
Tom Moody, Director of Transport, and Infrastructure  
Nicola Lewis-Smith, Public Rights of Way Manager  
Dominic Proud, Contract Director, Cheshire East Highways  
Steve Reading, Principal Accountant  
Mandy Withington, Solicitor  
Karen Shuker, Democratic Services Officer

## 47 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Chadwick, P  
Coan and C Hilliard.

Councillors D Brown, G Marshall, and L Wardlaw attended as substitutes.

## 48 DECLARATIONS OF INTEREST

During consideration of item 11 - PROW - Town & Country Planning Act  
1990 Section 257 - Proposed diversion of public footpath no 12 (Part) in  
the Parish of Nether Alderley in the interests of openness and  
transparency Councillor C Browne declared that the landowner and the  
applicant were known to him.

## 49 MINUTES OF PREVIOUS MEETING

### RESOLVED:

That the minutes of the meeting held on 11 November 2024 be agreed as  
a correct record.

## 50 PUBLIC SPEAKING/OPEN SESSION

Mr M Bunte, representing Cycling UK addressed the Committee in relation to agenda item 7 – Local Transport Plan - Vision and Objectives. Mr Bunte referenced Appendix 2, the Evidence Base Report which he stated frequently mentioned that cycling infrastructure should be of 'high quality'. However, Mr Bunte stated that almost always the opposite was the case and that the problem was the local authority's widespread use of shared footways, in urban areas which were not safe. Mr Bunte stated that three quarters of cyclist collisions happened at or near junctions which was where shared footways stop.

Mr Bunte felt that shared footways were being installed without meaningful consultation or reference to documents like the Sandbach Town Cycling Plan. Mr Bunte referenced the current proposals which were being developed for four locations in Sandbach and stated that they were almost always built sub-standard.

Mr Bunte shared his concerns around the challenges of using shared footways and highlighted the need for better cycling infrastructure and requested that the Local Transport Plan highlighted the problems with shared footways in urban areas and focused instead on road-cycling, supported by speed limits and the 'close pass' initiative.

The Chair thanked Mr Bunte for attending and noted that the comments made would be considered when developing the new Local Transport Plan.

## 51 THIRD FINANCIAL REVIEW 24/25

The Committee considered a report which provided the forecast outturn for the financial year 2024/25 based on income, expenditure, and known commitments as at the end of October 2024. It also identified actions that were being taken to address adverse variances to urgently address the Council's financial sustainability.

Although the underspend for Highways and Transport had worsened slightly since FR2 this was still a positive position with an underspend of £0.5m being forecast and across the Place directorate an underspend of £4.9m was being forecast.

### **RESOLVED:**

1. Review the factors leading to a forecast adverse Net Revenue financial pressure of £18.3m against a revised budget of £390.5m (4.7%). To scrutinise the contents of Annex 1, Section 2 and review progress on the delivery of the MTFs approved budget policy change items, the RAG ratings and latest forecasts, and to understand the actions to be taken to address any adverse variances from the approved budget.

2. Review the in-year forecast capital spending of £144.7m against an approved MTFS budget of £215.8m, due to slippage that has been re-profiled into future years.
3. Note the available reserves position as per Annex 1, Section 5.
4. Note the Capital Virements above £500,000 up to and including £5,000,000 as per Annex 1, Section 4, Table 4 will be approved in accordance with the Council's Constitution

**52 MEDIUM TERM FINANCIAL STRATEGY CONSULTATION 2025/26 - 2028/29 PROVISIONAL SETTLEMENT UPDATE (HIGHWAYS & TRANSPORT COMMITTEE)**

The Committee considered a report which sought feedback on the Medium-Term Financial Strategy for 2025/26 – 2028/29 for the Corporate Policy Committee to consider at its meeting on 6 February 2025 ahead of the final approval of the 2025/26 budget at full Council on 26 February 2025.

Following a number of suggestions which had been raised previously in respect of selling advertising space in car parks, FlexiLink vehicles, parking tickets and household waste bins and a suggestion to revisit these, officers reported that a work stream had been identified through the transformation programme which included exploring advertising opportunities across different asset types. This would be followed by the launch of soft market testing phase to gauge interest and feasibility, and the project would be routed the transformation work stream.

Officers informed members that as ANSA was being brought in-house this would provide an opportunity to look at commercial elements such as advertising on roundabouts and exploring a different delivery model.

**RESOLVED:** (By Majority)

a) Recommend to the Corporate Policy Committee, for their meeting on 6 February 2025, all proposals within Appendix A, as related to the Committee's responsibilities, for inclusion on the Council's budget for 2025/26.

(b) Identify any further budget change proposals, as related to the Committee's responsibilities, that could assist Corporate Policy Committee in presenting an overall balanced budget to Council for 2025/26.

(c) Note the capital growth items listed in Appendix B and the revenue implications noted in paragraph 23. These will be reviewed by the Capital Review Programme Board in January before a final list is brought to Corporate Policy committee in February.

(d) Note the contents of Appendix C – Provisional Local Government Settlement 2025/26 (Finance Sub Committee).

(e) Note the contents of Appendix D – Council Tax benchmarking and scenarios (Finance Sub Committee) and consider what the impact of any requests for a change of Council Tax policy would be

### 53 LOCAL TRANSPORT PLAN - VISION AND OBJECTIVES

*Councillor A Burton arrived during consideration of this item.*

The Committee considered a report which provided an update on the progress of a new LTP (Local Transport Plan) for Cheshire East, which would provide a policy framework for transport across the borough and guide investment in the local transport network.

The report outlined the work undertaken to date and sought approval to undertake public consultation on the draft LTP vision and objectives included in Appendix 1 of the report.

The report also sought to establish a Member Reference Group to support the preparation of the LTP.

The Committee were informed that work over 2024 had focused on defining problems and objectives, including production of a draft evidence base and draft vision and objectives for the next LTP.

An 8-week consultation process in respect of priorities and strategic objectives would commence following the February half-term with the outcomes coming back to committee. Officers were mindful of engaging residents and stakeholders to inform key strategic choices but emphasised that it would not be a 'one size fits all' approach and the plan had to be capable of striking a balance between job creation and homes and the environmental impact.

Officers acknowledged that it had been a struggle to engage with the younger demographic previously so all options for consultation would be considered such as engaging with the Youth Council, colleges and creating a video for social media.

It was acknowledged that there would be challenges in encouraging those people who did not currently use public transport to do so, and officers welcomed engagement with local town and parish councils and community led groups to use their knowledge and experience to help develop the LTP.

The Committee welcomed the proposal to establish a Member Reference Group to support the preparation of the Local Transport Plan. A friendly amendment was supported by the Committee that the proposed Member Reference Group membership (Appendix 5) be expanded to include Councillor R Chadwick as a member of the Highways and Transport

Committee from a rural ward, and the Chair of the Children and Families Committee due to the connection with home to school transport.

Members welcomed the draft plan and thanked the team for the hard work that had gone into the plan so far.

**RESOLVED:** (Unanimously)

That the Highways and Transport Committee

1. Note the updated Evidence Base for the next Local Transport Plan.
2. Approve the draft vision, aims and objectives set out at Appendix 1 as a basis for public consultation.
3. Approve the proposed approach to public consultation in line with the Consultation and Engagement Plan at Appendix 3 and Communications Plan at Appendix 4.
4. Delegate authority to the Director of Transport and Infrastructure to finalise the consultation material and undertake the public consultation.
5. Approve that a Member Reference Group is established to support the preparation of the Local Transport Plan with the proposed membership and Terms of Reference as set out in Appendix 5 subject to the membership being extended to include Councillor R Chadwick as a member of the Highways and Transport Committee from a rural ward, and the Chair of the Children and Families Committee due to the connection with home to school transport.

#### 54 **HIGHWAYS SERVICE CONTRACT IMPROVEMENT ACTION PLAN**

The Committee considered a report which outlined the progress to date following The Highway Service Contract Peer Review which was undertaken by Future Highway Research Group (FHRG) in Spring 2024.

A comprehensive, independent, and external assessment of the services in the scope of the Council's Highway Service Contract was undertaken. It also compared how the Council's services were rated against other Highway Authorities comprising FHRG's 40 members.

The Council intended to commission FHRG to undertake a further review in two to three years' time to measure progress.

Following the review an action plan had been developed which addressed the recommendations and the actions being taken.

Whilst officers acknowledged that it was a positive that FHRG had placed the Cheshire East Council 14<sup>th</sup> out of the 40 members they wanted to do better. To improve on this there would be more work conducted in respect of external benchmarking, better engagement with members to help

support them with effectively communicating with residents and a review of current services and adapting those to look at the wider resilience and effectiveness of the service provided.

Officers welcomed the suggestion of using artificial intelligence within the service and informed members that they were using it in some instances, but they were mindful that they needed to build a platform ready for supporting the broader use of the technology across other areas of the service.

Members welcomed the report and action plan and complimented the officers on providing good value for money and good collaborative working.

**RESOLVED:** (Unanimously)

That the Highways and Transport Committee

1. Note the progress made with the implementation of the Improvement Action Plan to date.
2. Approve that the Director of Transport and Infrastructure continues to progress implementation of the Improvement Action Plan in Appendix 1.
3. Notes that progress with the plan will be monitored and managed through:
  - a. the Place Directorate Management Team; and
  - b. in conjunction with Cheshire East Highways through the Transportation and Infrastructure Partnership Board, with any significant issues reported to the committee.
4. Approve that the Director of Transport and Infrastructure commissions a further peer review before April 2028 to assess progress.

**55 MIDDLEWICH EASTERN BYPASS - AUTHORITY TO ENTER INTO CONSTRUCTION CONTRACT**

The Committee considered a report which sought approval for officers to enter into a contract with Balfour Beatty to build the Middlewich Eastern Bypass (MEB) but subject to receiving a positive decision by the Department of Transport (DfT) to award the Council grant funding of £46.78 million towards the cost of the scheme.

The possible impacts of any delay to the DfT grant decision on the potential start date and estimated costs of the scheme were highlighted to members along with the consequences of not receiving a positive decision.

Officers reported that they were doing all they could behind the scenes and publicly to make it clear to government the importance of a positive decision by February to allow for works to start on site immediately which would take advantage of summer working and environmental constraints.

In response to a question raised in respect of whether officers were confident that lessons had been learnt from the HS2 project and that they had carried out the maximum amount of preparation for this project officers reported that the revised business case had been shaped and improved following feedback from government and support from civil servants from the DfT. The business case had been submitted and was now just waiting for a decision.

**RESOLVED:** (by Majority)

That the Highways and Transport Committee

1. Note the previous financial and delivery decisions and delegations in previous reports.
2. Subject to DfT grant approval and that the construction target cost and other scheme cost estimates are in line with the budget and funding arrangements in the 2024/2025 Medium Term Financial Strategy (MTFS) and subsequent approved virements, delegate authority to the Director of Transport and Infrastructure to enter into Stage 2 of the construction contract under the SCAPE framework.
3. Delegate authority to the Director of Transport and Infrastructure, in consultation with the S151 Officer, to make all necessary arrangements prior to the DfT decision (for example including, but not limited to, expenditure on preparing the target cost and value engineering design work) to enable the scheme to start on site in Summer 2025. (The Contract Preparation Works)
4. Delegate authority to the Director of Transport and Infrastructure to bring forward appropriate elements of construction (The Early Site Works) into Stage 1 of the existing Scape Contract (This work to be contractually awarded only after a positive decision on the DfT grant award)
5. Note the possible impacts of a delay to a DfT Decision on the start date and estimated cost of the scheme.
6. If any delays or any other factors cause estimated scheme costs to rise above the current approved capital budget, authorise the Director of Transport and Infrastructure to:
  - a. request the Finance Sub Committee and Council make any necessary adjustments to the MTFS and

b. make any minor scope changes to the scheme which may arise as a result of a value engineering exercise to ensure the scheme is affordable.

7. Authorise the Director of Governance, Compliance and Monitoring Officer to take all the remaining steps necessary to obtain all rights required for any land necessary for the construction of the scheme.

*The Committee adjourned for a short break. Councillors D Brown and G Marshall left the meeting and did not return.*

**56 PROW: PROPOSED PUBLIC PATH CREATION AGREEMENT IN THE PARISH OF WARDLE**

The Committee considered a report which sought approval to enter into a Public Path Creation Agreement with the owner of land in order to add a Public Footpath to the Definitive Map and Statement in respect of the Parish of Wardle.

In response to a question asked in relation to whether mitigations would be put in place for the landowner whose land carried the public right of way officers reported that available mitigations were limited, but use of waymarking would be offered along with signage to encourage users to adhere to the public right of way.

The Committee considered the application and evidence as set out within the officer report.

**RESOLVED:** (Unanimously)

That the Highways and Transport Committee

1. Decide that a Public Path Creation Agreement should be entered into under Section 25 of the Highways Act 1980 to add a Public Footpath to the Definitive Map and Statement in the Parish of Wardle, as illustrated between points A and B on Plan No. HA/156.

2. Decide that public notice of the making of the Agreement should be given.

**57 PROW - TOWN & COUNTRY PLANNING ACT 1990 SECTION 257 - PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 12 (PART) IN THE PARISH OF NETHER ALDERLEY**

The Committee considered a report which outlined the investigation to divert part of Public Footpath No. 12 in the Parish of Nether Alderley following receipt of an application from a local resident in relation to a planning application.

The report included a discussion of the consultations carried out in respect to the proposals and the legal tests to be considered for a diversion order to be made under the Town and Country Planning Act 1990.

During consideration of this item, in the interests of openness and transparency Councillor C Browne declared that the applicant and landowner were known to him.

The Committee considered the application and evidence as set out within the report and agreed that an order be made under section 257 of the Town and Country Planning Act 1990 on the grounds that Cheshire East Council was satisfied that it was necessary to do so to enable development to be carried out.

**RESOLVED:** (Unanimously)

That the Highways and Transport Committee:

1. Decide that a public path diversion order be made under section 257 of the Town and Country Planning Act 1990 for part of Public Footpath No. 12 in the Parish of Nether Alderley as shown on Plan No. TCPA/080 on the grounds that Cheshire East Borough Council is satisfied that it is necessary to do so to enable development to be carried out.

2. Decide that public notice of the making of the Order be given and in the event of there being no objections within the period specified, and in the event that planning consent has been granted, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.

3. Note that in the event of objections being received, Cheshire East Borough Council be responsible for the conduct of any hearing or Public Inquiry.

## 58 **WORK PROGRAMME**

The Committee considered the work programme.

The following items had been added to the work programme:

- Rights of Way Improvement Plan (ROWIP) was scheduled for April 2025.
- The standard finance items were listed for 2025/26.
- The Lane Rental Scheme was now scheduled for September 2025.

The Chair invited committee members to identify further areas of scrutiny that the committee could be involved in, such as policy development. This would involve a small group of members being involved in the development of any policies at an early stage through a Task and Finish Group, with their recommendations being brought back to the Committee for approval.

The meeting commenced at 10.00 am and concluded at 12.20 pm

Councillor M Goldsmith (Chair)