

Terry Flemming

Date: 1 August 2022
Our Reference: 16482053
Your reference: request-875653-720f34b6@whatdotheyknow.com

Dear Terry Flemming

Information Request - 16482053 - The Meadows, Congleton

I am responding to your request for information, which has been considered under the Freedom of Information Act 2000 (FoIA) and logged as case 16482053.

Your request is as follows:

Dear Cheshire East Council,

I am writing under the terms of the freedom of information act to request the following information in relation to a potentially unlawful use of council land adjacent to "The Meadows, CONGLETON, CW12 1EA by a resident"

How long has the council been aware of the use of this land by a local resident including the installation of plants, patio, table and parasol?

Has Cheshire East Council sought legal advice of this matter?

Has Cheshire East Council requested that the persons involved return the site to how it was previously?

What has the financial cost been to Cheshire East Council been so far in relation to the potentially unlawful use of the land adjacent to The Meadows, Congleton, CW12 1EA by a resident?

Yours faithfully,

Terry Flemming...

I can confirm that Cheshire East Council holds the information you have requested. I have detailed below the information that is being released to you.

I refer to your Freedom of Information enquiry (ref: 16482053) concerning land at The Meadows in Congleton.

How long has the council been aware of the use of this land by a local resident including the installation of plants, patio, table and parasol?

The matter of the encroachment was first brought to the attention of the Property Services Team in 2017. The matter was investigated, and appropriate action taken which resulted in the encroachment being removed. At that point the matter was considered closed.

It was subsequently brought to our attention that the land was again subject to encroachment during the Covid lock down period. The Council wrote to the offending party on 26th May 2021.

Has Cheshire East Council sought legal advice of this matter?

Yes

Has Cheshire East Council requested that the persons involved return the site to how it was previously?

Yes

What has the financial cost been to Cheshire East Council been so far in relation to the potentially unlawful use of the land adjacent to The Meadows, Congleton, CW12 1EA by a resident?

This is ongoing matter and as such we are unable to provide further detail as it subject to litigation. Every effort has been made to mitigate costs and to date the only financial costs incurred by the Authority have been officer time.

I trust the above is of assistance and has addressed all relevant points to your satisfaction.

Please quote the reference number 16482053 in any future communications.

An anonymised copy of this response may be published in the Council's Disclosure Log, which is available online at the following address: www.cheshireeast.gov.uk/foi

If you are not satisfied with the outcome of your request or if you are not happy with the way your request has been handled, you can request an internal review. Internal review requests should be submitted within 20 working days of our response by emailing foi@cheshireeast.gov.uk or in writing to Compliance & Customer Relations Team, Cheshire East Council, 1st Floor, Westfields, c/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

If you are not content with the outcome of the internal review, you then have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or <https://ico.org.uk> The Information Commissioner will not normally investigate your case until the Council's internal review process has been completed.

Yours faithfully

Property Services

Cheshire East Council