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By email:
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Our ref: CEX/AM/FJ/10457985

Dear Adam

Re: Disposal of Open Space, Longridge, Knutsford

Thank you for your letter dated 11th December 2020, I hope that this letter finds you and yours safe and well in what is difficult times for the whole community and Country. I am sorry to hear that you believe that the views of Residents or the Town Council have not been taken into account when dealing with this matter.

The Council has undertaken a series of properly made decisions on this matter. These include a Cabinet Decision authorising the relevant portfolio holder to take a decision regarding public open space and a decision taken by the then portfolio holder relating to the disposal of public open space. As a public body these decisions were transparent and open to challenge through a variety of mechanisms available to Residents and the Town Council at the time of the decision. To date the Council has not received any formal challenges to the decisions about the decision taken on this matter, and due to the considerable passage of time since taking these decisions it would be very likely a challenge would be out of time. Should the Town Council wish to complain about the decisions taken, then the timing for this appears to have passed.

We do understand and appreciate that the Town Council has a different view of how to access LPS 38 (the development land) – we accept this.

The Council has invested considerable amount of time and expense discussing this matter with the Town Council and other stakeholders, reviewing the matter on a number of occasions and going to the expense of seeking external legal advice on a number of occasions. The Council has demonstrated a considerable will to listen and where it has been possible, adapt its plans. Thank you for noting in your letter that as a result of discussions with stakeholders the Council adapted the proposal to reduce the area of land to be disposed of.

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The reasons why the Town Council's preferred route is not appropriate has already been explained to you and also has been discussed in detail at the public meeting where the decision to dispose of public open space was taken. Since the decision to dispose of this land was taken, the Town Council has engaged further with the Council to review the matter. The outcome of this review has also been fed back to you. As discussed on a number of occasions with you, the Council is not able to share its legal advice with third party organisations, including local government partners. I appreciate the reason why you may feel frustrated by this, however the reason why this is the case has already been explained to you.

You have enquired why the Council has sought to progress this matter. The simple reason for this is the Council has progressed this matter is to enable access to LPS 38. Not to do so would place the local plan at risk. The below is a worked contemporary example of the type of issue faced in terms of planning when Cheshire East's local plan was questioned.

<https://www.placenorthwest.co.uk/news/cheshire-east-five-year-supply-questioned-by-inspector/>

It is clear that the inspector in making his determination of the local plan was aware that there was potential for the loss of public open space to enable access to LPS38. The Knutsford Final Site Selection Report, July 2016, Table on page 102, 3rd Row sets out:

Some Public Open Space adjacent to the site may be required to enable access to the site. If this land was used a "lift and shift" policy would be applied in order that no loss of Public Open Space occurred. By providing the POS within the development there would be an opportunity to improve facilities in line with suggested modifications to the Plan from Sport England who are keen to see no net loss of playing fields and preferably improvements to facilities.

For ease this can be found at the following web site address. <http://cheshireeast-consult.limehouse.co.uk/file/4071676>

In summary therefore, we believe all decisions to date regarding this site have taken appropriately and we have at all times sought to engage with the Town Council in these decisions

Yours sincerely



Frank Jordan
Executive Director of Place and Deputy Chief Executive