

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Council

held on Thursday, 24th February, 2022 in the Crewe Lifestyle Centre, Moss Square, Crewe. CW1 2BB

PRESENT

Councillor S Pochin (Mayor/Chair)

Councillor D Marren (Deputy Mayor/Vice Chair)

Councillors Q Abel, S Akers Smith, L Anderson, M Asquith, R Bailey, J Barber, M Beanland, M Benson, L Braithwaite, J Bratherton, S Brookfield, D Brown, C Browne, C Bulman, B Burkhill, P Butterill, S Carter, J Clowes, S Corcoran, L Crane, S Davies, T Dean, D Edwardes, S Edgar, B Evans, H Faddes, A Farrall, JP Findlow, K Flavell, R Fletcher, A Gage, S Gardiner, L Gilbert, M Goldsmith, A Gregory, P Groves, S Handley, A Harewood, G Hayes, S Hogben, S Holland, M Houston, D Jefferay, L Jeuda, A Kolker, C Leach, I Macfarlane, N Mannion, A Martin, A Moran, R Moreton, B Murphy, D Murphy, C Naismith, J Nicholas, K Parkinson, J Parry, B Puddicombe, P Redstone, J Rhodes, L Roberts, J Saunders, M Sewart, M Simon, L Smetham, J Smith, D Stockton, A Stott, L Wardlaw, M Warren, J Weatherill, P Williams and N Wylie

OPENING ANNOUNCEMENTS

The Mayor, in summary

1. reported that Councillor Rob Moreton had walked to the Council meeting from Congleton and invited Councillor Moreton to explain why. Councillor Moreton stated that he had walked to the Council meeting as practice for the walk he was undertaking on 13 May 2022 in aid of Visyon – a charity which supported the emotional health of children and young people and their families.
2. was conscious of the important matters on the agenda and stated that she would do her best to deal with the items in an efficient, fair and democratic manner. The Mayor asked if councillors would stay until the end of the meeting as there was a Notice of Motion to debate and 30 minutes for Questions.
3. asked, with the lifting of Covid restrictions, that those present be respectful towards others who may not be so comfortable with the situation.
4. referred to the situation unfolding in the Ukraine; and
5. reported the death of Honorary Alderman Susan Harden and asked those present to stand in a minutes silence as a mark of respect.

59 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors M Addison, J Buckley, A Critchley, M Hunter, L Smith, R Vernon and J Wray.

60 **DECLARATIONS OF INTEREST**

In the interests of openness, Councillor D Brown, R Fletcher and D Marren declared an interest in relation to Item 14: Nomination of Mayor and Deputy Mayor 2022/23 Civic Year.

61 **MINUTES OF PREVIOUS MEETINGS**

RESOLVED:

That the minutes of the special and ordinary meetings held on 15 December 2021 be approved subject to the following amendments:

Special Meeting 15 December 2021

Present at meeting – add Councillors M Beanland, M Benson and L Roberts.

Ordinary Meeting 15 December 2022

Minute 45 – Public Speaking Time/Open Session

The paragraph relating to Macclesfield Town Councillor Fiona Wilson be amended for clarity to include reference to specific councils – amended paragraph to read:

“Macclesfield Town Councillor Fiona Wilson sought assistance in resolving issues following the removal of several roads in Macclesfield from the winter gritting routes and stated that *Macclesfield Town Council* had agreed to pay for the gritting of these routes. She suggested that *Cheshire East Council* had refused to grant permission for this to happen. Councillor C Browne, Chair of Highways and Transport Committee, undertook to provide a written response.”

62 **MAYOR'S ANNOUNCEMENTS**

The Mayor, in summary

- 1 thanked Cheshire East Highways for the £350 they had collected for the Mayor's charity - Cheshire Youth Federation and she hoped that there would be some collaboration between Cheshire Youth Federation and Cheshire East Highways on apprentices.
- 2 thanked Trevor Green in the Council's Communications Team for putting together the Council's tribute for Holocaust Memorial Day, which had taken place virtually.

3 reported that she was organising a Polish community event on Saturday 27 February at Crewe Market Hall and invited all to attend.

63 PUBLIC SPEAKING TIME/OPEN SESSION

Andrew Wood reported that an event would be held in April to talk about the building of a new farmers' market in Chelford and all were invited to attend. Mr Wood then talked about the clean air zone in Manchester and that not everybody had electric cars and that there was not enough power in the grid to supply everybody with electric cars. He asked, as electric cars did not pay road tax, who would pay for the road, and stated it was the people who would be going in and out of the clean air zone, and some will not be able to afford the £20 charge for using the clean air zone in Manchester.

Simon Read, Chair of Pickmere Parish Council, expressed concerns about the level of service provided by the Council in relation to planning and highways matters and reported that the Parish Council had taken the unusual step of raising a formal complaint about the difficulty they had faced. In response Cllr M Warren, Chair of Environment and Communities Committee, stated that the planning service was currently dealing with an above average number of planning applications and that additional external support had been brought in to help reduce the backlog of applications. A full review of the planning service had been launched, with a view to improving the customer experience and communication with customers, recruiting more staff, and reducing the backlog of applications. With respect to planning enforcement, the Council had a Planning Enforcement Policy published on its website, which sets out the legislative powers available to the local planning authority, the priorities for investigation, and the actions that may be taken in response to identified breaches of planning control. Resources were targeted to dealing with the most serious breaches of planning control where clear and demonstrable harm is being caused. There were seven Planning Enforcement Officers to cover the borough, who investigated on average 1,000 reports of suspected breaches of planning control each year. Cllr C Browne, Chair of Highways and Transport Committee responded to say that he had been assured by the highways department that the local highways officer would be in touch to proactively open communications with the parish council. The Mayor invited Cllr K Parkinson, ward councillor, to respond. Cllr Parkinson stated that she shared the frustration of the parish council in receiving little or no response from Highways regarding the state of the roads. She stated she was constantly fighting for potholes to be repaired in her ward but was frustrated as only a basis repair was done, which disintegrated within a couple of weeks and then the whole cycle started again.

Robert Douglas asked the Council to revert back to the previous public speaking rules to allow residents to raise questions at any committee meeting on issues that fall within the remit of that committee rather than

just the items on the agenda. He also asked the Council to authorise its Environment and Communities Committee to investigate how Cheshire East Council could adopt the excellent policy of Congleton Town Council and completely ban the use of glyphosate. In response Cllr M Warren, Chair of Environment and Communities Committee, responded that the intention behind the public speaking rules, as they were currently framed, was to ensure that the Council's committees could concentrate on those matters which appeared on their agendas, rather than upon any wide-ranging issue which might be raised by a member of the public on any particular day. Cllr Warren suggested that if Mr Douglas or anyone else had a question which might fall within the terms of reference of a committee, they raise these matters with the Committee Chair, by email. In that way, a prompt and effective response can be provided. In relation to the question on the use of glyphosate, Cllr Warren stated that the Council was aware of public concern around the use of glyphosate in public places. However, Glyphosate was still licenced for use in the UK and as such, if handled correctly and within the guidance, was safe to be used in public places. ANSA and Cheshire East Highways, who undertake weed control in parks, open spaces, roads and pavements on behalf of the Council were encouraged to minimise the use of glyphosate and to find alternative mechanisms wherever possible.

Peter Foster asked about the provision of a greenway with links for pedestrians and cyclists alongside the proposed railway from the Parkers Road area of Crewe to Wimboldsley and onto Clive Green for Winsford and Middlewich, which would allow journeys to work and for leisure, much like the existing Crewe-Nantwich route alongside Middlewich Road, in an area with no minor roads and few footpaths. Cllr C Browne, Chair of Highways and Transport Committee, responded that the opportunity to provide a greenway was closely associated with the planning for High Speed 2 (phase 2B). The Council was actively engaged in responding to consultations on the design refinements for Phase 2B and this would include consideration of all necessary mitigations to impacts on local road networks and routes for active travel.

Sue Helliwell referred to a report in the Alsager Chronicle in which Cllr Rod Fletcher stated that Cheshire East Council has removed £400,000 from a capital programme for enhancements to Bank Corner Alsager, previously set aside in February 2019 for high priority improvements and asked if the money could be reinstated in the next round of highways. In response Cllr C Browne, Chair of Highways and Transport Committee, responded that it was these matters would be considered when Item 7 – Medium Term Finance Strategy, was debated by Council.

Laura Turner stated that nothing had changed since she last spoke at the Council meeting in December and that she believed the Leader of the Council was out of touch with what was going on in Middlewich. She referred to what she believed to be the dysfunctionality of Middlewich Town Council, the inability of ward councillors to act on resident's behalf, the grossly underfunded infrastructure and increasing number of planning

permission granted. She invited the Leader to meet with Middlewich residents who disagreed with the statement he made last December. In response it was stated it was inappropriate for the Council to discuss the affairs and operation of Middlewich Town Council.

64 LEADER'S AND DEPUTY LEADER'S ANNOUNCEMENTS

The Leader, in summary

- 1 reported that he had written to Her Majesty, The Queen, to wish her a speedy recovery from Covid-19.
- 2 stated that despite national regulations on Covid being relaxed, it did not mean that all precautions should be abandoned, and that he would still be wearing a mask in indoor spaces out of respect to others.
- 3 reported that the infection rate had fallen to 400 cases per 100,000 and that the rate for Covid vaccinations was 88% of those eligible.
- 4 commended the work being done on the Cleaner Crewe project to reduce fly tipping and promoting community pride.
- 5 reported that work on Nantwich Leisure Centre had been completed and included smart building technology as part of the Council's drive towards a carbon neutral authority by 2025.

The Deputy Leader, in summary

- 1 provided an update on the competition to find a location for the headquarters of Great British Railways and the work being undertaken to nominate Crewe as the location for the headquarters as the town was at the heart of the railway network, had strong links to rail industry and met the criteria set out. The bid was being supported by Cheshire West and Chester Council, Warrington Council, the Local Enterprise Partnership and Crewe Town Council. A private company had been commissioned to lead on the PR strategy and a partnership and key stakeholder group was being set up, to be chaired by the local MP. A cross party members group would be established and all members would be regularly briefed on progress.

65 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE: MEDIUM TERM FINANCIAL STRATEGY

The Corporate Policy Committee, at its meeting on 10 February 2022, had considered a report on the Medium-Term Financial Strategy for Cheshire East Council for 2022-26.

The Corporate Policy Committee had recommended to Council the items in Appendix A to the report, subject to the two following recommendations:

- a. the Highways and Transport Committee be asked to carry out an immediate and major review of the local and national funding of expenditure of Cheshire East Highways, and that this leads to decisions or recommendations to enhance services and value for money to local residents; and
- b. the Capital Programme, on page 218 of the MTFS agenda pack, be amended to provide the Managing and Maintaining Highways expenditure is increased to £6m in each of 2023/24 and 2024/25 instead of £4m in each year. To balance this amendment, the borrowing costs be funded from correlated savings over the three-year period, achieved from the revenue budget allocated to pot holes repairs.

The recommendations were proposed and seconded, and during the debate an amendment was proposed.

Amendment

To include an item in the Capital Programme, on Page 218 of the MTFS agenda pack, for B5077/B5078 North Junction, Alsager. The cost is £400,000 fully funded from External Contributions.

The amendment was moved and seconded. The mover and seconder of the recommendations from Corporate Policy Committee to Council agreed to accept the amendment and therefore the amendment became part of the substantive proposition.

Following debate on the substantive recommendations, these were put to the vote, and in accordance with legislation, a recorded vote was carried out with the following results:

FOR

Councillors Q Abel, S Akers Smith, L Anderson, J Barber, L Braithwaite, J Bratherton, S Brookfield, C Browne, C Bulman, B Burkhill, P Butterill, S Carter, S Corcoran, L Crane, D Edwardes, B Evans, H Faddes, A Farrell, K Flavell, R Fletcher, M Goldsmith, S Handley, A Harewood, S Hogben, M Houston, D Jefferay, L Jeuda, I Macfarlane, N Mannion, A Moran, R Moreton, D Muprhy, C Naismith, J Nicholas, J Parry, B Puddicombe, J Rhodes, J Smith, A Stott, M Warren and P Williams.

AGAINST

Councillors M Asquith, R Bailey, M Beanland, M Benson, D Brown, J Clowes, S Davies, T Dean, S Edgar, JP Findlow, A Gage, S Gardiner, L Gilbert, A Gregory, P Groves, G Hayes, S Holland, A Kolker, C Leach, K Parkinson, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, D Stockton, L Wardlaw, J Weathertill and N Wylie.

NOT VOTING

Councillor D Marren, A Martin, B Murphy, S Pochin and L Roberts.

The motion was declared carried with 41 votes for, 29 against and 5 not voting.

RESOLVED:

That Council

- 1 notes the Report of the Council's Chief Finance Officer (Section 151 Officer), contained within the MTFS Report, regarding the robustness of estimates and level of reserves held by the Council based on these budget proposals (Appendix C to the report, Report from the Section 151 Officer).

That Council, having given due regard to the report of the Chief Finance Officer, approves:

- 2 the Revenue estimates for the 2022/23 budget and the medium-term Capital Programme estimates 2022-2026, as detailed in the Medium-Term Financial Strategy Report (MTFS) 2022-2026 (Appendix C to the report).
- 3 Band D Council Tax of £1,626.24 representing an increase of 2.99%. This is below the referendum limit (including 1% ringfenced for Adult Social Care) and arises from the provisional finance settlement (Appendix C to the report, Section 2).
- 4 the 2022/23 non ringfenced Specific Grants, and that any amendments to particular grants will be reported to Council if further information is received from Government Departments or other funding bodies (Appendix C to the report , Annex 7).
- 5 the 2022/23 Capital Grants, and that any amendments to particular grants will be reported to Council if further information is received from Government Departments or other funding bodies (Appendix C to the report, Annex 8).
- 6 the relevant Committee to agree the use of additional Specific Grants received as further updates to the 2022/23 funding position are received.
- 7 the Prudential Indicators for Capital Financing (Appendix C to the report, Annex 10).
- 8 the Children and Families Committee to agree any necessary amendment to the 2022/23 Dedicated Schools Grant (DSG) of £338.5m and the associated policy proposals, in the light of further information received from DfE, pupil number changes, further

academy transfers and the actual balance brought forward from 2021/22 (Appendix C to the report, Annex 7).

- 9 the Capital Strategy (Appendix C to the report, Annex 10).
- 10 the Treasury Management Strategy (Appendix C to the report, Annex 11).
- 11 the Investment Strategy; including the financial limits for various classifications of investment, and the investment decision making process set out in the Strategy (Appendix C to the report, Annex 12)
- 12 the Reserves Strategy (Appendix C to the report, Annex 13), which includes proposed movements to and from reserves.
- 13 the amendment to Key Decisions as defined in the Constitution and the financial limits to be included within the Council's Finance Procedure Rules (Appendix C to the report, Annex 14);
- 14 the Highways and Transport Committee be asked to carry out an immediate and major review of the local and national funding of expenditure of Cheshire East Highways, and that this leads to decisions or recommendations to enhance services and value for money to local residents;
- 15 the Capital Programme, on page 218 of the MTFS agenda pack, be amended to provide the Managing and Maintaining Highways expenditure is increased to £6m in each of 2023/24 and 2024/25 instead of £4m in each year. To balance this amendment, the borrowing costs be funded from correlated savings over the three-year period, achieved from the revenue budget allocated to pot holes repairs.
- 16 the Capital Programme, on page 218 of the MTFS agenda pack, include provision for B5077/B5078 North Junction, Alsager. The cost is £400,000 fully funded from External Contributions.

That Council recognises that Corporate Policy Committee noted:

- 17 the year-end outturn forecast position for 2021/22 (Appendix C to the report, Section 2).
- 17 the Budget Engagement exercise undertaken by the Council, as set out in the attached (Appendix C to the report, Annex 2a).
- 18 the results of the Budget Consultation (Appendix C to the report, Annex 2b).

66 COUNCIL TAX STATUTORY RESOLUTION

Consideration was given to a report relating to the setting of the Council Tax for 2022/23.

It was reported that Cheshire East Council, as a billing authority, was responsible for the billing and collection of Council Tax from local taxpayers and must, therefore, make a resolution to set the overall Council Tax level. This meant the Authority also collected Council Tax income to cover not only its own services but also precepts set by other authorities.

The Council Tax levied was, therefore made up of four elements:-

- Cheshire East Borough Council
- Town & Parish Council precepts
- Police and Crime Commissioner for Cheshire precept
- Cheshire Fire Authority precept.

Council was recommended to set the Council Tax for Cheshire East Council for the financial year 2022/23 at £1,626.24, in accordance with the formal resolutions as shown in section 14 of the report.

The motion in respect of the setting of the Council Tax was proposed and seconded. Following debate, in accordance with legislation a recorded vote was carried out in respect to this item, with the following results:-

FOR

Councillors Q Abel, S Akers Smith, L Anderson, J Barber, L Brathwaite, J Bratherton, S Brookfield, C Browne, C Bulman, B Burkhill, P Butterill, S Carter, S Corcoran, L Crane, D Edwardes, B Evans, H Faddes, A Farrall, K Flavell, R Fletcher, M Goldsmith, S Handley, A Harewood, S Hogben, M Houston, D Jefferay, L Jeuda, I Macfarlane, N Mannion, A Moran, R Moreton, B Murphy, D Murphy, C Naismith, J Nicholas, J Parry, B Puddicombe, J Rhodes, L Roberts, J Smith, A Stott, M Warren and P Williams.

AGAINST

Councillors M Beanland, M Benson, J Clowes, S Davies, S Edgar, JP Findlow, A Gage, S Gardiner, L Gilbert, A Gregory, P Groves, G Hayes, S Holland, A Kolker, C Leach, K Parkinson, P Redstone, J Saunders, M Sewart, M Simon, L Smetham, D Stockton, L Wardlaw, J Weatherill, and N Wylie.

NOT VOTING

Councillors M Acquith, R Bailey, D Brown, D Marren, A Martin and S Pochin.

The motion was declared carried with 43 votes for, 25 against and 6 not voting.

RESOLVED: That

1. the Council Tax for Cheshire East Council for the financial year 2022/23 be set at £1,626.24, in accordance with the formal resolutions as shown in section 14 of the report, as follows: -

Formal Resolution

1. that it be noted that on 15 December 2021 the Council calculated the Council Tax base 2022/23.
 - (a) for the whole Council area as 156,607.48 (item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")).
 - (b) for individual parishes, as in Appendix A to the report.
2. that the Council Tax requirement for the Council's own purposes for 2022/23 (excluding Parish precepts) is £254,681,348.
3. that the following amounts be calculated for the year 2022/23 in accordance with Sections 31 to 36 of the Act:
 - a. £651,430,983 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - b. £387,440,139 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - c. £263,990,844 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
 - d. £1,685.68 being the amount at 3(c) above divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - e. £9,309,496 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act

- f. £1,626.24 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- g. Appendix A to the report being the amounts calculated by the Council, in accordance with regulations 3 and 6 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its total council tax base for the year and council tax base for dwellings in those parts of its area to which one or more special items relate.
- h. Appendix B to the report being the amounts given by adding to the amount at 3(f) above, the amounts of special items relating to dwellings in those parts of the Council's area mentioned above divided by in each case the appropriate tax base from Appendix A, calculated by the Council in accordance with Section 34(3) of the 1992 Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of the area to which one or more special items relate. (Band D charges for each Parish area).
- i. Appendix C to the report being the amounts given by multiplying the amount at 3(h) above by the number which, in the proportion set out in Section 5(1) of the 1992 Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the 1992 Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands (Local charges for all Bands).
- j. Appendix D to the report being the aggregate of the local charges in 3(i) above and the amounts levied by major precepting authorities, calculated in accordance with Section 30(2) of the 1992 Act (The total

Council Tax charge for each band in each Parish area).

4. notes that the Police and Crime Commissioner and the Fire Authority have issued precepts to Cheshire East Council in accordance with section 40 of the Local Government Act 1992 for each category of dwellings in the Council's area, as shown in sections 11 and 12 of the report.
 5. accepts that the Cheshire East Council's basic amount of Council tax for 2021/22 was not excessive in accordance with principles approved under Section 52ZB and 52ZC of the Local Government Finance Act 1992.
2. Notes that the council tax precept of Cheshire Fire Authority, Police and Crime Commissioner for Cheshire, and each Parish Council as been approved and notified to the Council in accordance with the Local Government Finance Act 1992, as amended by section 72 to 79 of the Localism Act 2011.
 3. notes the average Council Tax for the Cheshire East Borough is £2,003.60 in accordance with the Local Government Finance Act 1992, as amended by sections 72 to 79 of the Localism Act 2011.

67 **RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
PAY POLICY STATEMENT 2022/23**

Consideration was given to the recommendations of the Corporate Policy Committee in respect of the Pay Policy Statement for 2022/23.

The Corporate Policy Committee, at its meeting on 10 February 2022, had considered the draft Pay Policy Statement and resolved that Council be recommended to the approve and publish the Pay Policy Statement 2022/23 and agree the Pay Policy Statement for 2022/23 be reviewed in-year and any further changes be approved by the Monitoring Officer and published accordingly.

RESOLVED: That

- 1 the Pay Policy Statement for 2022/23 be approved and published accordingly; and
- 2 the agreed Pay Policy Statement for 2022/23 be reviewed in-year and any further changes be approved by the Monitoring Officer and published accordingly.

**68 RECOMMENDATIONS FROM CORPORATE POLICY COMMITTEE:
CALENDAR OF MEETINGS 2022/23**

Consideration was given to the recommendations of the Corporate Policy Committee in respect of the Calendar of Meetings for 2022/23.

The Corporate Policy Committee, at its meeting on 10 February 2022, had considered the draft Calendar of Meetings for 2022/23. The Committee had also considered a provisional draft calendar of dates for the period May to October 2023 which was intended to assist members in planning their diaries further ahead.

RESOLVED: That

- 1 the draft calendar of meeting for Cheshire East Council for 2022/23 be approved subject to the following:
 - i. meetings of the Audit and Governance Committee commence at 10.30 am on the stated dates, except for 29 September 2022 and 24 November 2022 when the start time will be 2 pm;
 - ii. subject to the agreement of external partner organisations where appropriate, the meeting of the Shared Services Joint Committee scheduled to take place on 27 January 2023 be rescheduled to avoid Holocaust Memorial Day;
 - iii. the Constitution Working Group give consideration, prior to the 2023 elections, to whether some formal meetings should be 'twilight' or evening meetings; and
 - iv. the Constitution Working Group give consideration, prior to the preparation of the Calendar of Meetings for 2023, to whether it would be appropriate to introduce a standard commencement time of 10 am for all morning meetings of formal bodies.

- 2 the draft Calendar of Meetings for the period May to October 2023 be noted.

69 HIGH SPEED RAIL (CREWE - MANCHESTER) BILL PETITION

Consideration was given to a report which outlined the process that Council needed to follow to petition against the High Speed Rail (Crewe - Manchester) Bill to enable the Council to negotiate enhancements and mitigations for the benefit of Cheshire East residents and businesses. The report also outlined the proposed approach to member engagement in preparing and progressing a petition.

The Council remained supportive of HS2, recognising the wider economic and regeneration potential that HS2 could unlock for Crewe and the wider Borough, including jobs and increased business confidence to invest.

However, the Council was aware that the delivery of the scheme would impact on the environment and the ecology of Cheshire East and cause disruption to residents and businesses.

This support remained conditional on the delivery of an enhanced hub station for Crewe, with 5 to 7 HS2 trains per hour, and on securing appropriate levels of mitigation from the scheme impacts, including suitable levels of compensation to Cheshire East residents and businesses negatively impacted by HS2. Petitioning against a HS2 hybrid bill provided the Council with the opportunity to influence the scheme and seek further enhancements for the Crewe hub and additional mitigation against the impacts of the scheme where appropriate. As was the case with Phase 2a, any petition against a HS2 hybrid bill by the Council, did not impact the overall stance but provided the opportunity to seek appropriate changes to the scheme proposals and how it would be delivered, to provide a better outcome for the Borough.

Section 239 of the Local Government Act 1972 provided the statutory powers to either promote or oppose a HS2 hybrid bill and therefore, deposit a petition against the Bill. A full council resolution to oppose the hybrid bill under S. 239 of this Act was the formal action the Council was required to take to enable it to deposit a petition and seek to secure such changes and enhancements to the HS2 proposals to deliver a better outcome for Cheshire East.

RESOLVED: That Council

- 1 supports the principles of the High Speed Rail (Crewe - Manchester) Bill;
- 2 resolves that it is expedient to petition against the High Speed Rail (Crewe – Manchester) Bill introduced in the 2021-22 session of Parliament, and will seek, amongst other things,
 - i. enhancements to the scheme proposals to maximise the benefits of the Crewe Hub; and
 - ii. improved mitigation and compensation against the negative impacts of the scheme on the local environment and residents.
- 3 delegates authority to the Executive Director of Place, in consultation with the Chair of the Corporate Policy Committee and the Chair of the Highways and Transport Committee, to take all necessary and expedient steps to give effect to the resolution above.
- 4 delegates to the Director of Governance and Compliance the authority to seal any necessary documents and confirm that Sharpe Pritchard LLP (Parliamentary Agents) be authorised to deposit and, if necessary, sign the Petition of the Council against the Bill.

- 5 delegates authority to the Executive Director of Place, in consultation with the Chair of the Corporate Policy Committee and the Chair of the Highways and Transport Committee, to withdraw any aspect of the Council's Petition against the Bill if this is no longer the appropriate course of action, and to settle or agree any basis for the withdrawal; and
- 6 notes the member engagement in the preparation and progress of the Bill as outlined in Section 7 of the report.

70 **SOCIAL HOUSING DECARBONISATION FUND**

Consideration was given to a report seeking approval of a fully funded supplementary capital estimate.

Cheshire East Council had applied in October 2021 to the Social Housing Decarbonisation Fund Wave 1 on behalf of The Guinness Partnership, Plus Dane Housing and Peaks and Plains Housing Trust. Notification that the bid had been successful was received on 7 February 2022 and an award of £1,564,716 will be made to the Council, subject to entering into a Memorandum of Understanding with the Dept. of Business, Energy and Industrial Strategy.

RESOLVED: That Council

- 1 accepts the grant offer of £1,564,716 from the Department of Business, Energy and Industrial Strategy for the purpose of improving the energy performance of social housing.
- 2 approves a fully funded Supplementary Capital Estimate up to the value of the grant offer.
- 3 authorises the Director of Growth and Enterprise and the Section 151 Officer to enter into the Memorandum of Understanding with the Secretary of State for Business, Energy and Industrial Strategy on behalf of the Council, and to take all other necessary measures to full administer and distribute the grant.

71 **POLITICAL REPRESENTATION ON THE COUNCIL'S COMMITTEES**

Consideration was given to a report relating to the political representation the Council's Committees which addressed a recent change in political group membership as the result of a group member becoming a 'non-grouped independent' councillor.

RESOLVED:

That the political group and other representation, as set out in the Appendix to the report, and the methods, calculations and conventions

used in determining this, as outlined in the report, be adopted, and the allocation of places to Committees be approved.

72 **NOMINATION OF MAYOR AND DEPUTY MAYOR 2022/23 CIVIC YEAR**

Consideration was given to the nominations for the office of Mayor and Deputy Mayor for 2022/23.

Mayor for 2022/23

Councillor David Marren had declared a non-pecuniary interest in respect of this item and left the Chamber during its consideration.

It was proposed and seconded that Councillor David Marren should become Mayor Elect for 2022/23.

RESOLVED:

That Councillor David Marren be designated as the Mayor Elect with a view to their formal election and appointment as Mayor and Deputy Mayor for Cheshire East for 2022/23, at the Mayor Making ceremony to be held on 18 May 2022.

Councillor Marren returned to the meeting.

Deputy Mayor for 2022/23

Councillors David Brown and Rod Fletcher had declared a non-pecuniary interest in respect of this item and left the Chamber during its consideration.

It was separately proposed and seconded that Councillor Rod Fletcher and Councillor David Brown be designated as Deputy Mayor Elect.

A vote was taken in respect of the two nominations with Councillor Rod Fletcher receiving the most votes.

RESOLVED:

That Councillor Rod Fletcher be designated as the Deputy Mayor Elect, with a view to their formal election and appointment as Deputy Mayor for Cheshire East for 2022/23, at the Mayor Making ceremony to be held on 18 May 2022.

Councillors D Brown and R Fletcher returned to the meeting.

73 **NOTICES OF MOTION**

Consideration was given to the following Notices of Motion, which had been submitted in accordance with the Council's Procedural Rules.

1 Car Free Days and Parklets

Proposed by Councillor S Akers Smith and Seconded by Councillor D Murphy

The Council's Corporate Plan Green Priority of a thriving and sustainable place supports economic growth in the high street and encourages more people to use their cars less and walk and cycle more especially for short journeys into and out of the town or village centre. Car Free Days and Parklets are a way of achieving this ambition as set out in the attached document (see links below).

Council therefore requests that a communications plan be developed, explaining how residents and communities across the towns and villages are able to host a car free day and to introduce parklets within the high street for businesses before World Car Free Day on the 22nd September 2022.

RESOLVED:

That the Motion be referred to the appropriate Committee.

2. Local Authority Remote/Hybrid Meetings

Proposed by Councillor S Corcoran and Seconded by Councillor C Browne

This Council supports the petition launched by ADSO and LLG on 5 January with regard to remote and hybrid meetings. We agree to write to the Secretary of State for Levelling Up, Housing and Communities calling on the Government to change the law to allow councils the flexibility to hold such meetings when they deem appropriate within agreed rules and procedures.

Following debate, the Motion was put to the vote. In accordance with the provisions in the Constitution a named vote was requested with the following results:

FOR

Cllrs L Anderson, J Barber, L Braithwaite, J Bratherton, S Brookfield, C Browne, P Butterill, S Corcoran, L Crane, H Faddes, A Farrall, K Flavell, R Fletcher, M Goldsmith, S Handley, A Harewood, S Hogben, D Jefferay, L Jeuda, N Mannion, A Moran, D Murphy, J Nicholas, J Parry, B Puddicombe, J Rhodes, A Stott, M Warren and P Williams.

AGAINST

Cllrs S Akers Smith, M Asquith, R Bailey, M Beanland, M Benson, D Brown, B Burkhill, J Clowes, S Edgar, D Edwardes, JP Findlow, S Gardiner, L Gilbert, A Gregory, P Groves, S Holland, A Kolker, A Martin,

R Moreton, B Murphy, K Parkinson, P Redstone, J Saunders, M Sewart, M Simon, L Wardlaw, J Weatherill and N Wylie.

NOT VOTING

Cllr S Pochin

The motion was declared carried with 29 votes for, 28 against and 1 not voting.

RESOLVED:

That the Motion be adopted.

74 **QUESTIONS**

Cllr D Edwardes referred to a comment made by Cllr Gilbert that Crewe and Macclesfield were receiving the lion's share of highways money and asked if the Chair of the Highways and Transport Committee could clarify where the money was spent. In response Cllr C Browne stated that the level 2 and level 3 programme for highway maintenance was published on the Council's website and the place that had benefited most from the most level 2 programme work was Congleton.

Cllr N Mannion referred to the access travel schemes introduced on a temporary basis in summer 2020 in his Ward and asked when the evaluation of these schemes would be concluded and whether any schemes would be permanent. Cllr C Browne, Chair of Highways and Transport Committee, responded that the schemes introduced back in summer of 2020 were reviewed on a continuous basis and the on-line consultation remained open. The scheme in Cllr Mannion's ward saw the introduction of a crossing point near a school plus an experimental 20 mph zone. It was expected that the crossing point would be made permanent and the 20-mph zone would continue to be reviewed in line with the speed management strategy.

Cllr J Clowes referred to a constituent of hers who had learning difficulties and lived in sheltered accommodation and had received an intimidating letter from the Council as part of the financial assessment process, which they had found distressing. She referred this matter to the appropriate Directorate but had not heard anything back and asked if she could have a response to this. The Leader of the Council, Cllr S Corcoran, undertook to provide a written response.

Cllr R Moreton stated that residents in Congleton were concerned that the police helpdesk is under consideration for closure and encouraged everybody to take part in the consultation. He stated that the people of Congleton did not have much faith in the process and asked for reassurances that feedback from the consultation would be listened to. In response Cllr M Warren, Environment and Communities Committee chair, said that the Council had no influence over the survey as it was a police

matter. He reported that the Police Helpdesk Survey 22 ran from 14 February to 27 March on the proposals to reduce 16 helpdesks down to 5, so Congleton, Wilmslow, Knutsford, and Nantwich, were proposed to be closed. He urged all Cheshire East councillors to highlight this survey to their residents.

Cllr J Parry referred to the use of 'Fix My Street' to report highways faults and asked what the Council would be doing to raise awareness of this website. Cllr S Corcoran responded that he had been promoting it on social media and encouraged other councillors to do so and agreed to look into what the Council could do through its Communications team to promote 'Fix my Street'.

Cllr L Wardlaw asked if the Leader of the Council would send a letter to each of public speakers apologising for his belligerent behaviour. The Mayor responded that she did not think it was necessary as she had tried to stop the situation when it occurred.

Cllr B Puddicombe thanked the Leader for joining ward councillors that morning in meeting with the Cheshire Wildlife Trust on the site known as the South Macclesfield Development Area and asked the Leader if he agreed that the best action would be for the Council to review the outline planning permission granted in 2017 to see it was still valid. Cllr R Bailey raised concerns that a planning matter being discussed at Council and that members of the planning committee could be seen to have prejudged the matter. In response, the Monitoring Officer stated that the question had been asked and the matter was how the question would be answered and suggested that a written answer be provided, which the Leader indicated he was willing to do.

Cllr R Bailey referred to the On Street Residential ChargePoint Scheme and asked that the Council complete a bid to this scheme for grant funding to accelerate the roll out of electric charging points. Cllr M Warren, Chair of Environment and Communities Committee, agreed to provide a written response.

Cllr L Anderson asked if the Council could help those fleeing the war in Ukraine. The Leader of the Council responded that he hoped the answer would be yes but as events were happening quickly could not say definitely but the Council had previously welcomed Syrian and Afghan refugees.

Cllr P Williams referred to S106 monies and could there be a mechanism for ward councillors to be notified regularly of the position with S106 monies in their ward. Cllr M Warren, Chair of Environment and Communities Committee, responded that there was review ongoing into the planning service and section 106 monies had been highlighted as part of this and suggested that concerns be reported to the Member Advisory Panel carrying out the review.

Cllr A Gregory referred to the South Macclesfield Development Area and asked what up to date reports have been obtained by the applicant, e.g., an up-to-date environmental impact assessment of the site, and how would the Council satisfy residents' concerns that the council's own company, Engine of the North Limited would ensure that it does not breach the Council's own policy on becoming carbon neutral when its only director was an officer of the council with no councillors on the Board. Cllr S Corcoran undertook to provide a written response.

Cllr H Faddes asked about what the Council was doing to help residents celebrate the Queen's Platinum Jubilee. Cllr M Warren, Chair of Environment and Communities Committee, responded the Council had been allocated money for charities, residents, and non-profit groups to apply for a grant of up to £120 to hold street parties and local activities throughout the bank holiday. In addition, the road closure fees would be waived. Further information would be available on the Council's website from 1 March 2022.

Cllr Gardiner referred to contact he had had with the Council's Homeless persons team and asked if a review could be carried out into the way the Council delivered services for those people who found themselves homeless. Cllr N Mannion, Chair of Economy and Growth Committee, agreed to look into the matter and asked that Cllr Gardiner provide further information.

Cllr Barber stated that during the Public Speaking item the ward councillor for Pickmere was allowed to respond to comments made by a member of the public and that this opportunity had not been afforded to a ward member from Middlewich and asked if Cllr J Parry would be allowed to respond. The Mayor invited Cllr J Parry to speak. Cllr J Parry stated the ward members for Middlewich took their residents' concerns seriously and that he was pleased to see the Fiona Bruce MP for Congleton had supported the petition which had requested a number of things of Cheshire East Council, some of which did not come under the remit of the Council. He hoped that Fiona Bruce would help assist in liaising with the Cheshire Police and Crime Commissioner to try and get more community policing in Middlewich. With regards to the request for a swimming pool, Cllr Parry noted that not many local authorities now built swimming pools and that this was mostly done by private businesses.

75 REPORTING OF URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

Council received a schedule of urgent decisions taken by the Chief Executive on behalf of the Council, which were reported for information in accordance with the Council procedure rules.

RESOLVED:

That the schedule of urgent decisions be noted.

The meeting commenced at 3.00 pm and concluded at 8.03 pm

Councillor S Pochin
MAYOR/CHAIR

Item 16: Questions - Written Responses

Cllr R Bailey asked whether a bid for Government funding re electric charging points, had been made.

Response from Cllr M Warren, Chair of Environment and Communities Committee:

The next round of Government's On-street EV Charging Points fund is open, with a deadline for bids to be submitted at the end of March 2022.

Cheshire East Council is currently preparing a bid to the Office of Zero Emission Vehicles (OZEV), informed by the EV Infrastructure Charging Strategy that was agreed at Highways Committee in September 2021. Preparatory work has included consultation with the distribution network companies to understand any issues relating to grid capacity.

The detailed content and value of this bid is still to be finalised, with a key consideration being the requirement for the Council to provide a minimum 25% match-funding.

A programme of charge point installations – either on-street or in public car parks - will be reliant on a successful bid to OZEV. Any funding made available to the Council will need to be fully deployed within the next financial year.

Cllr B Puddicombe asked about Danes Moss development and whether the outline planning permission could be reviewed in order to establish whether it was still valid. The Leader agreed to respond in writing. Cllr Gregory also spoke on the same subject, and the Leader agreed to address the issues he raised in writing.

Response from Cllr S Corcoran, Leader of the Council:

Cllr Puddicombe as Ward Councillor makes the point that outline planning permission was approved at Strategic Planning Board in 2017.

This consent was given for the SMDA site in accordance with the appropriate planning legislation and policies which applied at the time of granting that consent. There is no mechanism for reviewing that decision in planning terms and it remains a legally valid consent against which reserved matter applications can be submitted.

I am not on the planning committee and won't be commenting on the merits of the planning application but I accept the point that this administration has inherited this situation and I recognise that

several current Macclesfield councillors opposed the application in 2017.

I spent several hours on 24 February walking round the South Macclesfield Development Area and Danes Moss SSSI and I would like to thank Cheshire Wildlife Trust for taking the time to show me 3 different ecological areas.

The Danes Moss SSSI – living sphagnum moss that is sequestering and storing carbon and providing an important site for invertebrates. Inactive peat under wet woodland – mainly in the area not owned by Cheshire East Council – providing a biodiverse area that is home to willow tits.

Inactive peat under grass – most of the areas owned by Cheshire East Council falls into this category and this area is emitting carbon.

I won't comment on the specific planning application but I would point out that Cheshire East Council is actively involved in restoring peat bogs and recognises the importance of peat bogs and environmental factors in the SADPD and Supplementary Planning Documents on Biodiversity Net Gain and the Environment.

So as Leader of the Council I can say that this Council is at the forefront on climate action and does take biodiversity seriously and I thank Cllr Puddicombe for highlighting the existing outline planning permission which is indeed still a valid consent.

Cllr A Gregory asked what up to date reports have been obtained by the applicant, including for example an up to date environmental impact assessment of the site and how will the council satisfy residents' concerns that the council's own company, Engine of the North Limited will ensure that it does not breach the council's own policy on become carbon neutral when its only director is an officer of the council with no councillors on the board, such concerns to be addressed before the matter is determined by the Strategic Planning Board

Response:

Engine of the North is a company wholly owned by Cheshire East Council and functioned for several year as the Council's strategic property and development company. On 15th January 2019 Cabinet resolved to decommission the services provided by Engine of the North and deliver the services directly by the Council. The transfer of services took place from 1st August 2019 and the company has been dormant since that time. Cabinet also resolved to appoint a sole statutory Director of Engine of the North to oversee the closure of the company at the direction of the Council. It is the intention of the Council to wind up the company in the next 12 months.