

## Cabinet Agenda

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**Date:** Tuesday, 10th July, 2018  
**Time:** 2.00 pm  
**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 in the report.

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

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

1. **Apologies for Absence**
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. **Public Speaking Time/Open Session**

In accordance with paragraph 3.33 of the Cabinet Procedure Rules, a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the Cabinet. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

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Please contact Paul Mountford, Executive Democratic Services Officer  
Tel: 01270 686472  
E-Mail: [paul.mountford@cheshireeast.gov.uk](mailto:paul.mountford@cheshireeast.gov.uk)

4. **Questions to Cabinet Members**

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. Notice of questions need not be given in advance of the meeting. Questions must relate to the powers, duties or responsibilities of the Cabinet. Questions put to Cabinet Members must relate to their portfolio responsibilities.

The Leader will determine how Cabinet question time should be allocated where there are a number of Members wishing to ask questions. Where a question relates to a matter which appears on the agenda, the Leader may allow the question to be asked at the beginning of consideration of that item.

5. **Minutes of Previous Meeting** (Pages 5 - 14)

To approve the minutes of the meeting held on 12<sup>th</sup> June 2018.

6. **Expansion of Springfield Special School, Crewe** (Pages 15 - 30)

To consider a report on the proposed expansion of Springfield Special School, Crewe.

7. **Sustainable Modes of Travel to Schools (SMOTS) Strategy** (Pages 31 - 86)

To consider a report seeking approval of an updated Sustainable Modes of Travel to Schools Strategy.

8. **Cheshire East Cemeteries Strategy and Cheshire East Revised Cemetery Regulations** (Pages 87 - 184)

To consider a report on a draft Cemeteries Strategy and draft Cemeteries Regulations for Cheshire East Council.

9. **Cheshire East Council Common Allocations Policy Review** (Pages 185 - 230)

To consider a report on proposed changes to the Common Allocations Policy following consultation.

10. **Corporate Grants Policy** (Pages 231 - 278)

To consider a Corporate Grants Policy for the operation of grants schemes by Cheshire East Council for 2018/2019.

11. **Early Help and Community Grants Scheme** (Pages 279 - 292)

To consider a report seeking approval of the Early Help and Community Grants Scheme.

12. **Better Care Fund Year-end Report 2017/18** (Pages 293 - 332)

To consider the year-end report for the Better Care Fund.

13. **New Domestic Abuse Commission 2019-22** (Pages 333 - 342)

To consider a report recommending a re-commission of the domestic abuse service.

14. **Re-Commissioning of Assistive Technology Services** (Pages 343 - 358)

To consider a report on the procurement of Assistive Technology services.

15. **Risk Management and Business Continuity Policy Statements** (Pages 359 - 374)

To consider a report seeking approval of an updated Risk Management Policy and Risk Appetite Statement and a Business Continuity Policy Statement and Strategy.

**THERE ARE NO PART 2 ITEMS**

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 12th June, 2018 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

**PRESENT**

Councillor Rachel Bailey (Chairman)

Councillors A Arnold, P Bates, J Clowes, J Saunders and D Stockton

**Members in Attendance**

Councillors Rhoda Bailey, G Baxendale, B Burkhill, S Corcoran,  
R Fletcher, S Hogben, L Jeuda, D Mahon, B Moran, J Nicholas, A Stott,  
B Walmsley and G Williams

**Officers in Attendance**

Kath O'Dwyer, Frank Jordan, Mark Palethorpe, Dan Dickinson, Linda  
Couchman, Alex Thompson and Paul Mountford

**Apologies**

Councillors J P Findlow and L Wardlaw

The Leader referred to a statement she had issued to all members last week regarding the police investigation into a contract previously awarded by the Council. The investigation had progressed and was now complete and hopefully this next stage of the process would move forward at a pace.

The Leader was pleased to announce a number of awards to Cheshire East residents in the Queen's Birthday Honours List:

- Ralph Warburton, who had made a major contribution to community life and local charities in Audlem, had received the British Empire Medal.
- Winter Paralympic Champion skier Menna Fitzpatrick (Recently appointed a Freeman of the Borough) had received an MBE.
- Councillor Janet Jackson had received an MBE for her services to Macclesfield. At the Leader's invitation, Councillor L Jeuda offered her congratulations to Councillor Jackson.

**1 DECLARATIONS OF INTEREST**

Councillors Rachel Bailey (as the Council's representative on the Manchester Science Partnerships Board), A Arnold and P Bates (as a member of the Enterprise Zone Board) declared personal, non-pecuniary

interests in Item 16 on the agenda: 'Disposal of Shares in Manchester Science Partnerships'.

### **2 PUBLIC SPEAKING TIME/OPEN SESSION**

Gareth Williams, on behalf of the Crewe North Congregation of Jehovah's witnesses, referred to a joint project with Crewe Youth Club to redevelop a piece of land off Mirion Street, Crewe to provide a place of worship with parking facilities. He asked if the Council foresaw any difficulties in acquiring planning permission for the scheme and whether the road accessing the site could be upgraded to accommodate two-way traffic. Mr Williams had provided a plan of the scheme. The Leader indicated that Mr Williams would receive a written response.

Sue Helliwell referred to the condition of Linley Park, Alsager which she said was badly neglected. She asked if the Council would replace the goal posts and place a litter bin on the park. The Portfolio Holder for Environment undertook to provide a written response.

Carol Jones asked what assurances could be given that the regeneration of the Crewe Bus Station site would take place, and when this was likely to happen. The Portfolio Holder for Housing, Planning and Regeneration undertook to provide a written response.

Richard Hamilton referred to issues he had raised at the April meeting regarding the Sandbach Transport Modelling report. He commented that the report had since been withdrawn from use as not fit for purpose although it had been relied upon as a critical piece of evidence to support the Council's position during the public examination of the Local Plan and had cost over £25,000 to produce. The Leader replied that she had previously responded to Mr Hamilton on several occasions regarding the matter.

Michael Unett asked about progress with the drafting a corporate cemeteries strategy for the Borough and stressed the need for more burial provision in Alsager as soon as possible. The Portfolio Holder for Environment responded that a report on a cemeteries strategy would be submitted to Cabinet in July and would be subject to consultation.

### **3 QUESTIONS TO CABINET MEMBERS**

Councillor S Corcoran referred to a question he had raised at the previous meeting regarding a payment to an officer who had been recommended for dismissal. He commented that the response he had received had explained how the payment had been made but not why. At the Leader's request, the Acting Director of Legal Services advised that the response provided previously represented the totality of what could be said on the matter and there was nothing further to add from his perspective to the answer already provided.

Councillor L Jeuda asked if the Council's Legal Team was aware that a senior officer of the Council who was currently a witness at an employment tribunal hearing was married to an employment tribunal judge in the North-West who, whilst not involved with the hearing in question, had sat with the judge involved with the hearing on at least one occasion, and that this may have led to the hearing being called off. At the Leader's invitation, the Acting Director of Legal Services replied that the Council's barrister in the case had been informed of the connection at the outset but had only made it known to the tribunal panel once the case had started. That was an oversight for which the barrister had apologised. The Acting Director of Legal Services was satisfied that no Council officer had acted inappropriately in the matter.

Councillor B Burkhill asked if the Council would give support to a campaign to keep the last remaining bank in Handforth open. The bank in question was RBS. The Portfolio Holder for Housing, Planning and Regeneration undertook to consider what the Council could do to assist.

Councillor R Fletcher asked if there had been a reduction in the service for cutting back hedges overhanging pavements as this was causing difficulties for pedestrians in Alsager. The Portfolio Holder for Environment responded that he was not aware of any policy to reduce hedge cutting. He asked Councillor Fletcher to provide further details so that he could look into the matter.

Councillor J Nicholas asked for an assurance that, in light of the current pressures on the retail sector, no more Council funding would be allocated for the purchase of retail premises in the Borough. The Leader noted the comments and gave an assurance that the Council would operate in an open and transparent way with an evidence-base behind any purchases.

#### **4 MINUTES OF PREVIOUS MEETING**

##### **RESOLVED**

That the minutes of the meeting held on 8<sup>th</sup> May 2018 be approved as a correct record

#### **5 IMPROVED BETTER CARE FUND (IBCF) 2018 TO 2020**

Cabinet considered a report on the areas of activity and proposed expenditure for the grant money received by Cheshire East Council in 2018/19 through the Improved Better Care Fund monies for 2018 to 2020.

##### **RESOLVED**

That Cabinet endorses the iBCF schemes (1-9) and associated expenditure outlined in paragraphs 5.4-5.20 of the report.

## 6 NEW HOMES BONUS COMMUNITY FUND

Cabinet considered a report on the New Homes Bonus Community Fund scheme to be implemented during 2018/19.

The Portfolio Holder for Finance and Communication reported that the Corporate Overview and Scrutiny Committee had been given the opportunity to comment on the report and had fully supported it.

With the Chairman's agreement, Councillor A Stott asked a number of specific and detailed questions in relation to the report and the Portfolio Holder for Finance and Communication responded to each one in turn.

### RESOLVED

That Cabinet

1. approves the Scheme Design (Appendix 1 to the report) and Allocations by Fund Area (Annex 2 – NHB Policy);
2. delegates to the Section 151 Officer authority to amend (from time to time) the Scheme Design (Appendix 1) and the Allocations by fund Area (Annex 2 – NHB Policy);
3. notes the membership of the Award Groups (Annex 1 – NHB Policy) which shall operate as advisory panels to the Portfolio Holder for Finance & Communication and whose membership may be amended by the same from time to time to achieve appropriate geographic representational alignment; and
4. delegates to the Section 151 Officer (in consultation with the Monitoring Officer) authority to establish (and amend from time to time) standard conditions to be applied to schemes awarded funding to ensure that the schemes operate effectively within a financially and legally compliant framework.

## 7 2017/18 FINANCIAL OUTTURN AND REVIEW OF PERFORMANCE

Cabinet considered a report on the 2017/18 Financial Outturn and Review of Performance.

The Portfolio Holder for Finance and Communication reported the comments of the Corporate Overview and Scrutiny Committee on behalf of the Committee's Chairman who had been unable to attend the Cabinet meeting. The Committee had acknowledged that General Reserves remained unchanged at £10.3m despite the challenges that Directorates faced. The Committee had recognised that unprecedented levels of support had been needed in both Children's and Adult services and that mitigating actions taken across Directorates to ensure a balanced budget were to be commended. The Committee had noted the many good news

stories and the areas for improvement that had been identified for the future. The Committee congratulated the staff and everyone who had been involved in the continuous monitoring of the Council's financial situation.

The Portfolio Holder for Adult Social Care and Integration took the opportunity to announce that the Council's Trading Standards Team had been highly commended in the national ACG Awards for Excellence in Anti-Counterfeiting 2018. She congratulated the Team.

### **RESOLVED**

That Cabinet

1. notes the contents of the report and appendices;
2. approves:
  - (a) fully funded supplementary capital estimates above £500,000 in accordance with Financial Procedure Rules as detailed in (Appendix 4, Table 7 of the report); and
  - (b) fully funded supplementary capital virements above £1,000,000 in accordance with Financial Procedure Rules as detailed in (Appendix 4, Table 7);
3. recommends that Council approve:
  - (a) fully funded supplementary capital estimates above £1,000,000 in accordance with Financial Procedure Rules as detailed in (Appendix 4, Table 8); and
4. acknowledges the work of the officers in addressing financial pressures in order to achieve a balanced financial outturn for 2017/18.

### **8 A500 DUALLING SCHEME**

Cabinet considered a report seeking authority to undertake all necessary preparatory works in advance of the final funding decision in relation to the A500 Dualling Scheme.

### **RESOLVED**

That Cabinet

1. recommends that Council approve a Supplementary Capital Estimate of £0.4m to increase the current budget of £4.1m to £4.5m to enable the scheme to progress whilst awaiting the outcome of the DfT funding and Planning Application decisions; and

2. authorises the Executive Director of Place in consultation with the Portfolio Holder for the Environment to exercise powers delegated to the Executive Director of Place to undertake all necessary and prudent preparatory works in advance of the final funding decision, at risk, in order to ensure that the Council is positioned to deliver the Scheme if a favourable funding decision is received.

**9 MIDDLEWICH EASTERN BYPASS - PLANNING AND DELIVERY UPDATE**

Cabinet considered a report seeking approval to undertake all necessary preparatory works in advance of the final funding decision in relation to the Middlewich Eastern Bypass.

**RESOLVED**

That Cabinet authorises the Executive Director of Place in consultation with the Portfolio Holder for the Environment to exercise powers delegated to the Executive Director of Place to take all necessary and prudent preparatory works in advance of the final funding decision, at risk, in order to ensure the Council is positioned to deliver the Scheme if a favourable funding decision is received.

**10 CONGLETON LINK ROAD - AWARD OF CONSTRUCTION CONTRACT AND SUBMISSION OF FINAL BUSINESS CASE**

Cabinet considered a report seeking approval to submit the final funding application to the Department of Transport, and to award the preferred bidder a contract to deliver the scheme.

The Appendices to the report contained exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any particular person, including the authority holding that information) and would be considered in Part 2 of the agenda.

Councillor G Baxendale, as Chairman of the Audit and Governance Committee, expressed the view that the report, and the other Highways-related reports on the agenda, represented good governance on the part of the Council.

**RESOLVED**

That, subject to consideration of the Appendices to the report in Part 2 of the agenda, Cabinet

1. approves the submission of the Scheme Final Business Case to the DfT seeking a contribution of £45M towards the total Scheme cost;

2. approves the selection and award of the contract to deliver the Scheme to Bidder X as the Preferred Bidder;
3. recommends that Council approve the additional contribution from Council resources to the scheme of £1.8M to increase the total contribution to £23.8M;
4. approves the underwriting of the developer contributions to the Scheme of up to £20.8M in the event that the anticipated developer contributions are not realised; and
5. authorises the Executive Director of Place in consultation with the Portfolio Holder for the Environment to exercise powers delegated to the Executive Director of Place to undertake all necessary and prudent preparatory works in advance of the final funding decision, at risk, in order to ensure the Council is positioned to deliver the Scheme if a favourable funding decision is received.

**11 HIGHWAY SERVICES CONTRACT PROCUREMENT - AWARD OF CONTRACT**

Cabinet considered a report seeking approval to appoint a preferred bidder as the next service provider for the Council's Highway Services Contract.

The Appendices to the report contained exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any particular person, including the authority holding that information) and would be considered in Part 2 of the agenda.

In presenting the report, the Portfolio Holder for Environment took the opportunity to thank the officers involved for their efforts.

**RESOLVED**

That, subject to consideration of the Appendices to the report in Part 2 of the agenda, Cabinet

1. notes the findings of the Highway Services Contract Procurement: Final Tender Evaluation Report set out in Appendix A to the report;
2. approves the selection of Bidder X as the Preferred Bidder;
3. notes the Preferred Bidder's proposed Premises Strategy as set out in Appendix B; and
4. authorises the Executive Director of Place in consultation with the S151 Officer and the Director of Legal Services to enter into a legally binding Contract with the Preferred Bidder.

**12 EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

**13 CONGLETON LINK ROAD - AWARD OF CONSTRUCTION CONTRACT AND SUBMISSION OF FINAL BUSINESS CASE**

Cabinet considered the confidential Appendices to the report in Part 1 of the agenda.

**RESOLVED**

That having considered the Appendices to the report, Cabinet reaffirms its decision on this matter.

**14 HIGHWAY SERVICES CONTRACT PROCUREMENT - AWARD OF CONTRACT**

Cabinet considered the confidential Appendices to the report in Part 1 of the agenda.

**RESOLVED**

That having considered the Appendices to the report, Cabinet reaffirms its decision on this matter.

**15 DISPOSAL OF SHARES IN MANCHESTER SCIENCE PARTNERSHIPS**

Cabinet considered a report on the disposal of shares in Manchester Science Partnerships.

**RESOLVED**

That the S151 Officer be authorised, in consultation with the Portfolio Holder for Finance and Communication and the Acting Director of Legal Services, to dispose of the Council's shareholding in Manchester Science Partnerships Limited, subject to the terms of the final offer and appropriate due diligence being undertaken.

The meeting commenced at 2.00 pm and concluded at 4.30 pm

Councillor Rachel Bailey (Chairman)

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*Working for a brighter future together*

## Cabinet

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**Date of Meeting:** 10 July 2018

**Report Title:** Expansion of Springfield Special School, Crewe

**Portfolio Holder:** Cllr. Jos Saunders - Children and Families

**Senior Officer:** Mark Palethorpe, Acting Executive Director - People

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### 1. Report Summary

- 1.1. As the Strategic Commissioner of school places, Cheshire East Council has a statutory duty to ensure that there are sufficient places in our schools to meet demands of the residents. Having the right educational placement for all children and young people is key to supporting children and young people achieve their potential and to develop the range of skills and experiences they need to equip them for adulthood.
- 1.2. The Council has undertaken and published its Children and Young People with Special Educational Needs and or Disabilities Joint Strategy and Sufficiency Statement for Children and Young people with Special Educational Needs (SEN). These documents highlight a need to increase specialist provision in the Borough as the amount of provision currently available does not match the needs. The Sufficiency Statement has allowed the development of a 3 year plan allowing for the Council to strategically plan a programme of increased provision to meet its needs. All these documents can be found by following the links in section 3.3.
- 1.3. The proposal, and the findings in the Sufficiency Statement, have been discussed in workshops with schools, other settings and professionals in summer 2017. Schools who were interested in developing or expanding their current SEN provision were invited to express their interest in this work going forward.
- 1.4. The sufficiency statement indicated that in the Crewe and Nantwich locality most pupils requiring specialist provision travel outside Cheshire East, with average journeys being over an hour away (32km).

- 1.5. The sufficiency statement identified a significant need for the Council to increase its specialist provision in Borough as the amount of provision it has does not meet its needs. By increasing its capacity in Borough the Council can reduce placement and travel costs, make better use of its resources and provide more choice for families, reduce journey times and supporting pupils to be part of their local community.
- 1.6. Springfield Special School are an outstanding school as judged by Ofsted and provide high quality specialist provision to meet the individual needs of learners. The School had already initiated work to expand their current provision and this paper reports on progressing this option and the outcome of the statutory public notice, and subsequent 4 week statutory representation period.

## **2. Recommendation**

- 2.1 That, having given full consideration to the formal consultation process, Cabinet approve the proposed expansion of Springfield Special School from 132 places to 156 places over a phased period.

## **3. Reasons for Recommendation**

- 3.1 This recommendation is made on the basis of the publication of a public notice and the outcomes of the subsequent statutory 4 week representation period. Feedback / objections have been received during the period of statutory notice and the Cabinet / School Organisation Sub Committee are required to consider the feedback and appropriate due process in considering the recommendation to expand the school.
- 3.2 This scheme is included in the 3 year plan to develop our Specialist SEN Provision in Cheshire and is in response to our SEN Sufficiency Statement. The sufficiency statement highlights the need to increase specialist provision in our borough as the amount of provision we have doesn't match our needs and too many pupils have very long journeys; one in five pupils attending specialist provision have a journey over 45 minutes each way. Half of those attending a special provision attend outside our borough. All of our children and young people who attend independent schools or non-maintained schools (more expensive placements)are attending specialist provision, so by increasing the specialist capacity within our borough we can reduce placement and travel costs and make better use of our resources, as well as increasing choice for families, reducing journey times, and increasingly supporting pupils to be part of their local community.
- 3.3 The following links provide the detailed documentation relating to strategic SEN processes as referred to above.

<https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/the-0-25-send-partnership.aspx>

<https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/assessing-our-local-send-sufficiency.aspx>

3.4 Through developing our provision, we want to:

- Achieve the best possible outcomes for children and young people
- Ensure there are the right number and type of places to meet children and young people's needs
- Ensure that children and young people can have their needs met within their local community wherever possible
- Make the best use of our resources
- Utilise the pre-work undertaken by the school to provide additional capacity within the school as early as possible – the school have already taken in additional learners ahead of this planned expansion.

#### **4 Other Options Considered**

- 4.1 Expansion of other schools - Springfield Special School is the only school in the South of the Borough providing for children and young people with Severe Learning Difficulties (SLD) and Profound and Multiple Learning Difficulties (PMLD). The next nearest school providing similar provision in Cheshire East is Park Lane in Macclesfield which is over 15.8 miles away.
- 4.2 There is the option to continue accessing specialist provision out of Borough. However this means that children may have significant journey times to access this provision which is not always in their best interests and is also considerably more expensive and takes children out of their local area and community.

#### **5 Background**

- 5.1 Springfield School is a Cheshire East Community Special School rated "Outstanding" by Ofsted at the last published inspection in November 2013.
- 5.2 As previously mentioned a high proportion of children and young people with SEN access specialist provision. However, there are more children and young people travelling outside of the borough to attend special schools than those who attend Cheshire East schools (365 attend outside the borough against 344 attending Cheshire East schools). This demonstrates that there is a significant need for more specialist provision within Cheshire East alongside the mainstream provision.
- 5.3 No objections were submitted against the planning application and permission was granted for the scheme on 15 February 2018

- 5.4 In accordance with the guidance issued by the Department for Education the statutory publication notice was published on the Councils website and in the Crewe Chronicle on the 18 April 2018 (Appendix 1) and the 4 week period concluded on 16th May 2018.
- 5.5 Local ward members and the Diocese were notified of the proposal and notification was sent to all schools through the schools bulletin on the 23 April (Appendix 2).
- 5.6 The sufficiency statement and subsequent 3 year provision plan identified the need for an additional 21 places for children with SLD and PMLD in the Crewe and Nantwich area. The proposal at Springfield School will meet the identified shortfall of places in this locality and will also support the shortfall of provision in central areas. Overall, the intention is to increase provision by 24 places.

## 6 Implications of the Recommendations

### 6.1 Legal Implications

- 6.1.1 The DfE statutory guidance “Making Prescribed alterations to maintain schools” applies to local authorities when exercising functions under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that came into force on 28 January 2014. It provides information on the processes involved in making significant changes to maintained schools (e.g. expansion, change of age range, transferring to a new site etc).
- 6.1.2 Local Authorities are under a statutory duty to ensure sufficiency of school places in their area. They can propose an enlargement of the premises of community, foundation voluntary schools and special schools. When proposing an alteration to a special school they must follow the statutory process as set out in the Prescribed Alterations Regulations (2013) if :
- 6.1.3 *The proposed enlargement of the premises of the school where permanent (longer than three years) and would increase the capacity of the school by:*
- 10% or
  - 20 pupils (5 for all boarding special schools) (whichever is the lesser)
- (School Organisation Regulations 2013)*

6.1.4 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that came into force on 28 January 2014 describe the procedures that must be followed when making prescribed alteration proposals and state that local authorities must make decisions about any expansions that they propose.

6.1.5 The 2014 statutory process for making significant changes to schools now has four stages, as set out below:

<b>Stage 1</b>	<b>Publication</b>	Statutory proposal published – 1 day.
<b>Stage 2</b>	<b>Representation (formal consultation)</b>	Must be 4 weeks, as prescribed in regulations.
<b>Stage 3</b>	<b>Decision</b>	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.
<b>Stage 4</b>	<b>Implementation</b>	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

6.1.6 If a local authority fails to make a decision about a proposal within 2 months of the end of the Representation Period the local authority must forward the proposal, and any representations received, excluding those withdrawn in writing, to the Schools Adjudicator for a decision.

6.1.7 The regulations further provide that the local authority must have regard to the statutory guidance given from time to time by the Secretary of State when they take a decision on proposals.

6.1.8 Cabinet members are advised that they must have regard to the Guidance when making their decision, in accordance with Regulation 7 of The Regulations. The Department for Education’s guidance makes it clear that the Guidance should not be treated as exhaustive because the importance of each factor will vary depending on the proposal and as such all proposals must be considered on their individual merits.

## 6.2 Finance Implications

- 6.2.1 The option to expand Springfield Special School 'in borough' SEN placement capacity scheme features in the 'Education and 14-19 Skills' Capital Programme.
- 6.2.2 The Business Case for the scheme received full approval at the Central Finance Group on the 24th May 2017 and was moved into the main capital programme from the Addendum.
- 6.2.3 At the time of approval the funding ratio was to be met from a combination of S106 contributions from developers towards the provision of SEN places of £400,000 and up to £200,000 contributed from the school. The scheme is currently funded 100% from the Addendum item, 'To Expand 'in borough' SEN placement Capacity (Feasibility)'
- 6.2.4 Recent tender figures received in relation to the expansion are estimated in the region of £1,000,000.
- 6.2.5 At the S151 & Finance Portfolio Holder briefing meeting on the 19th June, an item has been tabled to present the revised Business Case for additional funding in accordance with the tendered cost.
- 6.2.6 The revised funding profile will now consist of
- a. Section 106 contribution totalling £560,002
  - b. School contribution of £400,000
  - c. CEC approved SEN funding of £39,998.
- 6.2.7 The current and additional funding requirement of £400,000 will be required temporarily and will be repaid to the Addendum when the developer payments are received into the Local Authority (payable via a phased payment mechanism), level of school contribution finalised and savings achieved to repay the investment.
- 6.2.8 The additional 24 places at Springfield School will potentially offer school placement savings of £441,024 per annum when considered against the average cost per place out of Borough. This is a saving to DSG high needs budgets.

### **6.3 Policy Implications**

- 6.3.1 The proposal will allow more children access to an outstanding schools with the intention in supporting children and young people in achieving the best possible outcomes.
- 6.3.2 An expansion of Springfield School will provide more places for children within the Crewe and Nantwich locality keeping them within their local community, allowing them to build friendships with people who live close to them and spend less time travelling.
- 6.3.3 By providing more local school places within Cheshire East the scheme will allow for some considerable savings when compared to educating children out of Borough, thus allowing The Council to make best use of its resources.
- 6.3.4 By providing additional places the expansion will also provide more choice for families who would otherwise maybe not find a place at Springfield School.

### **6.4 Equality Implications**

- 6.4.1 If the Councils Sufficiency statement identified a shortage of provision in the Crewe and Nantwich Locality and by providing these places at Springfield School the Council will be supporting its aim to :-
- Achieve the best possible outcomes for children and young people
  - Ensure that there are the right number and type of places to meet children and young peoples needs
  - Ensure that children and young people can have their needs met within their local community wherever possible
  - Make the best use of our resources

### **6.5 Human Resources Implications**

- 6.5.1 There are no additional human resource implications for the Council but the school are aware that increased numbers on roll could require additional staffing costs which would be the responsibility of the school to fund through additional places at the school

## **6.6 Risk Management Implications**

6.6.1 The proposed expansion is identified to address a basic need for specialist school places in the South of the Borough in order that the authority meets its statutory duty in providing sufficient school places.

6.6.2 The proposal has planning approval and is not subject to an application under Section 77 of the School Standards and Framework Act

## **6.7 Rural Communities Implications**

6.7.1 The proposed expansion of Springfield School will bring benefit to rural communities in that it will result in extra special school places which would be available to residents within a more reasonable travel distance.

## **6.8 Implications for Children & Young People**

6.8.1 Providing these additional places at Springfield School will allow children resident within Cheshire East access to this much needed specialist provision.

6.8.2 The savings made from providing better value school places will allow for more efficient budgeting by the Service which in turn will reduce pressure on the ring-fenced High Needs budget.

## **6.9 Public Health Implications**

6.9.1 Some children and young people travel significant distances which can have an impact on their emotional well being and can significantly lengthen the school day. The proposal to provide additional places at Springfield School will mean more children getting a placement in their local school thus keeping them in their own community.

6.9.2 By reducing the distances which children are having to make to attend school the proposal will also reduce congestion on the roads and therefore emissions thus improving air quality and making a better environment to live in.

## **6.10 Ward Members Affected**

6.10.1 All ward members

## 7 Consultation & Engagement

- 7.1 In accordance with the guidance issued by the Department for Education, the statutory publication notice was published in the crewe Chronicle on 18 April 2018 and the statutory four-week representation period ran from 18 April 2018 to 16 May 2018. Cabinet members are advised that this statutory process provides the opportunity for any person with an interest to submit representations, which can be objections as well as expressions of support for the proposals. Cabinet members must take any views received into account when deciding whether to approve the proposal.
- 7.2 The representation period was notified to key stakeholders including Ward Members, MP, the Diocese and Parish Councils. Information was emailed to all local schools and an article was published in the Cheshire East School Bulliten.
- 7.3 There has only been one response to the statutory notice. Details of this response are provided with this report for consideration. Copies of the statutory notice and the full proposal are attached

## 8 Access to Information

Links included to specific documents within the report.

## 9 Contact Information

- 9.1 Any questions relating to this report should be directed to the following officer:

Name: Mark Bayley

Job Title: Head of Service

Email: mark.bayley@cheshireeast.gov.uk

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## STATUTORY NOTICE

### PROPOSED EXPANSION OF SPRINGFIELD SPECIAL SCHOOL

#### CREWE GREEN ROAD, CREWE, CHESHIRE, CW1 5HS

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Cheshire East Council intends to make a prescribed alteration to Springfield Special School, Crewe Green Road, Crewe, Cheshire, CW1 5HS from September 2018.

The proposal is to expand the school to provide 24 additional pupil places for implementation by September 2018. The current capacity of the school is 132 and the proposed capacity will be 156. The current number of pupils commissioned at the school is 141.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from the Council's website: [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) or can be obtained by writing to Simon Hodgkiss, Capital Development Officer, Children and Families, Organisation & Capital Strategy, Delamere House Floor 2, c/o Municipal Building, Earle Street, Crewe, CW1 2BJ.

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to Children and Families, Organisation and Capital Strategy, Delamere House Floor 2, c/o Municipal Building, Earle Street, Crewe, CW1 2BJ. or by email to [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk).

Signed: Mark Palethorpe

Acting Executive Director of People

**Publication Date: 18 April 2018**

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## STATUTORY PROPOSALS FOR PRESCRIBED ALTERATION TO MAINTAINED SCHOOL

### **Local Authority Proposal**

#### **1. School and local authority details**

Springfield School  
Crewe Green Road  
Crewe  
CW1 5HS

Springfield School is maintained by  
Cheshire East Borough Council  
Westfields  
Sandbach  
Cheshire  
CW11 1HZ

#### **2. Implementation**

September 2018

#### **3. Proposed Alteration**

Springfield School currently has a capacity of 132 places.

We are consulting on a proposal to expand Springfield School by an additional 24 places.

The proposal, if agreed, would involve increasing the accommodation at Springfield School by 3 classrooms along with ancillary space. This would involve a newly constructed block to the front of the school.

The Council has published online its Sufficiency Statement for Children and Young

People with Special Educational Needs. This document highlights the provision necessary within the Borough and led to the development of a 3 year plan to develop provision

<https://cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/send-developments/assessing-our-local-send-sufficiency.aspx>

#### **4. Need or demand for additional places**

Springfield School has a capacity of 132 places and currently has 140 children on its roll.

The Councils Sufficiency Statement and 3 year plan has identified a need for additional places to be available at Springfield School

#### **5. Objectives of the Proposal and Educational Standards**

The Council Sufficiency Statement for Children and Young People with Special Educational Needs states:-

We want all our children and young people to be happy, healthy, and safe, and to be able to live a life that is full of opportunities to learn and develop. We want all our children and young people to achieve to their full potential, and go into adulthood equipped with the skills they need to enjoy their adult lives.

Our Children and Young People's Plan is based on what children and young people told us was most important to them. It has six priority areas that we are working to achieve across the partnership to ensure that Cheshire East is a great place to be young. We want to ensure that all our children and young people:

1. Have a voice, and are actively involved in decisions that affect their lives and communities
2. Feel and are safe
3. Are happy and have good emotional and mental health
4. Are healthy and make positive choices
5. Leave school with the best skills and qualifications they can achieve, and the life skills they need to thrive into adulthood
6. Children and young people with additional needs have better chances in life

Having the right educational placement and support is key to ensuring that children and young people experience the best outcomes. As such, the statement contributes to the authorities work across all of these priorities, but it is particularly related to priority 6; ensuring that children and young people with additional needs have better chances in life.

To achieve the best outcomes for children, we need to plan and deliver our services with children and young people at the centre, involve them in decisions, and base our services on what children and young people need and how they tell us they want to be supported. Children, young people, parents and carers have been involved in developing this statement and will continue to be involved in developing our provision going forward.

We want to ensure that all our children and young people achieve the best possible outcomes.

It's also really important to us that we make the very best use of our resources so that we can provide the best quality service possible to all children and young people that need support. This means ensuring that we use our resources innovatively, match our services to the needs within our population, and also that we don't duplicate services. This also means reducing costs on any additional expenditure that doesn't contribute to children and young people's attainment or wellbeing, such as travel costs for long distance travel.

### **6. Effect on other Educational Establishments in the Area**

The next nearest Cheshire East School delivering similar provision to Springfield School is Park Lane School in Macclesfield.

This School is in the North of the Borough and is 15.8 miles (straight line distance) from Springfield School.

### **7. Project costs and Value for Money**

The authority believes that to provide long term value for money it is right to expand schools with permanent accommodation where possible. Permanent expansion provides new facilities providing reassurance to parents and providing children with the most favourable good quality learning environment.

The proposed expansion at Springfield is to increase specialist provision within the Borough for 24 places and is being funded via Section 106 and a school contribution.

The works are anticipated to cost in the region of £850,000.

### **8. Objections and comments**

Within 4 weeks from the date of publication of this proposal i.e by 16 May any person may support, object to or make comments on the proposal by sending them to:-

Children's Services  
School Organisation and Capital Strategy,  
Delamere House Floor 2  
c/o Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ

or via email to [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk)

(School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013)

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*Working for a brighter future together*

## Cabinet

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**Date of Meeting:** 10 July 2018

**Report Title:** Sustainable Modes of Travel to Schools (SMOTS) Strategy

**Portfolio Holder:** Cllr Don Stockton – Environment

Cllr Jos Saunders – Children and Families

**Senior Officer:** Frank Jordan, Executive Director of Place

Mark Palethorpe, Acting Executive Director of People

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### 1. Report Summary

- 1.1. This report presents a finalised version of Cheshire East Council's updated Sustainable Modes of Travel to Schools (SMOTS) Strategy. The strategy (see Appendix B) sets out the framework for how the Council, in collaboration with key delivery partners, will support schools to enable and encourage sustainable travel to and from schools. Our strategy has been informed by consultation with parents, schools and key stakeholders with key revisions described in this report.
- 1.2. Travel to schools within Cheshire East is an essential part of daily life. The Council is working to promote more physical activity, improve our environment and create safer and more vibrant communities. This approach is underpinned by the Council's corporate objectives and our commitment to improving both quality of place and educational outcomes.
- 1.3. The Council recognises that to achieve an increase in sustainable travel to school, there needs to be coordinated action by a wide range of stakeholders. School communities are best placed to identify those particular measures which will enable more sustainable journeys to their location. Schools can be encouraged to update their School Travel Plans and implement appropriate measures through access to support, resources and funding opportunities. Within the framework established by the SMOTS Strategy, the Council will provide a range of advice and resources to schools undertaking to implement a School Travel Plan.

## 2. Recommendations

- 2.1. That Cabinet approves the Sustainable Modes of Travel to Schools Strategy (SMOTS) as part of the Council's Education Travel policy framework.

## 3. Reasons for Recommendations

- 3.1. Cheshire East is committed to encouraging more sustainable travel to and from schools. This supports healthier and more active lifestyles for school communities, whilst also reducing congestion on local roads around schools, with associated improvements in air quality, road safety and residential areas surrounding schools.
- 3.2. Under the *Education and Inspections Act 1996*, Cheshire East Council has a legal duty to:
  - 3.2.1. Assess the travel and transport needs of children, and young people within the authority's area;
  - 3.2.2. Audit the sustainable travel and transport infrastructure within the authority's area that may be used when travelling to and from, or between schools/institutions;
  - 3.2.3. Develop a strategy to improve the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of children and young people are best catered for;
  - 3.2.4. Promote sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and
  - 3.2.5. Publish a Sustainable Modes of Travel to School strategy.
- 3.3. The production and implementation of this SMOTS Strategy will discharge the Council's legal duties in this respect.

## 4. Other Options Considered

- 4.1. As the SMOTS strategy is a statutory document, no options other than to develop the strategy were considered. The approach adopted in preparing the strategy is considered to fulfil this requirement.
- 4.2. An alternative approach of supporting schools to update and implement School Travel Plans has been considered. This alternative option would not fund Modeshift STARS and instead utilise more officer resource to support schools. This alternative option was not pursued as Modeshift STARS offers a more cost-effective option, which provides a good level of service

to schools with access to national best practice benchmarks and accreditation.

## 5. Background

- 5.1. The 2010/11 School Census shows that 21% of high school pupils and 45% of primary school pupils are driven to school, despite a large number of schools being located in residential or urban areas. Since this Census, a number of issues have arisen including the negative impacts of parking around schools puts pressure on local communities, residents and the highway network.
- 5.2. Corporate Overview and Scrutiny Committee set up a Task and Finish Group to review Safer Parking for Communities around Schools in November 2015. The Group's remit was to review the approach to safer parking for communities and identify initiatives the Council could consider to improve the outcomes for local communities around schools.
- 5.3. The Group's findings and recommendations were presented to Cabinet on 11 July 2017. This SMOTS strategy provides a framework for these recommendations, whilst also discharging the Council's obligation under the *Education and Inspections Act 1996* to publish a SMOTS strategy.
- 5.4. During 2017, an evidence base was compiled to understand:
  - 5.4.1. Current travel patterns to school in the Borough;
  - 5.4.2. The views of parents/carers regarding sustainable travel to school; and
  - 5.4.3. The implementation of School Travel Plans by individual schools.
- 5.5. A draft SMOTS strategy was prepared which identified the barriers to uptake of sustainable travel for journeys to schools. A range of measures are already being implemented by the Council and delivery partners to improve options for walking, cycling, public transport and travel by car. These include improving walking and cycling routes, training in road safety, Bikeability, personal safety initiatives and travel information.
- 5.6. Following Cabinet approval on 16<sup>th</sup> January 2018, the draft SMOTS strategy was put out to consultation during February and March 2018. Feedback from the consultation (see Section 8.2) has now been incorporated into the final Strategy.
- 5.7. In addition to these existing measures, the SMOTS strategy sets out a range of new measures including:

- 5.7.1. The provision of Modeshift STARS online system to enable schools to efficiently update and implement School Travel Plans. Modeshift STARS has been established with support from the Department for Transport to provide a national framework and supporting resources for use by schools. It is currently used by over 13,000 schools nationally.
  - 5.7.2. Officers will work to promote and administer the system, providing advice to schools to support their use of Modeshift STARS.
- 5.8. The SMOTS strategy supports the Cabinet resolution on 10<sup>th</sup> October 2017 to 'allocate resources and funding from the 2018/19 Local Transport Plan (LTP) budget to support a Safer Routes to Schools programme and review this for subsequent years'. This will provide capital funding to implement measures identified by School Travel Plans. £150,000 has been allocated to the Safer Routes to School Programme from the LTP capital budget for 2018/19. The type of schemes which could be funded to support Travel Plans include:
  - 5.8.1. Improvements to walking and cycling routes such as footpath or cycleway improvements;
  - 5.8.2. New access points to schools sites which give more convenient and safer access for pedestrian and cyclists;
  - 5.8.3. Improved or new safe crossing points on routes to schools;
  - 5.8.4. Small scale traffic management schemes e.g. lining, signing and traffic calming;
  - 5.8.5. Improvements to parking in the vicinity of schools to provide a safer highway environment.
- 5.9. Schools with up-to-date Travel Plans which evidence the need for local measures can submit requests for capital funding through the LTP programme. An annual prioritised Safer Routes to School Programme comprising schemes requested by schools and assessed by Cheshire East officers will be prepared and updates for inclusion in the Local Transport Plan capital programme. The final SMOTS Strategy sets out how bids will be assessed and provides templates for the streamlined funding application process. It is anticipated that most schemes will be delivered through the Council's annual highways programme, especially where works to the highway are required. Should any proposals be best delivered through a grant awarded to a school, the grant will only be made under the Council's procedures for grant funding.

## 6. Implications of the Recommendations

### 6.1. Policy Implications

- 6.1.1 Producing the SMOTS will ensure that the Council discharges obligations under the *Education and Inspections Act 1996* to publish and implement a SMOTS.
- 6.1.2 Development of the SMOTS has been undertaken to ensure there is a consistent policy-fit with all relevant adopted and emerging policies including the Compulsory School Age Education Travel Policy, Local Transport Plan 4 and car parking strategy which are currently out for public consultation and will be reported back to Cabinet in the autumn.

### 6.2 Legal Implications

- 6.2.1 As noted in the report, the Council is required under section 508A of the *Education and Inspections Act 1996* to produce and implement a SMOTS strategy.
- 6.2.2 As noted below in section 8, the responses to the consultation have been taken in to account and have influenced the final strategy.

### 6.3 Finance Implications

- 6.3.1 Budget allocations are made as part of each annual Local Transport Plan delivery programme, with resources to support the implementation of the SMOTS. £150,000 has been allocated from the LTP delivery programme for 2018/2019. The level of funding for the programme will be reviewed for future years, informed by the level of engagement from schools during 2018/19.
- 6.3.2 Funding for the provision of the Modeshift STARS online system is estimated to require approximately £1,000 per annum, to assist schools in efficiently updating and implementing School Travel Plans. This will be funded from the Council's Strategic Infrastructure revenue budget.

### 6.4 Equality Implications

- 6.4.1 An Equalities Impact Assessment (EqIA) has been prepared to ensure that the needs and impacts on all residents are understood, especially individuals or groups at risk as a result of health, age, gender, race or lifestyle. The EqIA is an evolving document and will be updated to reflect the impact of planned measures at specific schools prior to their implementation.

## **6.5 Human Resources Implications**

6.5.1 None

## **6.6 Risk Management Implications**

6.6.1 Production of the SMOTS Strategy is being governed by the Education Travel Project Board and the Local Transport Plan Project Board, with key issues and decisions taken in these forums. A risk register is maintained for the project detailing key risks and mitigation measures.

6.6.2 The subsequent Safer Routes to School Programme will report to the Strategic Infrastructure Programme Board, chaired by the Director of Infrastructure and Highways to ensure appropriate project governance and strategic direction. The progress of individual schemes will be monitored through this Board, which will consider the scale of the delivery programme in future years. In the initial year, it is anticipated that schemes will progress through a development stage to ensure that appropriate design work, consents and consultation activities are completed prior to implementation of capital works.

## **6.7 Rural Communities Implications**

6.7.1 57% of the Cheshire East highway network is classed as rural, serving over half of our population. The quality and availability of the rural transport network is vital to the wellbeing and life chances of residents in these rural areas. Support will be offered to all schools across the Borough in both rural and urban locations.

6.7.2 Rural schools often present particular challenges associated with rural highway networks such as limited provision of footpaths. These issues will need to be assessed in School Travel Plans with measures proposed to improve routes where feasible.

6.7.3 The approach outlined above will be further strengthened by work conducted as part of developing a refreshed Local Transport Plan 4 which will include consideration of transport issues in rural areas throughout the Borough. This is aided by the place-based approach to the updated Local Transport Plan process, so that the emphasis afforded to rural issues can reflect the diverse nature of different parts of Cheshire East.

## **6.8 Implications for Children & Young People**

6.8.1 Specific transport issues relating to children and young people are incorporated into the updated SMOTS document. Increasing the number of children using sustainable modes of travel should result

in a reduction in vehicle emissions, an improvement to local air quality, and improved road safety.

6.8.2 The increase in children undertaking active travel on a daily basis will improve health and wellbeing.

## **6.9 Public Health Implications**

6.9.1 The SMOTS and Local Transport Plan consider the impact of transport on issues affecting public health, most notably air quality and the contribution that active travel – walking and cycling – can make to health and wellbeing.

6.9.2 Walking and cycling to and from school helps children achieve the recommended government targets of physical activity. Successful initiatives to increase activity rates for walking and cycling to school are expected to make a meaningful contribution to reducing childhood obesity and other health conditions.

## **7 Ward Members Affected**

7.1 All Wards in Cheshire East.

## **8 Consultation & Engagement**

8.1 Consultation on the draft SMOTS Strategy was undertaken between 15<sup>th</sup> February and 29<sup>th</sup> March 2018. Schools, delivery partners, local walking and cycling groups, regional representatives of national active travel groups, town councils and members of the public were invited to provide feedback on the aims and content of the draft strategy. The draft document was published online and in hardcopy. Respondents were able to send comments using an online survey, or by email and letter.

8.2 The consultation was publicised on the Council's webpages, supported by social media messaging, use of the Schools Network and via direct emails to stakeholders.

8.3 289 responses to the consultation were received. More than half of respondents agreed that the Strategy was;

- good (61% respondents);
- clear (62% respondents);
- comprehensive (59% respondents); and
- ambitious (52% respondents).

There was less confidence that the proposed approach is deliverable (43% respondents). Nevertheless, there was strong support for provision of the new Modeshift STARS online system (69% respondents) and for a

continuation of current measures promoting sustainable travel choices (66% respondents).

8.4 In response to the consultation, the following key changes have been made to the draft SMOTS strategy:

- An Executive Summary has been added;
- The Action Plan has been updated providing links to the strategic outcomes;
- A new section has been added describing links between the Council's Cycling Strategy and the SMOTS Strategy; and
- Clarifications on how schools can apply to the Safer Routes Programme, confirming guidance notes and template application forms will be produced.

8.5 Appendix A provides a summary the consultation feedback and how this has influenced the final drafting of the strategy. A full summary of consultation feedback is available on the Cheshire East website at [https://www.cheshireeast.gov.uk/council\\_and\\_democracy/council\\_information/consultations/consultation-results/consultations\\_results.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/council_information/consultations/consultation-results/consultations_results.aspx)

## 9 Overview and Scrutiny

9.1 Children's & Families Overview and Scrutiny Committee received a update on the SMOTS Strategy at their meeting on 10<sup>th</sup> May 2018 which outlined outcomes from the consultation and any related amendments to the strategy. The Committee requested a further progress update on implementing Safer Routes to Schools later in the year.

## 10 Access to Information

10.1 The background papers relating to this report are held on file at *O:\East\LTP\_East\SMOTS Strategy* and may be inspected by contacting the report writer.

## 11 Contact Information

11.1 Any questions relating to this report should be directed to the following officer:

Name: Richard Hibbert

Job Title: Interim Head of Transport

Email: Richard.hibbert@cheshireeast.gov.uk

**APPENDIX A : SUMMARY OF RESPONSES TO THE CONSULTATION**

Consultation Feedback	Action
Some respondents felt that the Strategy was ‘tokenistic’ and a ‘tick box exercise’.	The SMOTS Strategy is an important strand of helping the Council to deliver the outcomes of the new Local Transport Plan (LTP), including supporting growth and economic strength through connectivity; ensuring accessibility to services; protecting and improving our environment; and promoting health, wellbeing and physical activity. Under the ‘Education and Inspections Act 1996’, the Council has a legal duty to publish a ‘Sustainable Modes of Travel to School’ (SMOTS) Strategy. We are going beyond our legal duty and supporting schools to enable them to bring about real change in travel behaviours.
Comments were received in relation to the impacts of school congestion and car dependency and on the need to change travel behaviours.	This strategy sets a framework to enable changes in behaviour and reduce the impacts of current travel behaviour for journeys to schools.
Some respondents commented that the evidence base for the strategy could be improved.	All schools within Cheshire East were approached to provide data. The SMOTS Strategy sets out how the Council can support and engage with schools in the future to encourage greater engagement in the school travel planning process.
Some respondents felt that the examples of infrastructure improvement schemes provided (Section 5.2.1) were not appropriate, as either successful schemes or routes that were appropriate for children travelling to school.	It is planned that through the development and implementation of School Travel Plans, new and existing infrastructure will be promoted and use will increase. The SMOTS strategy and the Safer Routes to School Programme will allow new infrastructure to be identified by school communities.
Some respondents felt that the Strategy lacked measurable improvements, responsible owners and completion dates.	The Action Plan (Section 7.2) has been updated. Links to Strategy outcomes added.
Some respondents were unclear as to who should have responsibility for implementing sustainable travel to school.	Schools are best placed to identify their local travel issues and develop their own School Travel Plan. The Council will provide the Modeshift STARS online system to support schools in the step-by-step process of producing a travel plan. The Council and partners will continue to

	provide support on travel issues as outlined in Section 5 and can offer officer time to consider, develop and, where funded, implement appropriate schemes.
A number of comments were received regarding the financing of the Strategy and concerns over the effectiveness of implementation if not well resourced.	CEC has allocated £150,000 from the annual Local Transport Plan capital fund for 2018/19 to fund the feasibility/design studies and implementation of prioritised schemes through the Safer Routes to School Programme. Additional revenue funding will purchase the annual Modeshift STARS registration and provide Officer support. An additional benefit of the Safer Routes to School Programme is that it enables the Council to develop a pipeline of schemes, where the Council can also seek alternative external funding opportunities.
The social/mental health benefits of the Strategy should be promoted.	Cheshire East's Public Health team has been included in the development of the Strategy and are supportive of its aims and objectives.
Greater promotion of sustainable modes of transport is required within school communities.	The SMOTS Strategy is aimed at all journeys to schools. Information reinforced in Sections 1 and 6.2.
Sustainable travel should apply to all journeys to schools – pupils, parents and staff.	
Catchment areas of schools should be reviewed.	The local authority is the Admissions Authority for Community and Voluntary Controlled Schools. All other schools including Academies, Free Schools, Voluntary Aided and Foundation Schools, University Technical Colleges and Studio Schools act as their own Admissions Authority. 45% of schools in Cheshire East are Academies. It is important to note that Academies can change their Admission Arrangements to include pupils from areas that are outside of their historical catchment. For Voluntary Aided schools, parish boundaries, not catchment areas, are used. Details of each School's Admissions Arrangements and who is their Admissions authority can be found on the Cheshire East and school websites.

<p>Non-car use should be a condition of school admission.</p>	<p>The Admissions Code sets out a list of suggested oversubscription criteria. Although this is not a definitive list, the Local Authority has used criteria from this list to ensure that it is compliant with the Code and the criteria used are ‘reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equalities legislation’ as required by the Code. The Admissions Code also makes clear that the Admissions Authority cannot ‘give priority to children according to the occupational, marital, financial or educational status of parents applying’. It might therefore be difficult to include this as an objective criterion and could also potentially disadvantage families living in rural areas or where mobility issues necessitate the use of a car.</p>
<p>The current measures to support schools in encouraging sustainable travel, as set out in Section 5, are not appropriate (39% of respondents).</p>	<p>All of the measures currently provided are considered by the Council to be appropriate and should continue to be offered to school communities. The Council recognises that the measures will not be appropriate in every circumstance but this should not preclude them from being promoted and implemented where appropriate.</p>
<p>Targets need to be set for cycling.</p>	<p>Cheshire East’s Cycle Strategy sets out a vision for a network of high quality strategic cycle routes which are safe (and perceived to be safe), connect local communities and key growth areas, whilst also giving access to leisure opportunities and Cheshire East’s natural environment. It targets a doubling in the number of people cycling once per week for any journey purpose in Cheshire East by 2027 from a 2014 baseline. New paragraph added at 5.3.1.</p>
<p>Several respondents commented that cycling needs to be safer.</p>	
<p>More high quality cycling infrastructure is required to increase the number of cycling journeys.</p>	
<p>Cycle facilities at schools need to be improved.</p>	<p>It is not currently proposed that Cheshire East will fund any improvements on school sites. The School Travel Plans will provide evidence if there is a need for on-site improvements to facilitate changes in travel behaviour. If appropriate, the Council will explore future potential funding sources.</p> <p>The Safer Routes to School Programme will seek to address external barriers to sustainable journeys to school.</p>

<p>Some respondents felt that walking should be encouraged but that pavements and routes present barriers for safe journeys.</p>	<p>Specific walking (and cycling) issues associated with the journey to school can be proposed for assessment and funding via Safer Routes to School Programme.</p> <p>Clarification in Action Plan (Section 7.2)</p> <p>In addition, Cheshire East Highways has an annual programme for improving footways. Feedback from the School Travel Plans will be provided to the Highways team for their consideration through future footway improvement programmes.</p>
<p>A number of respondents felt that public transport use should be encouraged but that the recent bus service review has made this a less viable option.</p>	<p>The changes from the Council's Supported Bus Service Review looked to ensure the effects of the changes were minimised by retaining services which could be used by children travelling to and from school. Following the consultation a number of changes were made to the proposals to mitigate the identified impacts including the retiming of services to allow passengers to get to school and work and the introduction of alternative bus services where services were being withdrawn.</p> <p>All bus fares within Cheshire East are set by operators and are outside of the control of the Council. The major operators within the Borough, including D&amp;G, High Peak and Arriva, do offer discounted tickets which offer a reduction in the fare for students at college. The setting of rail fares is overseen by the UK Government's Department for Transport but discounts are available for passengers holding a 16-25 railcard.</p>
<p>Some respondents felt that Highways Regulations should be more stringently enforced, to help reduce the impact of school congestion.</p>	<p>It is an objective for Civil Enforcement Officers to patrol three of the most problematic schools each per week. Enforcement action is taken as required.</p> <p>Civil Enforcement Officers have also given parking enforcement presentations in assemblies at some local primary schools. This is often at the more problematic locations, with the aim that children will educate their parents with regards to safer parking in and around the school area. Working jointly with Cheshire Fire and Rescue Service, it is intended that when the presentations take place, a fire engine will be in</p>

attendance to show how wide they are and that being able to safely move along the highway is so important, which is not always possible due to irresponsible, inconsiderate and illegal parking.

Schools are encouraged to mention parking issues in their termly bulletins where they actively promote safer parking around schools.

Parking restrictions (yellow lines) can only be installed to secure the expeditious, convenient and safe movement of vehicular and other traffic but the Council also has a duty for the provision of suitable and adequate parking facilities on and off the highway. The Council's approach is to consider parking restrictions where parked vehicles are proven to have a detrimental effect on capacity, in locations where collisions may be reduced or where the Police have raised concerns and where all other options have already been considered. Any proposal will have due consideration to the displacement of vehicles.

The Council's Speed Limit Strategy, which is in accordance with Department for Transport (DfT) Guidance, states that 20mph speed limits and zones can be considered in areas of high concentrations of vulnerable road users where vehicle movement is not the primary function. Research has shown that signed-only 20mph speed limits generally lead to only small reductions (about 1mph on average) in traffic speeds and therefore such limits are most appropriate where mean vehicle speeds are already low. Mandatory 20mph speed limits and zones will only be considered in those locations that are generally self-compliant due to the nature of the road layout or the presence of traffic calming features. The standard speed limit in urban and village areas is 30mph.

Enforcement of speed limits can only be carried out by the police. However, through strong partnership working, Cheshire East will assist in the targeting of locations that experience excessive or inappropriate speeding. The Cheshire Constabulary Speed Management Process is used

	for all speed related complaints that are received. This is an evidence led process and any engineering works identified will be fed through to the Council's minor works programme. Cheshire Police will undertake various speed awareness activities across the network along with active speed enforcement through the use of mobile speed camera vehicles.
The Strategy is too long.	An Executive Summary has been included.
The Strategy is not ambitious enough and only 'supports' or 'encourages' actions.	<p>The Council has a legal duty to publish a SMOTS Strategy.</p> <p>We have identified the guidance and support that we and other delivery partners are providing to schools to enable them to encourage sustainable travel. We have recognised that our support needs strengthening and are therefore establishing a new Safer Routes to School Programme, funding the provision of Modeshift STARS and providing additional officer support to promote the system and help schools with additional technical advice when this is not provided by Modeshift STARS.</p> <p>The Safer Routes to School Programme will also allow the Council to identify potential schemes that could be funded through alternative budgets (Highways and external parties), thus extending the reach of SMOTS.</p>
The two stage appraisal process may favour schemes that are easy and cheap to deliver.	The first stage of the appraisal is to remove schemes/projects that are unachievable within appropriate timescales, are not an appropriate solution (eg over-engineered) or will only provide a benefit to a small part of the school community. We anticipate that all schemes will be of comparable cost.
Highways Engineers should be integrated into the planning stage of schemes so that ideas are realistic and deliverable.	<p>Any significantly more costly schemes will be proposed under other Council funding allocations where feasible and appropriate.</p> <p>A team will be included in the appraisal process to ensure suitability of schemes. Advice can be provided by officers prior to application.</p>

<b>Submitting requests to the Safer Routes to School Programme</b>	
Officer guidance and assistance should be provided, including communication.	A Guidance Note and template Application Form will be produced for schools to inform Cheshire East of specific walking and cycling issues that act as barriers preventing more sustainable journeys to school.
The process should be short and simple.	Applications must be supported by evidence from School Travel Plan surveys or anecdotal evidence from the school community, incorporated into the STP.
Examples of appropriate schemes should be provided.	Cheshire East officers will assess applications using the process set out in Section 8.2 and inform schools of the decision.
The pre-requisite of having an up-to-date School Travel Plan could exclude some schools with travel issues.	Schools without School Travel Plans will not be able to submit applications. An STP provides the framework for a school to identify issues and to implement appropriate measures using a sound evidence base.
Any interested party should be able to submit route improvement suggestions.	Members of the public can inform the Council of route improvement suggestions. They may be appropriate for other funding sources.
Several comments were regarding the Council's approach to ensuring active travel is incorporated into new developments.	The Council's approach to ensuring active travel is incorporated into new developments is addressed in the Cycling Strategy and, in particular, the implementation of the Cycle-proofing Toolkit.

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# Sustainable Modes of Travel to School Strategy

July 2018



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## Foreword

Travel to schools within Cheshire East is a fundamental part of daily life and alternatives are available for many journeys, including walking, scooting, cycling, public transport and car sharing. We know that walking and cycling are good for our physical and mental health and Cheshire East is working to promote more physical activity, helping to create stronger, healthier and more vibrant communities.

Simple measures to build activity into daily routines can help combat increasing levels of obesity in children. Cheshire East Council is encouraging more sustainable travel to schools. This supports healthier and more active lifestyles for staff, students and parents, whilst also reducing congestion on local roads around schools with associated improvements in air quality and road safety.

We are therefore delighted to introduce Cheshire East's 'Sustainable Modes of Travel to School Strategy'.

This document sets out the measures Cheshire East Council and partners could bring forward to achieve an increase in sustainable travel. We, together with the schools and other delivery partners, will work together to implement measures that will provide opportunities for sustainable travel to school. We have a plan in place to deliver these actions and are pleased to confirm funding and support to help implement this strategy.

Overall, we believe that for those schools that are able to work with us to implement this strategy, we can achieve benefits for all members of both school and neighbouring residential communities.

**Councillor Don Stockton,  
Environment Portfolio  
Holder**



**Councillor Jos Saunders,  
Children & Families Portfolio  
Holder**



## Executive Summary

Cheshire East Council (CEC) is committed to encouraging more sustainable travel to and from schools. This strategy establishes a framework which supports schools, pupils and parents/carers to travel more sustainably for the all journeys to school. It will enable healthier and more active lifestyles for staff, students and parents/carers, whilst reducing congestion on local roads around schools with associated improvements in air quality and road safety.

Cheshire East Council, in conjunction with a range of partners, already provides a range of initiatives to enable and encourage sustainable travel to and from schools. We aim to continue to offer this support and a range of new measures, resources and funding to schools, and ultimately enable more sustainable journeys to schools.

Baseline research found that not all schools regularly update their School Travel Plans but that each school had typically identified a list of both concerns and corresponding specific improvements required to encourage more sustainable journeys to schools. An analysis of current travel behaviour to schools was undertaken and identified modal splits for different school ages (primary/senior).

Cheshire East and its delivery partners already provide a range of support measures to schools to enable them to address the barriers to sustainable travel. New support proposed through this strategy includes:

- Funding of the Modeshift STARS online system to help schools produce a School Travel Plan and implement sustainable and active travel activities;
- Officer resource to promote the system and help schools with additional technical advice when this is not provided by Modeshift STARS; and
- Establishing a Safer Routes to School Programme, with appropriate funding, so schools can submit requests to fund walking and cycling infrastructure measures.

We have set the following targets:

- Increase the number of schools participating in promotional campaigns (eg Walk Once a Week – WOW) to 30 per year; and
- Increase the number of schools/colleges with Bronze level accreditation with Modeshift STARS to 20.

If the above targets are achieved, this should result in the following outcomes:

- A reduction in vehicle emissions;
- An overall improvement in air quality;
- Improved road safety;
- Increased health and wellbeing of staff, students and parents/carers; and
- Increased educational attainment.



An Action Plan has been included that sets out key actions, responsibilities, measures of progress, timescales and the contribution to outcomes.

A key element of the SMOTS Strategy is the establishment of the new Safer Routes to School Programme. Schools with up-to-date School Travel Plans will be invited to submit requests for capital funding for walking and cycling infrastructure schemes. Schemes will be assessed by Cheshire East officers, using a two-stage appraisal process, which will consider deliverability, feasibility, value for money, modal shift and a wider commitment to sustainable travel. A prioritised list of schemes will be included in the Local Transport Plan capital funding delivery programme.

Between 15<sup>th</sup> February and 29<sup>th</sup> March 2018, Cheshire East Council consulted schools, delivery partners, local walking and cycling groups and other stakeholders on the draft version of the SMOTS Strategy. The aim was to gain feedback on the strategy and understand if there was broad agreement with the document's aims and objectives.

There were 289 responses to the consultation. More than half of the respondents thought that the strategy was good, clear, comprehensive and ambitious. Over two thirds of respondents agreed that the Modeshift STARS online system should be funded to enable schools to implement Travel Plans.

Consultation feedback has been incorporated into the Strategy, strengthening links to Cheshire East's Cycle Strategy and clarifying actions for delivery. A new guidance note will be developed to support schools in applying for funding of schemes through the new Safer Routes to School Programme.

Cheshire East Council (CEC) is committed to encouraging more sustainable travel to and from schools. This strategy establishes a framework which supports schools, pupils and parents/carers to travel more sustainably for all journeys to school. It will enable healthier and more active lifestyles for staff, students and parents/carers, whilst reducing congestion on local roads around schools with associated improvements in air quality and road safety.

This strategy can make a contribution to the achievement of key outcomes the Council are working towards as set out in the Corporate Plan, namely:

- Our local communities are strong and supportive
- People have the life skills and education they need in order to thrive
- Cheshire East is a green and sustainable place

Cheshire East Council also recognises that the quality of our built and natural environment and its interaction with our residents plays a key role in providing good quality of life in the Borough. Providing options to travel sustainably to schools can contribute to improving 'Quality of Place', both through offering high quality infrastructure and also addressing environmental issues associated with motorised traffic.

We recognise that walking and cycling are good for our physical and mental health. Walking and cycling to school helps children achieve recommended government targets of physical activity. Physically active children can be more alert and ready to learn than children who are driven to school.

This strategy sets out how the Council in collaboration with key partners will support delivery of the key outcomes outlined above. Cheshire East Council, in conjunction with a range of partners, already provides a range of initiatives to enable and encourage sustainable travel to and from schools. We aim to continue to offer this support and a range of new measures, resources and funding to schools, and ultimately enable more sustainable journeys to schools.

## 3

## Legislation and Policy Framework

### 3.1 Key Policies and Strategies

There are a range of national and local policies and strategies which inform this Sustainable Modes of Travel to School strategy. These are referenced below, with further detail available in Appendix B.

#### 3.1.1 Sustainable Travel

The government is committed to promoting sustainable travel, as outlined in the *'Sustainable Schools Alliance'* (2006) and the *Department for Transport 'Cycling and Walking Investment Strategy'* (2017) which aims to provide support and set targets for schools regarding sustainability. Both policies provide a framework to improve the number of people using sustainable modes and identify the importance of providing support to schools in order to achieve this.

The importance of sustainable travel is identified in a range of local policies and guidance produced by CEC. The key policies related to sustainable travel include the emerging *'Local Transport Plan'*, the *'Cycling Strategy 2017-2027'* (2017) and the *'Corporate Plan'* (2017).

These policies set out the overall vision and approach to delivering improvements to sustainable travel in Cheshire East, alongside a framework to prioritise and deliver improvements.

#### 3.1.2 Public Health and Wellbeing

The Government has produced a range of policies and guidance identifying the importance of public health and wellbeing. The key policies and strategies include the Public Health England *'Everybody Active, Every Day'* strategy (2014) and *'Active Travel – A briefing for local authorities'* (2016).

The benefits of increasing physical activity through active travel are outlined and how people can be encouraged to increase their use of active travel modes (i.e. walking and/or cycling).

At a local level, CEC has produced a *'Joint Health and Wellbeing Strategy for the Population of Cheshire East 2014 – 2017'* (2014). This provides an overarching framework that will influence the commissioning plans of the local NHS, the Council and other organisations in Cheshire East.

#### 3.1.3 Local Authority Education Travel Duty

Local authorities have a duty to promote sustainable travel and make transport arrangements for all 'eligible children'. This is further identified in the *'Home to School Travel and Transport Guidance 2014'*.

CEC identify their responsibility to adhere to this guidance in the emerging *'Compulsory School Age Education Travel Policy'* which sets out how CEC can assist children of statutory school age with travel between home and school.



There are a number of key requirements on Local Authorities which apply to education travel and sustainable travel. Further information regarding current legalisation and policies can be found in Appendix B.

### 3.2 Legislative Framework

Section 508A of the *'Education and Inspections Act 1996'* *"places a general duty on local authorities to promote the use of sustainable travel and transport. The duty applies to children and young people of compulsory school age who travel to receive education or training in a local authority's area. The duty relates to journeys to and from institutions where education or training is delivered."*<sup>1</sup>

Under the Education and Inspections Act 1996, Cheshire East Council also has a legal duty to:

- Assess the travel and transport needs of children, and young people within the authority's area;
- Audit the sustainable travel and transport infrastructure within the authority's area that may be used when travelling to and from, or between schools/institutions;
- Develop a strategy to improve the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of children and young people are best catered for;
- Promote sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and
- Publish a 'Sustainable Modes of Travel to School' (SMOTS) Strategy.

Local Authorities also have a duty to provide travel assistance to 'eligible children' travelling to and from school. To qualify as an 'eligible child', the child must satisfy the criteria outlined in the *'Education and Inspections Act 2006'* which is further outlined in Appendix B.

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<sup>1</sup> Department for Education, 2014. Home to school travel and transport statutory guidance. <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

## 4

## Baseline Data and Analysis

### 4.1 Current Status of School Travel Plans in Cheshire East

A Travel Plan is a document which sets out the measures and initiatives a school or college (for the remainder of the document referred to as schools) will use to reduce car journeys and promote other ways of getting to school in safer, healthier and more environmentally sustainable ways. Successful Travel Plans will be supported by the educational community (pupils/students, teachers, parents/carers, governors and support staff), the local community and the local authority. To be effective, a Travel Plan should be monitored regularly and at least on a yearly basis.

As of March 2010, all primary, secondary and special educational needs schools in Cheshire East had completed a Travel Plan. CEC recently conducted online Travel Plan surveys with schools in Cheshire East. The results were then collected and analysed by CEC.

The number of returned responses to the survey (38%) gives an indication of the current state of travel plans within an education context; however, a significant number of schools did not respond to the survey. Although the returned data was limited, the surveys demonstrated that not all schools are regularly updating their Travel Plans. CEC will continue to encourage all schools to continually review and refresh their Travel Plans and policies.

A review of a sample of Travel Plans was undertaken. The review identified that each school has typically defined a list of specific improvements required to encourage more frequent sustainable travel and improve access to the school.

#### 4.1.1 Primary Schools

##### (a) Current Travel Plan Compliance

Of the 49 primary schools who responded to the survey, 16 have a Travel Plan in place (33%). Three of these reported they had undertaken a review of their Travel Plan within the last 12 months, while 13 had not done so for over one year. Of those primary schools with a Travel Plan in place, six reported they have a School Travel Plan Co-ordinator.

##### (b) Travel Plan Concerns

The review identified that similar concerns for not travelling to school through sustainable modes were recorded at the majority schools. These include:

- Cars parking on both sides of the road outside the school, limiting visibility for pedestrians;
- Inappropriate vehicle speeds outside school and in the surrounding area; and
- Limited footpaths on non-designated available walking routes to school.



#### 4.1.2 Secondary Schools

##### (a) Current Travel Plan Compliance

Of the six secondary schools who responded to the survey, three have a Travel Plan in place (50%). One of the schools reported they had undertaken a review of their Travel Plan within the last 3-6 months, while the remaining two had not done so for over a year. One school reported that they have a School Travel Plan Co-ordinator.

##### (b) Travel Plan Concerns

The review identified that the reasons for not using sustainable modes of travel to school were consistent with those identified by primary schools. These include:

- Cars parking on both sides of the road outside the school, limiting visibility for pedestrians;
- Inappropriate vehicle speeds and traffic volumes outside school and in the surrounding area; and
- Limited footpaths on non-designated available walking routes to school.

#### 4.1.3 Further Education Colleges

##### (a) Current Travel Plan Compliance

One further education college responded to the survey. It reported that it has a Travel Plan in place, as well as a Travel Plan Co-ordinator. A review of their Travel Plan was last undertaken within the last 3-6 months.

##### (b) Travel Plan Concerns

Following a review of the further education college Travel Plan, the following concerns were identified as reasons for not travelling by sustainable modes:

- Lack of suitable, secure cycle parking spaces; and
- Timetable of college bus services not compliant with course timetables.

## 4.2 Current Travel Patterns

### 4.2.1 Introduction

To increase the uptake of sustainable modes of travel for the journey to school, it is important to undertake an assessment of current school travel patterns. This will be used to inform future schemes and initiatives to ensure that they are correctly and efficiently targeted. CEC recently conducted Mode of Travel surveys for a sample of schools in Cheshire East. A review of the data has been undertaken below, including a comparison to the 2011 Census data for primary and secondary schools. A comparison could not be completed for further education colleges as this data was not recorded in the 2011 census.

Safer Routes to Schools surveys have also been undertaken and completed by pupils and parents/carers at primary schools, secondary schools and further education colleges. The surveys were designed to identify any barriers to the uptake of sustainable travel.



The number of responses received from the surveys undertaken in 2017 are listed below.

- CEC Primary Schools – 681 responses from 124 primary schools;
- CEC Secondary Schools – 726 responses from 24 secondary schools; and
- CEC Further Education Colleges – 39 responses from 17 further education colleges.

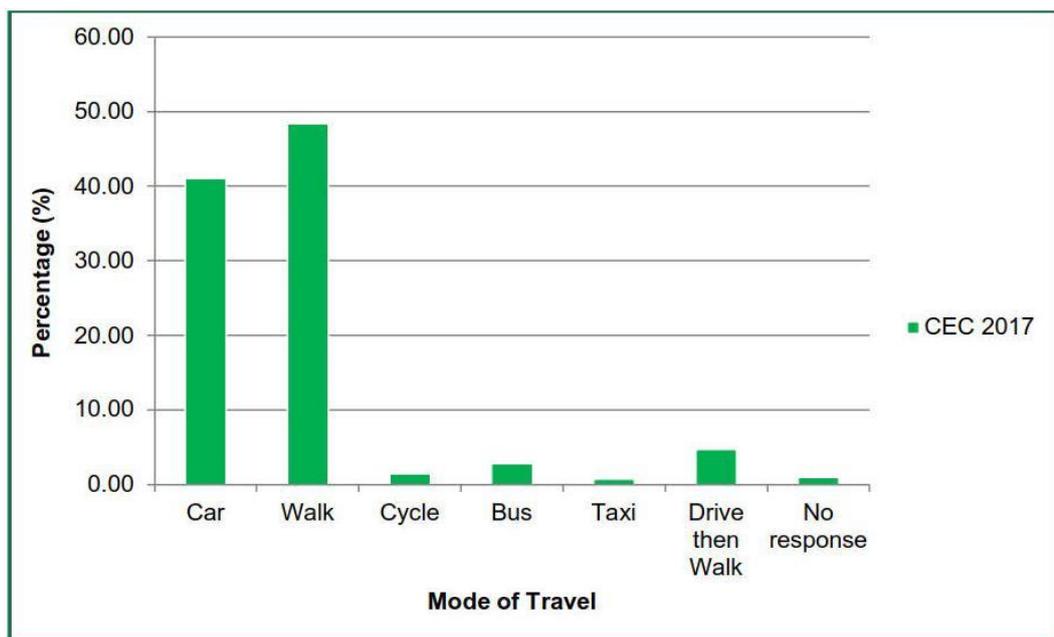
The number of returned responses gives an indication of the current travel patterns; however, a significant number of parents/carers and pupils/students did not respond to the survey.

Data from Cheshire East has been assessed to determine any patterns in travel behaviour over time. It is however recognised that different methodologies have been used over time (2011 and 2017) and between datasets (CEC and National Travel Survey 2016) and so no direct comparison is fully appropriate. In addition, the surveys in Cheshire East are more likely to have been completed by parents/carers that have a greater awareness of travel issues for their children and so this may impact on the results. Therefore, patterns in travel behaviour can be identified however caution should be exercised when comparing the data sets.

#### 4.2.2 Primary Schools

Cheshire East’s school travel modal split (Figure 4-A) identifies that almost 50% of primary age children walk to school and just over 40% travel by car. This is the reverse of the 2016 National Travel Survey (NTS) data, which has higher car use (56%) than walking (38%). This in part can be explained by the different methodologies (NTS includes children up to 16 years). Travel by bus is lower than the NTS data, however other options such as ‘drive and stride’ are popular in Cheshire East at 5%.

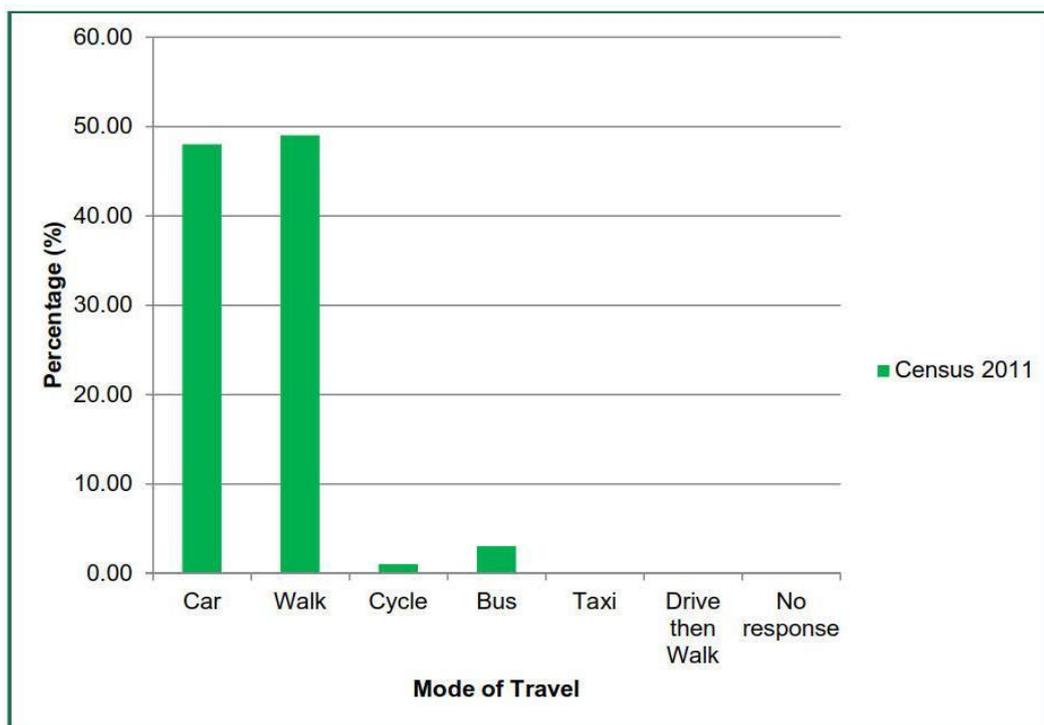
**Figure 4-A Primary School Mode of Travel Patterns – 2017**





Cheshire East’s school travel modal split has also been compared with the percentage of pupils recorded in the 2011 national school census (Figure 4-B) (noting the differing methodologies). It was identified that the percentage of pupils driven to school has decreased significantly from 2011 to 2017. However, the percentage of pupils that are driven part of the route and then walk the remaining distance to school has increased. The other modes of travel that were included in the national census do not indicate a significant change over the period. As noted previously, due to survey methodological differences, undue prominence should not be placed on direct comparisons between 2011 and 2017 surveys.

**Figure 4-B Primary School Mode of Travel Patterns – 2011**



The trends above can be further understood by considering the reasons why pupils travel to and from school by car, in favour of more sustainable methods of travel, such as walking, cycling and public transport.

Analysis shows that 44% of respondents who drove their children to school did so due to the distance required to travel to school. To address distance as being one of the main considerations for driving, a number of options are available to encourage more sustainable journeys. Firstly, ‘park and stride’ schemes could be encouraged to increase walking to school, and reduce the number using the car to travel the whole distance to school. Encouraging car share schemes and bus travel would also reduce the number of cars travelling to schools.

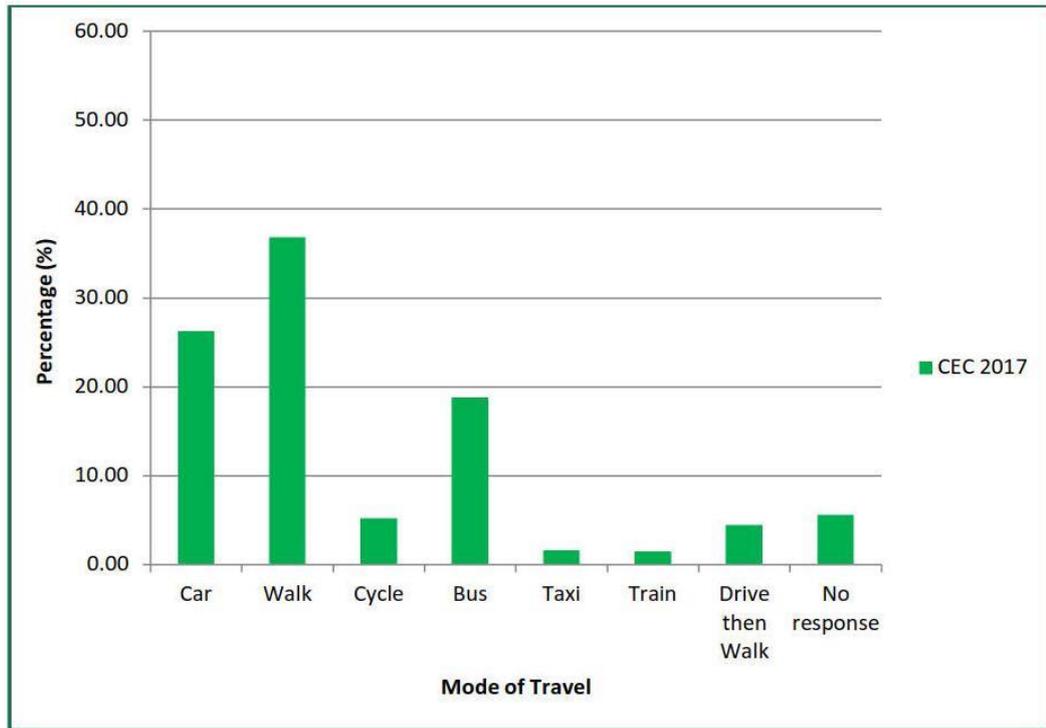
57% of pupils travel less than one mile to school, which is considered to be a suitable distance to walk or cycle. A common issue reported as preventing sustainable travel includes safety concerns associated with walking and cycling. In order to address this, the Council aims to improve the safety of routes where appropriate, so as to further encourage pupils walking and cycling alongside their parents/carers, or as a group.



### 4.2.3 Secondary Schools

A review of Cheshire East’s secondary school travel modal split (Figure 4-C), has a low car modal split (26%), particularly if compared to the national statistics (56%). Whilst the percentage of those walking is broadly similar to national figures, cycle and bus usage are higher than may be expected, noting the different methodologies.

**Figure 4-C Secondary School Mode of Travel Patterns – 2017**

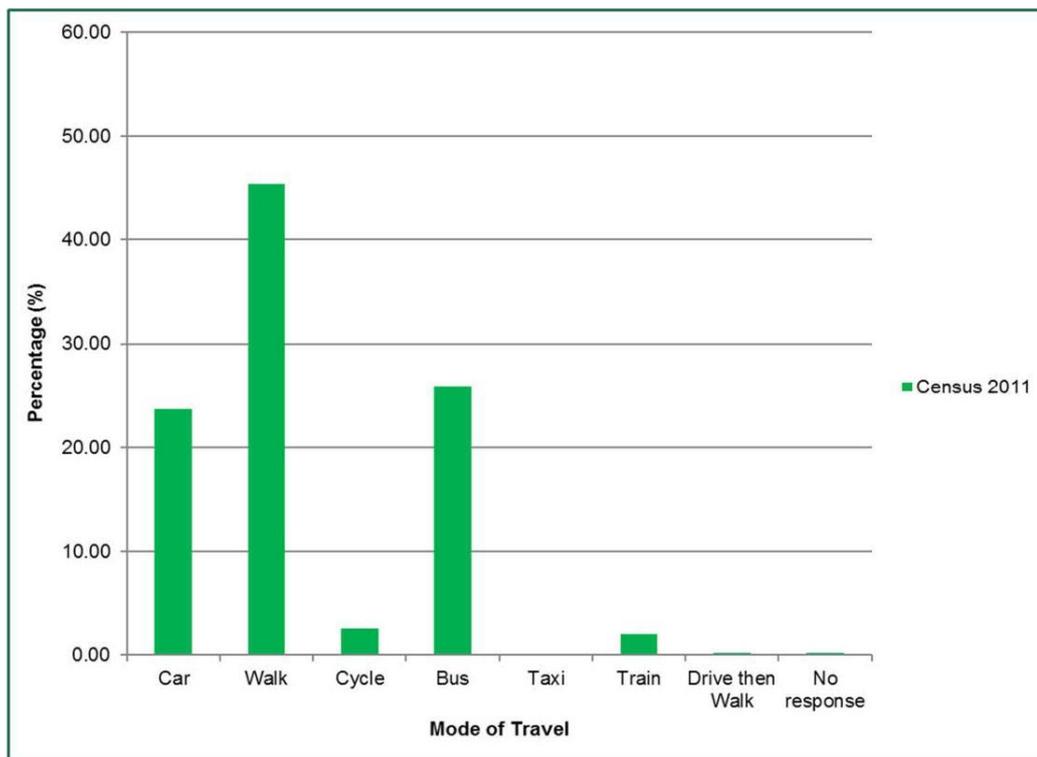


Cheshire East’s school travel modal split has been compared with the percentage of students recorded in the 2011 national census (



Figure 4-D), again noting the different methodologies. It was identified that the percentage of children using the bus and walking to school has decreased between 2011 and 2017. The percentage of pupils that are driven to school is approximately similar to 2011 data but more pupils are reported to be driven part of the route and then walk the remaining distance to school. The number of students that cycle to school has also increased between 2011 and 2017, suggesting some modal shift to cycling.

Figure 4-D Secondary School Mode of Travel Patterns – 2011



The trends shown above can be further understood by considering the reasons why pupils travel to and from school by car, rather than sustainable methods of travel, such as walking, cycling and public transport.

The survey indicates that 55% of parents/carers who dropped their children off at secondary school did so due to the distance travelled. In order to address this reliance on the car for secondary school travel, the Council will consider a number of opportunities to improve sustainable and public transport modes of travel to school that are suitable for long distances, such as bus or train. The Council will also encourage schools to develop car share schemes for parents/carers.

A common issue identified was safety concerns associated with walking or cycling to school. In order to address this, the Council plans to maintain and implement safer routes where appropriate that can be walked and/or cycled by pupils either on their own, or as part of a group. Between 2011 and 2017, cycling has almost doubled in popularity, noting methodology differences in the surveys. The Council aims to further increase cycling in the borough, in line with its Cycling Strategy.

#### 4.2.4 Further Education

Cheshire East's further education modal split (Figure 4-E) suggests very different trends to those identified in national statistics. However, it is important to note that only one further education college responded to the survey, which is likely to have influenced the results, as well as the different methodologies used. Data for Cheshire East suggests a lower car modal share (34%) and much higher bus usage (39%) than the national averages, which are 56% and 6% respectively. However, there is a lower percentage of people walking to school (18%) compared to the national average (37%), which shows scope for improvement.



Figure 4-E Further Education Mode of Travel Patterns – 2017

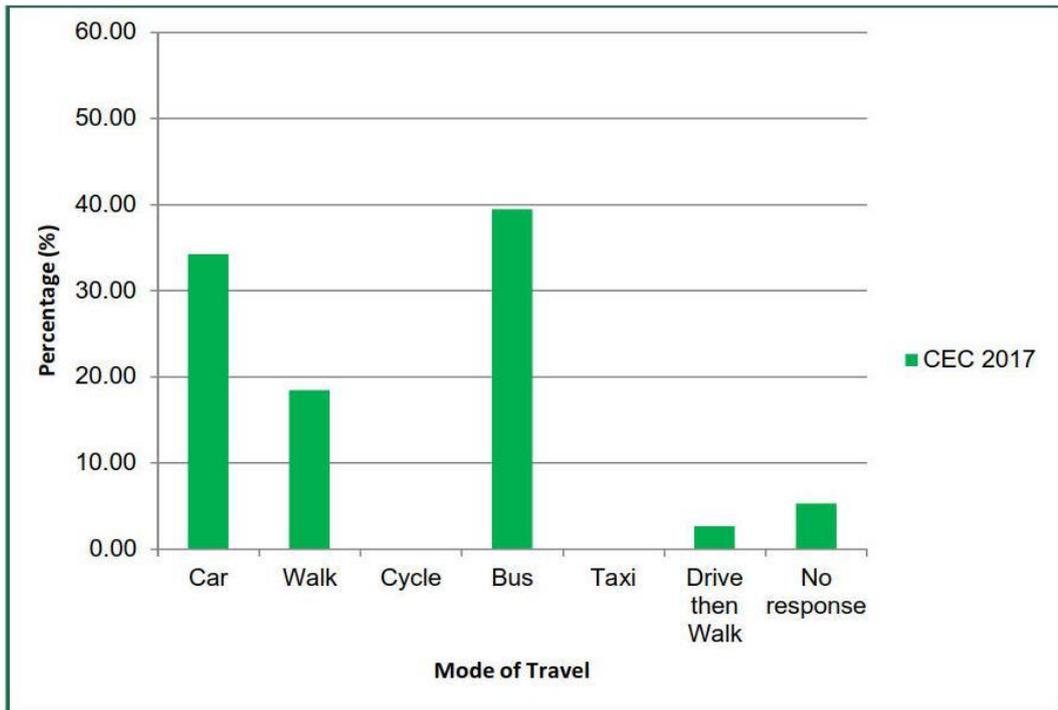
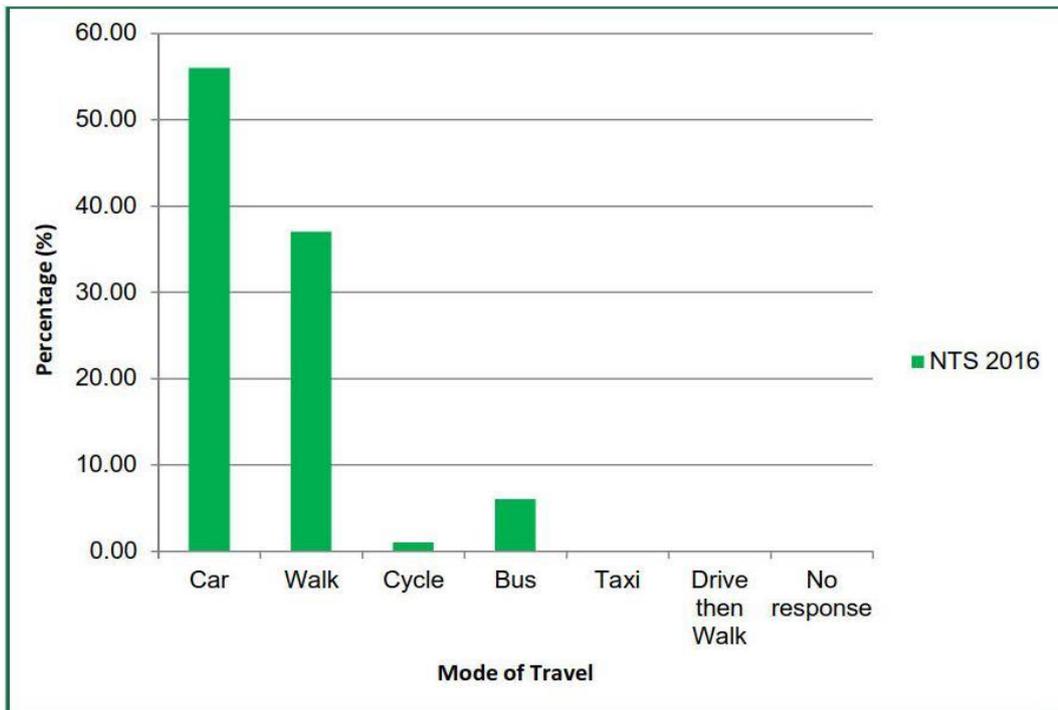


Figure 4-F Further Education Mode of Travel Patterns – 2016



Survey results show that 61% of respondents thought that it was too far to walk to college, and therefore chose modes such as driving or bus. Public transport usage could be further encouraged, including travel by train, where this is a viable option.

It was identified that 33% of respondents who travel to college by car did so as they have perceived safety concerns associated with walking or cycling. Where appropriate, the Council aims to maintain and improve routes in order to improve safety and encourage walking and cycling.

## 5

## Measures

## 5.1 Introduction

The review of the survey data clearly identifies opportunities to address a range of barriers to further increase the number of children using sustainable modes to travel to school.

Cheshire East Council plans to work collaboratively with schools and delivery partners to address these barriers with key measures outlined below.

## 5.2 Walking

Walking is environmentally friendly, cost-effective and sustainable. Walking has health benefits too, boosting mood and self-esteem. It can make children feel calmer and happier and improve their concentration, making it easier to focus in school. CEC is keen to encourage and increase the number of young people walking to and from school and college.

## 5.2.1 Walking Routes

CEC intends to continue to identify potential improvements to walking infrastructure which will increase the safety, and the perception of safety, of routes to school.

Recent examples of improvements to the walking infrastructure in Cheshire East include:

- Rope Lane Pedestrian Crossing Installation – The scheme was implemented in October 2016 and included the installation of a new pedestrian crossing and improvements to the surrounding footways. The crossing gives pupils from the nearby Shavington Academy a safe place to cross when walking to and from school.
- Brooklands Avenue/Crewe Road Signal Junction Refurbishment – The scheme was implemented in March 2017 and included improved pedestrian crossing facilities. These measures assist pupils on their journey to and from the nearby Wistaston Church Lane Primary School and the Berkley Primary School.
- A523 Silk Road Toucan Crossing – The scheme was implemented during the summer of 2017 and involved the installation of a Toucan crossing on a dual carriageway route. This location falls on an alternative walking route for pupils between Bollington and Tytherington School and also forms part of both the National Cycle Route 70 and the Cheshire Cycleway.

## 5.2.2 Walking Buses

A walking bus is defined as a group of children walking to/from school with at least two adult volunteers. Parents/carers take it in turns, on a rota basis, to walk with the children. There is always a 'driver' who leads the bus, and a 'conductor' who walks at the back. The more children there are on the bus, the more adults that walk with them. Walking buses are an important initiative enabling pupils to safely walk to/from school, as well as supporting young children in becoming independent pedestrians.



Walking buses help to reduce congestion around schools, encourages social interaction between the children and the exercise helps develop good health habits for later life.

A number of schools already operate walking buses and are supported by CEC who have provided risk assessments of the route on request. CEC plans to continue to provide this support to schools where requested.

### **5.2.3 Road Safety Training**

CEC is currently working in partnership with Cheshire Fire and Rescue Service (CFRS) to implement road safety education programmes for children and young people, such as 'Let's Walk' and the 'Road Safety Roadshow'.

'Let's Walk' is a child pedestrian training programme for Year 3 and Year 4 pupils. The programme aims to increase children's knowledge and understanding through practical experience and training and to prepare them to become independent road users.

The 'Road Safety Roadshow' is a presentation, aimed at Year 11 pupils, exploring the circumstances leading to and consequences of a road traffic collision involving a group of young people. The presentation focuses on the role and responsibility of being a passenger in a vehicle and the consequences their choices and behaviour can have. It is presented in partnership with CFRS, Cheshire Police and the Health Authority.

As well as these programmes, the CFRS currently offers a day of road safety training for all CEC schools annually.

### **5.2.4 School Crossing Patrol**

Transport Service Solutions (TSS) are responsible for the appointment, training, supervision and administration of Cheshire East's School Crossing Patrol Service. The Service ensures the safety of school children crossing roads at 20 points across the borough. Although this service is provided by CEC, parents/carers remain responsible for ensuring their children's safety whilst using this service.

### **5.2.5 Parking Enforcement**

Civil enforcement officers (traffic wardens) and the Police undertake patrols at schools where there is an identified issue. Both also work together to address parents' or schools' concerns regarding inappropriate or inconsiderate parking.

CEC and CFRS are jointly funding a range of signage/bollards to be used outside schools during drop off/pick up times to encourage parents/carers to park more considerately.

## **5.3 Cycling**

### **5.3.1 Cycle Strategy**

Cheshire East's Cycle Strategy sets out a vision for a network of safe, high quality strategic cycle routes which connect local communities and key growth areas, whilst also giving access to leisure opportunities and Cheshire East's natural environment. It targets a doubling in the number of people cycling once per week for any journey purpose in Cheshire East by 2027 from a 2014 baseline.



The Cycling Strategy recognises the importance of safety, and the perceptions of safety, for cyclists. A key theme of the consultation feedback reflected this concern and so the strategy sets out principles of high quality design which should be followed. In particular, where feasible, cycle routes should aim to be segregated from motorised traffic, with schemes designed on a case by case basis.

The Council is now seeking external funding sources to help in the delivery of appropriate routes and schemes.

### 5.3.2 'Bikeability'

'Bikeability' is a National Standard for Cycle Training currently being delivered to Year 5 and Year 6 children in schools across the UK. It covers basic cycle control skills, the use of safety equipment, road safety knowledge and cycling manoeuvres with a view to trainees having the skills and confidence to make their everyday journeys by bike. Part of the training takes place on quiet roads to enable trainees to apply their learning in a real environment.

CEC is working in partnership with Everybody Sport and Recreation, to offer Levels 1, 2 and 3 core Bikeability modules, as well as Bikeability Plus modules, from Reception through to Year 7+ children across Cheshire East. The scheme is provided subject to continuing funding from the Department for Transport. They also offer commuter cycle training.

### 5.3.3 Cycleway Improvements

As part of the Local Transport Plan and the '*Cycle Strategy 2017-2027*' (2017), CEC is seeking to provide appropriate improvements to make cycling a safe and attractive alternative to car use. Examples of recent cycling infrastructure schemes include:

- A538 Altringham Road Cycle Links;
- Vernon Way Cycleway Improvements; and
- Installation of cycle parking in Crewe, Alsager and Nantwich town centres.

CEC allocates investment into cycling infrastructure each year from the annual Local Transport Plan funding. CEC intends to continue to identify improvements to cycling infrastructure in line with the Local Transport Plan and Cycling Strategy.

## 5.4 Bus Travel

As part of the LTP, CEC has been supporting improvements to the quality and safety of bus stops, including the provision of raised kerbs and dropped crossings, lighting, CCTV, shelter, seating and litter bins.

CEC is also encouraging the use of low energy, hybrid and electric vehicles by creating incentives and disincentives into the procurement process, particularly in Air Quality Management Areas.

CEC, through Transport Service Solutions Ltd (TSS), manages Home to School transport arrangements for students travelling to 222 establishments. It monitors all transport contracts being used to provide school transport, including public bus services. It also plans travel for all students and establishments, in conjunction with Children's Services. It also has responsibility for the production and distribution of



student travel permits, the purchase and distribution of travel tickets for students on local bus services and manages the parental travel grants process.

CEC currently offers to sell surplus capacity seats on school transport routes to offer a service to families who may wish to make use of this scheme.

## 5.5 Car Travel

A reduction in the number of young people travelling to school by car is supported by CEC; however, it is recognised that in some circumstances travel by car is necessary and the most appropriate option. CEC's initiatives below assist enabling journeys to be undertaken in a safe and sustainable manner.

### 5.5.1 Car sharing

CEC will provide support and advice to schools so that they are able to establish their own car share schemes for parents/carers and will continue to encourage car sharing for the journey to school on its Travel Cheshire website (<http://www.travelcheshire.co.uk/>).

## 5.6 Road and Footway Maintenance

CEC is responsible for highway maintenance on local roads (i.e. excluding motorways and trunk roads) and Public Rights of Way. The condition of the road and footway will affect safety and the number of potential collisions. CEC has an annual highway maintenance programme and monitors road conditions on an annual basis. Members of the public are also able to provide feedback on road safety concerns i.e. overgrown hedges etc. via CEC's website using the following link:

[http://www.cheshireeast.gov.uk/highways\\_and\\_roads/highway-services/highway-services.aspx](http://www.cheshireeast.gov.uk/highways_and_roads/highway-services/highway-services.aspx).

In an emergency, road and footway issues can also be reported by calling 0300 123 5020.

## 5.7 Traffic Calming

CEC is committed to reducing the number of casualties on our roads and work closely with the Police to investigate locations where there are a high proportion of incidents. Where analysis indicates that it is appropriate, engineering measures will be implemented.

CEC is currently in the final year of a three-year programme to implement advisory 20mph zones near all schools in Cheshire East. This scheme aims to change the culture and behaviour of motorists around schools. Following implementation, the results will be monitored to identify any further areas for improvement.

The traffic calming measures in the vicinity of schools should be considered as part of highways investment programmes and area highways area groups.



## 5.8 Parking Measures

Since the 2011 School Census, the impacts of parking around primary schools has been highlighted as an issue by some residents and communities, due to the pressure it places on the local highway infrastructure<sup>2</sup>. To reduce the impact of congestion, improve road safety and reduce impacts on local communities in areas surrounding schools, CEC is currently considering its approach across the borough. It will consider the findings of a pilot off-highway drop-off point and will monitor effectiveness.

## 5.9 Personal Safety

Although CEC currently does and will continue to actively encourage measures to educate children regarding their personal safety (i.e. road safety training and independent travel training for SEND pupils) it is noted that children's safety is ultimately the responsibility of parents/carers, who should take an active role in decisions surrounding children's routes to school. For older pupils/students (16+), pupils typically tend to take more responsibility, although this is at the discretion of parents/carers.

## 5.10 Travel Information and Awareness

Information regarding school and college travel is provided through a range of online links from the CEC website which can be accessed by parents/carers, young people, local residents and educational establishments. This information highlights travel choices that are available, as well as the benefits of using more sustainable options.

### 5.10.1 Travel Cheshire

CEC provides travel advice and information through its Travel Cheshire website (<http://www.travelcheshire.co.uk/>). This includes information on the following:

- Walking/Cycle Maps;
- Walking/Cycling Groups;
- Bus Route Maps;
- Bus Timetables;
- Journey Planner; and
- Independent Car Share Schemes.

CEC plans to review and update this resource as appropriate.

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<sup>2</sup> D. Brown, 2017. Cabinet Report: Safer Routes to Primary Schools.  
<http://moderngov.cheshireeast.gov.uk/documents/s57710/Safer%20Routes%20to%20Primary%20Schools%20-%20report%20final.pdf>



## 5.11 Modeshift STARS

To improve the number of schools/colleges reviewing and updating their Travel Plans, CEC will fund a licence for the Modeshift STARS (Sustainable Travel Accreditation and Recognition for Schools) Online System.

Modeshift STARS provides a national framework for the implementation of sustainable and active school travel activities, and is the only national accreditation scheme for rewarding sustainable School Travel Plans. It is an easy to use online system that significantly reduces the amount of time and work schools/colleges are required to undertake on travel planning, therefore freeing them up to focus on delivering actions that really make a difference to travel patterns on the journey to and from school.

Modeshift STARS offers three levels of accreditation:

- **Modeshift STARS Bronze** – *“For schools that demonstrate a commitment to promoting sustainable travel by conducting an annual survey, identifying travel issues and solutions and delivering a range of travel initiatives”* (Modeshift, 2017)<sup>3</sup>.
- **Modeshift STARS Silver** – *“For schools that achieve a reduction in car use on the journey to school, deliver a whole-school approach and deliver above and beyond what is normally expected of a school”* (Modeshift 2017)<sup>4</sup>.
- **Modeshift STARS Gold** – *“For schools that have excelled with promoting sustainable travel and achieved a noticeable reduction in car use on the journey to school by fully embracing sustainable travel as the norm throughout the entire school community”* (Modeshift, 2017)<sup>5</sup>.

CEC plans to establish officer resource to promote the system and help schools with additional technical advice when this is not provided by Modeshift STARS.

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<sup>3</sup> Modeshift, 2017. Resources for Local Authorities. <https://www.modeshiftstars.org/laResources.php>

<sup>4</sup> Modeshift, 2017. Resources for Local Authorities. <https://www.modeshiftstars.org/laResources.php>

<sup>5</sup> Modeshift, 2017. Resources for Local Authorities. <https://www.modeshiftstars.org/laResources.php>

## 6

## Targets &amp; Outcomes

## 6.1 Targets

To ensure we are achieving our objectives and vision, we have identified targets set out below:

Target Description	2017	Five Year Target
Increase the number of schools participating in promotional campaigns e.g. Walk Once a Week (WOW)	Not available	30
No. of schools/colleges with bronze level accreditation (Modeshift STARS)	0	20

Each individual school will be expected to define targets, including modal shift, in their own School Travel Plans.

## 6.2 Outcomes

If the above targets are achieved, this will result in a range of improvements related to public health and the environment. If Cheshire East schools improve the number and quality of their Travel Plans through the usage of the Modeshift STARS system, the implementation of measures will increase the number of children using sustainable modes of travel to school.

By increasing the number of students, staff and parents/carers using sustainable modes of travel (on a daily basis or through promotional campaigns), this should result in the following outcomes:

- Outcome 1: a reduction in vehicle emissions;
- Outcome 2: an overall improvement to air quality;
- Outcome 3: improved road safety;
- Outcome 4: increased health and wellbeing of students, staff and parents/carers; and
- Outcome 5: increased educational attainment.

The annual review of individual School Travel Plans will provide evidence to support the monitoring of progress against the Action Plan (Section 7.2).

## 7 Action Plan

### 7.1 Strategic Approach

The Council recognise that to achieve the targets set out previously there needs to be coordinated action by a wide range of stakeholders. School communities are best placed to identify the particular measures which will enable more sustainable journeys to their location. Schools will therefore be encouraged to update their School Travel Plans and implement appropriate measures. The Council and our delivery partners will in turn provide a range of advice, resources and funding to support schools that update and implement School Travel Plans, as detailed below. It is recognised that funding for measures may need to be prioritised if the funding is oversubscribed depending upon demand.

### 7.2 Action Plan

CEC will continue to improve and develop the initiatives surrounding sustainable travel to school. The table below sets out the actions which CEC, schools and delivery partners should take and summarises how progress will be measured.

Action	Responsibility	Measure of Progress	Timescale	Contribution to Outcomes
<b>CHESHIRE EAST COUNCIL ACTIONS</b>				
Funding of Modeshift STARS to encourage more schools to review and update their own Travel Plans.	Cheshire East Council (CEC)	Number of schools/colleges with up-to-date Travel Plans using the system.	Ongoing	1, 2, 3, 4, 5
Establishment of CEC officer resource to promote the system and help schools with additional technical advice when this is not provided by Modeshift STARS.	CEC	Number of schools/colleges with up-to-date Travel Plans on the system.	Spring 2018	1, 2, 3, 4, 5

Action	Responsibility	Measure of Progress	Timescale	Contribution to Outcomes
Establishment of a Safer Routes to School Programme, with appropriate funding, whereby schools whom produce up to date School Travel Plans can submit requests to fund walking and cycling infrastructure measures (capital funding only), which may be subject to prioritisation if the fund is oversubscribed.	CEC	Establishment of the system.	Summer 2018	1, 2, 3, 4, 5
Ongoing day to day CEC Highways officer support i.e. road safety officers/highways engineers where issues have been identified in School Travel Plans.	CEC	Number of schools supported by CEC Highway officers.	Ongoing	1, 2, 3
<b>ENGAGEMENT WITH SCHOOLS/CEC SUPPORT TO SCHOOLS</b>				
Increase support for main sustainable travel awareness events.	Schools to organise student participation in promotional campaigns.  CEC/Cheshire Fire and Rescue Service (CFRS) to encourage schools to participate by providing information regarding upcoming promotional campaigns to schools in advance of event dates.	Number of schools participating in promotional campaigns.	Ongoing	4, 5
Keep sustainable school travel information on CEC website up to date.	CEC to review and update information as appropriate.	Information provided on sustainable travel choices up to date.	Ongoing	1, 2, 4, 5

Action	Responsibility	Measure of Progress	Timescale	Contribution to Outcomes
Increase the number of schools/colleges with up-to-date Travel Plans.	Schools to participate in Modeshift STARS and conduct annual reviews of their Travel Plans.	Number of schools/colleges with up-to-date Travel Plans	Ongoing (to be reviewed annually)	1, 2, 3, 4, 5
Road safety training.	Schools to provide opportunity for CFRS to deliver presentations within schools.  CFRS to continue to deliver presentations within schools.	Number of schools taking up the offer of Road Safety Training.	Ongoing	3
<b>ENGINEERING</b>				
Traffic calming – ‘advisory’ 20mph zones.	CEC Highways to monitor ‘advisory’ 20mph zones implemented through recent programme.	Number of schools with an ‘advisory’ 20mph zone implemented.  Results of the ‘advisory’ 20mph zones to be monitored.	2018  Ongoing	3
Improve cycle routes to school.	Schools, CEC and partners to identify potential improvements to cycle routes to school as part of Town Cycle Plans, School Travel Plans or ongoing infrastructure planning.  CEC Highways/Public Rights of Way departments to support the improvement of cycle routes to school, as funding allows.	Continued development of CEC’s cycle route network, as funds allow.	Ongoing	1, 2, 3, 4, 5
Improve walking routes to school and upgrade to pedestrian/cycle crossings	Schools, CEC and partners to identify potential improvements to walking routes to school and pedestrian/cycle crossings.	Continued development of CEC’s walking network, as funds allow.	Ongoing	1, 2, 3, 4, 5

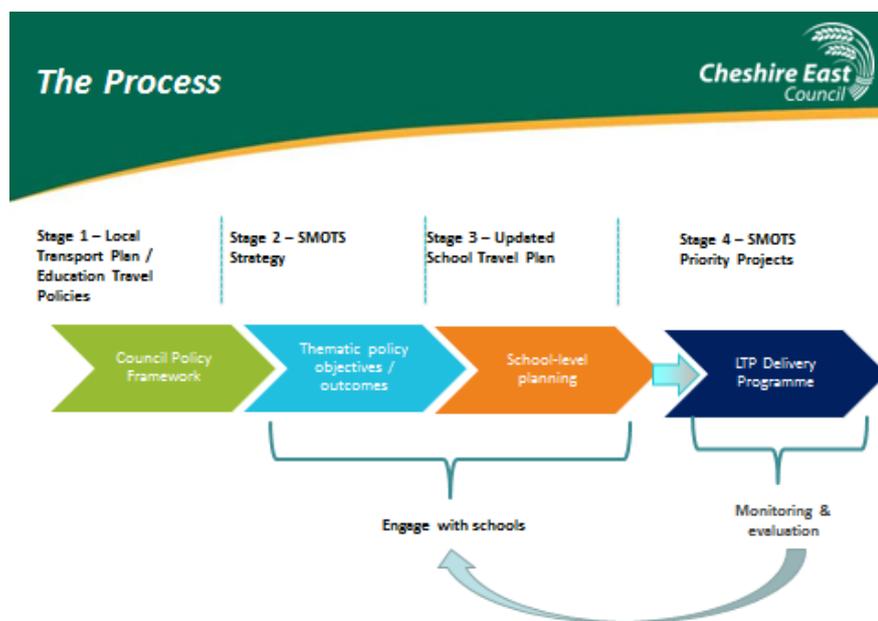
Action	Responsibility	Measure of Progress	Timescale	Contribution to Outcomes
	CEC Highways/Public Rights of Way departments to support the improvement of walking routes to school and pedestrian/cycle crossings as funds allow.			
Routine maintenance/street lighting	<p>Schools, CEC and partners to identify potential maintenance improvements and communicate these to CEC.</p> <p>CEC Highways department to support the routine maintenance of routes to school as part of Highways Asset Management Plan.</p>	Continued Highways routine maintenance.	Ongoing	3

## 8

## Proposed Approach to Implementation

## 8.1 Proposed Process

The following diagram sets out how the SMOTS strategy will be implemented in order to achieve Council priorities.



Schools will be expected to update their own travel plans, with support for delivery measures as set out in Section 5.

## 8.2 Appraisal Process

Schools with up-to-date School Travel Plans which can evidence the need for local infrastructure measures will be invited to submit requests for capital funding through the LTP programme. An annual Safer Routes to School Programme will comprise schemes which are requested by schools and are prioritised through the following two-stage appraisal process.

**Appraisal Stage One**

Stage one of the assessment will screen scheme requests against the following criteria, which is consistent with the approach developed for the updated Local Transport Plan:

- Deliverability – are schemes deliverable in terms of timescales, taking account of planning, consents, 3rd party issues etc?
- Feasibility – are schemes feasible in terms of physical constraints and design?
- Value-for-money – will schemes deliver high levels of benefits relative to scheme costs?



### **Appraisal Stage Two**

Stage Two will assess how proposed schemes meet the following criteria:

Criteria	Description
Mode shift	The scheme must encourage and enable pupils to travel sustainably to and from school, leading to a reduced reliance on travel by car.
Safer routes	The scheme must improve safety on routes in the vicinity of schools.
Wider commitment to sustainable travel	Schemes should be an integral part of delivering the school's wider commitment to encouraging sustainable travel. Each school submitting an application should have a current School Travel Plan (reviewed and updated within the previous 12 month period). The quality of the School Travel Plan and the capacity of the school to implement proposed measures will be considered.
Strategic fit	The proposed scheme must fit with the wider transport policies adopted by the Council, including the 'Education Travel Policy' and the 'Sustainable Modes of Travel to Schools' Strategy.

Following the appraisal process, a prioritised list of schemes will be included in the Local Transport Plan capital funding delivery programme.

### 9.1 Consultation Responses

The development of this Strategy has been informed by consultations which took place between 15<sup>th</sup> February and 29<sup>th</sup> March 2018. Cheshire East Council consulted schools, delivery partners, local walking and cycling groups and other stakeholders, on the draft version of this SMOTS Strategy. The aim was to gain feedback on the draft strategy and understand if there was broad agreement on the document's aims and content.

The draft document was made available online with paper versions also available. Those who wished to could send their comments about the strategy to the Council via an online survey, email or by letter.

The consultation was promoted on the Council's webpages, through a social media campaign on the Council's main social media platforms, and via emails sent out to a wide range of stakeholders.

In total 289 responses were received during the consultation period. A full report on the consultation responses is available on the Council's website at [www.cheshireeast.gov.uk/schools/home-to-school-travel](http://www.cheshireeast.gov.uk/schools/home-to-school-travel).

### 9.2 Our Approach to Delivery

Successful delivery of the strategic outcomes described in this strategy will require further in-depth consultations during the development of specific interventions.

Key aspects of future consultation processes will include:

- Work with schools, pupils and parent to develop School Travel Plans and identify local measures meeting the needs of individual schools
- Working with delivery partners such as public transport operators, community voluntary and charitable organisations with an interest in promoting sustainable travel initiatives
- Working with statutory organisations responsible for road safety education, transport infrastructure, traffic policing and highways enforcement to support delivery of strategic outcomes
- Working with local communities and residents to ensure that actions in the vicinity of schools are well-understood and supported.

The Council expects to actively engage with these relevant stakeholder groups during the development and delivery of this Sustainable Modes of Travel to Schools strategy.

## Appendix A Glossary

Term	Definition
Car Sharing	Car sharing is the practice of two people or more sharing a car, to limit the number of car trips undertaken.
Everybody Sport and Recreation	Everybody Sport and Recreation is an independent non-profit distributing organisation responsible for delivering leisure services in partnership with Cheshire East Council.
Modeshift STARS	Modeshift STARS is an online system that provides a national framework for the implementation of sustainable and active school travel activities, and is the only national accreditation scheme for rewarding sustainable School Travel Plans.
Scoterling	Scoterling involves using a scooter, which is a vehicle that typically has two wheels with a low footboard between them. It is steered by a handlebar, and is propelled by pushing one foot against the ground while resting the other on the footboard.
Special Schools	A school catering for children with special educational needs.
Sustainable Modes of Travel	Sustainable modes of travel are defined as walking, cycling, public transport or car sharing. However, a sustainable mode of transport can be any mode of transport which improves the physical well-being of the user and/or are beneficial to the environment due to a reduced level of congestion.
Sustainable	A method of travelling which meets the needs of current generations without compromising the ability of future generations to meet their own needs.

## Appendix B Policy and Legislation

### B.1.1 Legislation

#### The Education and Inspections Act 1996

*Section 508A of the Education Act 1996 “places a general duty on local authorities to promote the use of sustainable travel and transport. The duty applies to children and young people of compulsory school age who travel to receive education or training in a local authority’s area. The duty relates to journeys to and from institutions where education or training is delivered.”*

*“There are five main elements to the duty which local authorities must undertake:*

- *An assessment of the travel and transport needs of children, and young people within the authority’s area;*
- *An audit of the sustainable travel and transport infrastructure within the authority’s area that may be used when travelling to and from, or between schools/institutions;*
- *A strategy to develop the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of children and young people are best catered for;*
- *The promotion of sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and*
- *The publication of Sustainable Modes of Travel to School Strategy” (Home to School Travel and Transport Guidance, 2014<sup>6</sup>).*

#### Education and Inspections Act 2006

Local authorities have a duty to provide travel assistance to ‘eligible children’ travelling to and from school. To qualify as an ‘eligible child’, the child must be of compulsory school age (5-16) and must be attending a qualifying school and fulfil one of the criteria listed below:

1. The child is living outside of the statutory walking distance of the nearest suitable school, which is,
  - Beyond 2 miles for children below the age of 8; and
  - Beyond 3 miles for children aged 8–16.
2. The child cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety concerns related to their Special Educational Needs or disability (SEND).

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<sup>6</sup> Department for Education, 2014. Home to school travel and transport statutory guidance. <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>



3. The child cannot reasonably be expected to walk the route to school because the nature of the route is unsafe to walk.
4. Children from low-income groups or families are defined in legislation as those entitled to free school meals, or whose families receive the maximum level of Working Tax Credit. A child in these circumstances has extended rights to free travel if:
  - The child is aged 8-11 and the nearest suitable school is beyond two miles; or
  - The child is aged 11-16 and the nearest suitable school is between 2-6 miles and there are not three or more suitable nearer schools/colleges; or
  - The child is aged 11-16 and the school is between 2-15 miles and is the nearest school preferred on the grounds of religion or belief. Religion or belief includes a lack of religion or belief and so also applies to an atheist parent's wish for their child to attend a non-faith school.

To qualify under the extended rights eligibility, the child will need to be entitled to free school meals or their parents are in receipt of maximum Working Tax Credit.

## B.1.2 National Policy Guidance

### Home to School Travel and Transport Guidance

The Home to School Travel and Transport Guidance is statutory guidance published in 2014 under duties placed on the Secretary of State by sections 508A and 508D of the Education Act 1996. The guidance places local authorities under the duty to promote sustainable travel and transport and make transport arrangements for all 'eligible children'<sup>7</sup>.

### Department for Transport 'Cycling and Walking Investment Strategy'

The Department for Transport have published a draft 'Cycling and Walking Investment Strategy'. This sets the strategy for long-term transformational change and aims for a nation in which cycling and walking are the natural choice for all people, whatever their background, for shorter journeys or as part of a longer journey. The strategy has set targets for an overall increase in cycling activity and an increase in the number of children aged five to 10 that usually walk to school.

### Sustainable Schools Alliance

The Sustainable Schools Alliance aims to provide support to schools regarding sustainability as outlined in the Sustainable Schools National Framework which states, *"By 2020 the Government would like all schools to be models of sustainable travel, where vehicles are used only when absolutely necessary and where there are exemplary facilities for healthier, less polluting*

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<sup>7</sup> Department for Education, 2014. Home to school travel and transport statutory guidance. <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>



*or less dangerous modes of transport. The National Framework introduces eight doorways through which schools may choose to initiate or extend their sustainable school activity. It focuses on ways in which sustainable development can be embedded into whole-school management practices and provides practical guidance to help schools operate in a more sustainable way.” (Department for Children, Schools and Families, 2006<sup>8</sup>).*

### **Equality Act 2010**

The Equality Act 2010 outlines disability provisions that replicate those in the former Disability Discrimination Act 1995. Local Authorities and schools are required to remove the barriers disabled children face because of their disability so that they have equal opportunities to access and participate in education in the same way, as far as possible, as someone who is not disabled. The Equality Act calls this the duty to make ‘reasonable adjustments’.

### **Public Health England ‘Everybody Active, Every Day’ strategy**

The Public Health England ‘Everybody Active, Every Day’ strategy recognises that walking and cycling are good for our physical and mental health and the many ways the built and natural environment impacts on the choices people are able to make. It emphasises that by developing ‘active environments’ that promote walking and cycling, we can help to create active, healthier and more liveable communities.

Walking to and from school helps children achieve the recommended government targets of physical activity. Physically active children are more alert, ready to learn, do better in tests and achieve better grades than children who are driven to school.

### **Active Travel – A briefing for local authorities**

Public Health England has written an Active Travel briefing for local authorities. The document looks at the impact of current transport systems and sets out the many benefits of increasing physical activity through active travel. It sets out key steps for transport and public health practitioners, and lists a number of key messages to include when developing a healthy local transport strategy.

### **Physical Activity: Walking and Cycling 2012**

The National Institute for Health and Care Excellence published a public health guideline on Physical Activity: Walking and Cycling in 2012. It sets out how people can be encouraged to increase the amount they walk or cycle for travel or recreation purposes. This will help meet public health and other goals (for instance, to reduce traffic congestion, air pollution and greenhouse gas emissions). The recommendations cover:

- Policy and planning;
- Local programmes; and

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<sup>8</sup> Department for Children, Schools and Families, 2006. Sustainable Schools – A brief introduction. <http://sustainable-schools-alliance.org.uk/sustainable-schools-framework/>



- Schools, workplaces and the NHS.

### **Physical Activity and Children: Children and Active Travel 2008**

The National Institute for Health and Care Excellence published a public health guideline on Physical Activity and Children: Children and Active Travel. It examines the evidence for the effectiveness of active travel interventions in increasing use of active travel modes (i.e. walking and/or cycling).

The UK Government 'Sporting Future: A New Strategy for an Active Nation' strategy considers which key measures are needed to encourage greater participation in sport. The strategy will be delivered alongside the broadening of Sport England's remit, providing the necessary resources to support activities around cycling and walking which had previously been an area that was restricted.

## **B.1.3 Cheshire East Council Policy Guidance**

### **Cheshire East Corporate Plan 2017-2020**

The Corporate Plan sets out six outcomes:

- Outcome 1 – Our local communities are strong and supportive;
- Outcome 2 – Cheshire East has a strong and resilient economy;
- Outcome 3 – People have the life skills and education they need in order to thrive;
- Outcome 4 – Cheshire East is a green and sustainable place;
- Outcome 5 – People live well and for longer; and
- Outcome 6 – A responsible, effective and efficient organisation.

As part of our Corporate Plan, the Council has adopted the principles that relate to Quality of Place which is a measure that focuses on the connection of environment and place. It deals with the quality of the built and natural environment, its interaction with people living in the area, the ability of individuals to make a life there and the vibrancy of the area and its cultural.

### **Cheshire East Local Transport Plan**

The Council is currently in the process of refreshing its Local Transport Plan (LTP). The LTP will address travel to school and ensure that the policy incorporates an integrated approach to walking and cycling that also reflects the needs of journeys to schools. Results and feedback from the Mode of Travel, Safer Routes to Schools School Travel Plans surveys undertaken as part of this SMOTS report will also inform the LTP. The refresh will also provide the platform to engage with schools, it is proposed that a consultation takes place to invite primary schools to submit proposals to CEC that would improve sustainable travel and reduce the school impact on its local community.



## Cheshire East Local Plan Strategy 2010 - 2030

The Cheshire East Local Plan Strategy is a key component in the Cheshire East Local Plan and was adopted in July 2017. It sets out the overall vision and planning strategy for development in the borough and contains planning policies to ensure that new development addresses the economic, environmental and social needs of the area.

The Strategy includes the following Policies and Strategic Priorities which directly relate to SMOTS:

- Policy Y1 Travel to Education: *“The Council will work with schools and colleges to enable sustainable travel to education, including appropriate provision for those eligible for free or assisted transport.”*
- Policy CO 1 Sustainable Travel and Transport: *“ii. Ensuring development gives priority to walking, cycling and public transport...”*
- Policy SD1: Sustainable Development in Cheshire East: *“Point 4. Provide appropriate infrastructure to meet the needs of the local community including: education; health and social care; transport...”*
- Strategic Priority 4: *“Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network.”*

## Compulsory School Age Education Travel Policy

CEC’s Compulsory School Age Education Travel Policy was updated in 2018 and sets out how CEC can assist children of statutory school age with travel between home and school.

## Cheshire East Post 16 Travel Policy Statement 2017-18

*“Local authorities have a statutory duty to prepare and publish an annual Travel Policy Statement. This needs to specify the arrangements for the provision of transport or otherwise that the Local Authority considers necessary to facilitate attendance of persons of sixth form age (16-18) as well as the 19-25 range to include learners with specific learning difficulties and/or disabilities receiving education or training.”* (Cheshire East Post 16 Travel Policy Statement 2017-18, 2017<sup>9</sup>).

CEC currently provides support with transport and for post 16 learners who have been formally assessed regarding special education needs and are carrying on into post 16 education. For all other post 16 students (16-18 & 19-25 SEN or disability), each sixth form and further education college may determine what support they can provide, taking into account both the needs of the students and the establishments themselves.

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<sup>9</sup>Cheshire East Council, 2017. Cheshire East Post 16 Travel Policy Statement 2017-18.  
[http://www.cheshireeast.gov.uk/public\\_transport/school\\_transport/school\\_transport.aspx#TransportforPost16Students](http://www.cheshireeast.gov.uk/public_transport/school_transport/school_transport.aspx#TransportforPost16Students)



### **Cheshire East Council Cycling Strategy 2017**

Cheshire East Council continues to invest in cycling and have produced a strategy to provide a framework to guide future investment in cycling, working collaboratively with partner organisations and local cycling groups. This strategy which covers the period 2017 – 2027 sets out a plan for guiding investment with an ambitious target of doubling the number of people cycling once per week for any journey purpose in Cheshire East by 2027 from a 2014 baseline.

Town Cycling Plans are also being developed; schools will be engaged to see how we can improve cycle routes to school.

### **Joint Health and Wellbeing Strategy for the Population of Cheshire East 2014 – 2017**

The Joint Health and Wellbeing Strategy was produced by the Cheshire East Health and Wellbeing Board and adopted in 2014. The Health and Wellbeing Strategy provides an overarching framework that will influence the commissioning plans of the local NHS, the Council and other organisations in Cheshire East. It will be a driver for change, focussing upon those key areas that will make a real impact upon improving the health and wellbeing of all our communities.

### **Cheshire East Council Rights of Way Improvement Plan 2011 – 2026**

The CEC Rights of Way Improvement Plan was adopted in 2011 and outlines the strategy for improving the Cheshire East rights of way network from 2011 – 2026. It provides an assessment of the network of public rights of way and wider countryside access that is currently offered within Cheshire East as well as an assessment of the level of demand. Following this the strategy outlines the objectives, policies and initiatives by which gaps between the demand and the existing network can be bridged.

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*Working for a brighter future together*

## **Cabinet**

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**Date of Meeting:** 10 July 2018

**Report Title:** Cheshire East Cemeteries Strategy and Cheshire East Revised Cemetery Regulations

**Portfolio Holder:** Cllr Don Stockton - Environment

**Senior Officer:** Frank Jordan, Executive Director - Place

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### **1 Report Summary**

- 1.1 The purpose of this report is to present a draft Cemeteries Strategy and draft Cemeteries Regulations for Cheshire East Council prior to their public consultation.
- 1.2 Cheshire East Council currently provides Cemeteries and Crematoria for the residents of the Borough maintained by the Council's Company, Orbitas Bereavement Services . The draft strategy is based on a thorough review of current provision and potential future need. This has been undertaken by independent consultants - Harrison Design Development.
- 1.3 The strategy concludes that there is sufficient capacity within the Council's cemeteries to meet demand for new graves for the next 30 years.
- 1.4 Furthermore, the 'catchment area' analysis in the strategy suggests that the Council might wish to consider to make Crewe Meadow Brook and Macclesfield as its two principal cemeteries.

### **2 Recommendations**

- 2.1 That Cabinet
- 2.2 Approves the draft Cheshire East Cemeteries Strategy and Cheshire East Cemeteries Regulations for the basis of public consultation.
- 2.3 Delegates Authority to the Executive Director - Place, in consultation with the Portfolio Holder for Environment to finalise and publish the Final Strategy and Cemetery Regulations, taking account of the representations received during the consultation exercise.

### **3 Reasons for Recommendations**

- 3.1 The steps recommended in this Strategy for the short, medium and long-term are based upon a detailed assessment of the current and future demand and capacity for burial within the Council's cemeteries, combined with a survey of demand and capacity provided by Town and Parish Councils and Churches.
- 3.2 The Strategy is informed by an awareness of the demographic and legal context for the provision and management of burial facilities.
- 3.3 The Strategy identifies the steps that are required to enable the sustainable provision of cemeteries and encourages liaison with the other providers to ensure continued provision for burial space that meets local need across the whole of Cheshire East.
- 3.4 In addition, the Cemetery Regulations have been reviewed with the aim of modernising them to reflect current and future needs. The aim will be to use the new regulations to manage our Cemeteries both diligently and sensitively for the benefit of our residents.

### **4 Other Options Considered**

- 4.1 A cemeteries strategy is not a statutory requirement and hence the Council could continue without an adopted strategy. However, it is advised that the strategy be consulted upon and adopted to assist the Council in delivering their strategic provision of facilities.

### **5 Background**

- 5.1 Cheshire East Council is a burial authority by virtue of the Local Government Act 1972 and is legally obliged to maintain its cemeteries 'in good order and repair'. It is not legally obliged to provide new burial space but the sale of space generates income that funds the maintenance of cemeteries and provides a service to residents. If the Council does not continue to provide new burial space to meet demand, maintenance costs will still have to be met, creating a budget shortfall.
- 5.2 The Council owns and manages 11 cemeteries within the Borough; Alderley Edge, Congleton, Coppenhall, Crewe, Knutsford, Macclesfield, Meadow Brook, Nantwich, Sandbach, Weston and Wilmslow Cemeteries. The Council has 2 crematoria located at Crewe and Macclesfield Cemeteries.
- 5.3 The research for this strategy suggests that coffin burial accounts for approximately 16 to 20 per cent of funerals in Cheshire East, with Cheshire East Council's cemeteries accommodating 8.4 per cent of all coffin burials in Cheshire East.

- 5.4 Ashes following cremation accounted for approximately 59 per cent of total burials in the council's cemeteries in 2017. Currently, Town & Parish Councils and Parish Churchyards account for approximately 8% of all burials in Cheshire East.
- 5.5 Even accounting for projected increases in the number of deaths, there is sufficient capacity within the council's cemeteries overall to meet demand for new graves for over 30 years.
- 5.6 The Strategy suggests where appropriate, the transfer of existing facilities or working to set up a trust for future cemetery provision where there is a desire to provide more local provision over and above Cheshire East's principal cemeteries.

## **6 Implications of the Recommendations**

### **6.1 Legal Implications**

- 6.1.1 There is no statutory duty on a local authority to provide burial facilities, but if they do so, the management is governed by the Local Authorities' Cemeteries Order (LACO) 1977.
- 6.1.2 Responsibility for maintenance of churchyards closed to further burials by Order may be transferred by the parochial church council to the relevant local authority (Local Government Act 1972, s.215). If the parish or town council does not wish to accept that responsibility, notification will need to be given to the relevant district or metropolitan council within three months. If so, the district or metropolitan council must accept that responsibility.
- 6.1.3 Disused burial grounds may also be transferred to local authorities as open spaces (Open Spaces Act 1906). Such transfers are by negotiation and are entirely voluntary. If such transfers take place, the Open Spaces Act requires the local authority to hold and administer the burial ground for the enjoyment of the public as an open space, under proper control and regulation. The burial ground must be kept in a good and decent state. The local authority may also enclose the ground and undertake works to improve the site. Where the site is or contains consecrated ground, management of the site must be authorised by licence or faculty of the Bishop. The Open Spaces Act also makes provision for the removal or relocation of tombstones and memorials. The playing of games or sports on such open spaces is prohibited unless sanctioned by the persons from whom the site was acquired, or by the Bishop in respect of consecrated ground.

## **6.2 Finance Implications**

6.2.1 This Strategy provides the evidence and data to inform future decision-making. A number of issues are highlighted where future capital investment is anticipated. These issues will require separate business cases for each investment proposal. Short Medium and Long-term actions arising out of the strategy will be covered through the Council's 'Medium Term Financial Strategy' budget setting process.

## **6.3 Policy Implications**

6.3.1 The Draft Strategy makes a series of recommendations which if implemented will enable the Council to maximise the capacity of the existing cemetery provision.

6.3.2 In the short and medium term, this Draft Strategy outlines a range of new policies and measures to be taken that, if adopted, will enable the Council to deliver sustainable long-term cemeteries provision for residents.

## **6.4 Equality Implications**

6.4.1 Equality and Diversity implications will be assessed as part of the consultation prior to the adoption of the strategy.

## **6.5 Human Resources Implications**

6.5.1 There are no Human Resources implications from this strategy document. Any projects that emerge from this strategy will need to assess HR implications as part of the project business case.

## **6.6 Risk Management Implications**

6.6.1 A Cemeteries Strategy is aimed at providing a timely and planned consideration of the Council's responsibilities and any risks in relation to burial and cremation. This will help to mitigate any risk to the Council through a proactive assessment and timely reaction to any related risks.

## **6.7 Rural Communities Implications**

6.7.1 The graveyards currently provided by CEC are mainly located in our towns and urban areas.

6.7.2 Town and Parish Councils within their Neighbourhood Plans can allocate a site to expand a cemetery.

## **6.8 Implications for Children & Young People**

6.8.1 There are no specific direct implications for children and young people other than those for the general population.

## **6.9 Public Health Implications**

6.9.1 There are no direct implications for public health other than the need to ensure that there is sufficient burial capacity within the Borough to meet the needs of the population.

## **7 Ward Members Affected**

7.1 All wards in Cheshire East are affected.

## **8 Consultation & Engagement**

8.1 Subject to Cabinet agreement, this draft Cemeteries Strategy will be published for public consultation for a period of 8 weeks from 20<sup>th</sup> July until the 14<sup>th</sup> September 2018

## **9 Access to Information**

9.1 Draft Cemeteries Strategy

9.2 Draft revised Cemetery Regulations

## **10 Contact Information**

10.1 Any questions relating to this report should be directed to the following officer:

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# Cheshire East Council Cemeteries Strategy



20<sup>th</sup> June 2018  
Draft for Consultation

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## 1.0 Executive Summary

- 1.1 In Cheshire East, demand for burial provision is currently met by Cheshire East Council's eleven cemeteries, together with town and parish council cemeteries and churchyards.
- 1.2 The research for this strategy suggests that coffin burial accounts for approximately 16 to 20 per cent of funerals in Cheshire East, with Cheshire East Council's cemeteries accommodating 8.4 per cent of all coffin burials in Cheshire East. (Figure 13 illustrates the calculations that provide these percentage figures)
- 1.3 Ashes following cremation accounted for approximately 59 per cent of total burials in the council's cemeteries in 2017.
- 1.4 Even accounting for projected increases in the number of deaths, there is sufficient capacity within the council's cemeteries overall to meet demand for new graves for over 30 years.
- 1.5 However, individual cemeteries will run out of space for new graves sooner than this. Unless supplemented in some way, this overall capacity will require at least some people to bury their dead further away from their home location than they would currently.
- 1.6 Approximately 90% of the population of Cheshire East currently live within a 30-minute drive-time at funeral speeds of one of the council's cemeteries.
- 1.7 However, approximately 72% of the population of Cheshire East currently live within a 30-minute drive-time at funeral speeds of either or both, of the two largest cemeteries with the most remaining space for burial, Crewe Meadow Brook and Macclesfield cemeteries.
- 1.8 The drive-time catchment analysis suggests that Cheshire East Council might wish to consider Crewe Meadow Brook and Macclesfield as its two principal cemeteries, given their convenient location and existing facilities.

## 2.0 Introduction

- 2.1 Cheshire East Council commissioned this cemeteries strategy to describe the quantity and location of current provision and to review the options and mechanisms for ensuring appropriate provision for future burials. This required a detailed assessment of both current and future demand and capacity for burial within the Council's cemeteries and a survey of demand and capacity at burial sites provided by others, including Town and Parish Councils and churches.
- 2.2 The strategy is informed by an awareness of the demographic and legal context for the provision and management of burial facilities.
- 2.3 The data used in this strategy originates from a number of sources. Data on demand and capacity within the Council's cemeteries is largely derived from the cemetery records stored within the 'BACAS' Burial and Cremation Administration System. This refers to computer software developed by Clear Skies Software and used by many cemeteries and crematoria to maintain records and to administer funerals. Demographic data originates from the ONS, the Office for National Statistics. Information regarding churchyards is supplied by the Venerable Ian Bishop, Archdeacon of Macclesfield, Minsters and churchwardens. Information regarding town and parish councils is supplied by town and parish clerks. Drive-time mapping and data is supplied by Vectos Limited.
- 2.4 The strategy identifies the steps that are required to enable the provision of sustainable cemeteries and encourages liaison with the other providers to ensure continued provision for burial that meets local need across the whole of Cheshire East.

### 3.0 The Council's cemeteries: demand and capacity

3.1 Figure 1 lists Cheshire East Council's 11 cemeteries:

Cemetery	Address	Opened	Acres
Alderley Edge	Chelford Road, Alderley Edge SK9 7TQ	1906	4.00
Congleton	Howey Lane, Congleton CW12 4AE	2004	3.18
Crewe Coppenhall	Reid Street, Coppenhall CW1 3DZ	1863	9.44
Crewe Badger Avenue	Badger Avenue, Crewe CW1 3JG	1872	28.65
Crewe Meadow Brook	Minshull New Road, Crewe CW1 3PP	2017	13.20
Knutsford	Tabley Hill Lane, Tabley WA16 0EW	1902	5.00
Macclesfield	Prestbury Road, Macclesfield SK10 3BU	1866	68.00
Nantwich	Whitehouse Lane, Nantwich CW5 6HP	1875	6.30
Sandbach	The Hill, Sandbach CW11 1JJ	1935	5.62
Weston	Cemetery Road, Weston, Crewe CW2 5LQ	1902	1.80
Wilmslow	Manchester Road, Wilmslow SK9 2LE	1907	4.50

Figure 1: Cheshire East Council cemeteries

Source: Cheshire East Council

### 3.2 Demand

3.2.1 Numbers of deaths and types of burial vary by location and from year to year, as illustrated below in Figure 2 for total burials during 2016 and 2017.

Cemetery	Total Burials		
	2016	2017	Variation
Alderley Edge	47	48	1
Congleton	42	39	-3
Crewe Coppenhall	6	5	-1
Crewe Badger Avenue	204	200	-4
Crewe Meadow Brook	42	78	36
Knutsford	37	42	5
Macclesfield	161	214	53
Nantwich	90	87	-3
Sandbach	58	69	11
Weston	9	18	9
Wilmslow	55	59	4
<b>Totals</b>	<b>751</b>	<b>859</b>	<b>108</b>

Figure 2: Total burials in 2016 and 2017

Source: Cheshire East Council Cemetery Records

3.2.2 On average, every working day there are between 3 and 4 burials of all types across the Council’s 11 cemeteries.

3.2.3 There are various types of burials, the most obvious distinction being that between the burial of coffins and the burial of ashes following cremation. Figure 3 below illustrates this distinction for 2016 and 2017:

Cemetery	2016		2017	
	Coffins	Ashes	Coffins	Ashes
Alderley Edge	23	24	17	31
Congleton	17	25	11	28
Coppenhall	2	4	1	4
Crewe	61	143	54	146
Knutsford	27	10	28	14
Macclesfield	63	98	76	138
Meadow Brook	23	19	47	31
Nantwich	44	46	34	53
Sandbach	31	27	46	23
Weston	4	5	7	11
Wilmslow	36	19	29	30
<b>Totals</b>	<b>331</b>	<b>420</b>	<b>350</b>	<b>509</b>
<b>Proportions</b>	<b>44%</b>	<b>56%</b>	<b>41%</b>	<b>59%</b>

Figure 3: Burials by type in 2016 and 2017

Source: Cheshire East Council Cemetery Records

3.2.4 Figure 3 reveals that there is greater demand for the burial of ashes than of coffins.

3.2.5 It is important to note that each coffin or ashes burial does not necessarily require a new grave or new ashes plot.

3.2.6 Family graves are common in cemeteries and churchyards. In the Council’s cemeteries new graves can be excavated to accommodate up to 3 coffin burials. In addition, both ashes plots and coffin graves can accommodate a number of ashes burials.

3.2.7 The relative proportions of demand for new and reopened graves often reflect the age of the cemetery:

- Demand for new graves predominates in a new cemetery and it normally takes 10 years or more before the first of these graves containing a single burial is reopened to receive a second family member.
- Where a cemetery has been established for many years, space for new graves gradually diminishes and reopened graves predominate.
- Once there is no space at all remaining for new graves, reopened graves account for all burials. As further years pass, the number of burials declines as family graves become filled and new cemeteries or extensions are developed, if demand for burial is to be accommodated.

3.2.8 Figure 4 below illustrates for 2017 the distinction between the demand for burial in new graves and burial in existing graves, which are reopened to accommodate a further coffin burial.

Cemetery	New	Reopen	New	Reopen
Alderley Edge	8	9	47%	53%
Congleton	11	0	100%	0%
Crewe Coppenhall	1	0	100%	0%
Crewe Badger Avenue	25	29	46%	54%
Crewe Meadow Brook	44	3	94%	6%
Knutsford	18	10	64%	36%
Macclesfield	33	43	43%	57%
Nantwich	24	10	71%	29%
Sandbach	30	16	65%	35%
Weston	5	2	71%	29%
Wilmslow	14	15	48%	52%
<b>Totals</b>	<b>213</b>	<b>137</b>	<b>61%</b>	<b>39%</b>

Figure 4: New and reopened graves in 2017

Source: Cheshire East Council Cemetery Records

## 3.2.9 Figure 4 illustrates:

- Both Congleton and Crewe Meadow Brook are new cemeteries and new graves predominate.
- Whilst Nantwich is an old cemetery, it has a new extension, which accounts for the higher proportion of new graves.
- Crewe Coppenhall is an old cemetery and has very few burials. However, a very small number of new graves have been accommodated, for example where a tree has had to be removed.
- The other cemeteries have proportions of demand than may be observed at typical operational cemeteries all over the country.

## 3.3 Capacity

3.3.1 The facilities offered for the burial of ashes vary across the 11 cemeteries and include burial plots and above-ground vaults. The various options all occupy a certain amount of space and, due to the level of demand, the Council will continue to provide space in the cemeteries to accommodate them.

3.3.2 However, coffin burial uses up much more land than any of the various options for ashes and deliverability is also influenced to a much greater degree by ground conditions within each site. This is due to legal and practical requirements relating to the depths at which coffins are buried.

3.3.3 Thus, whilst space for ashes is highly relevant, the key factor in determining cemetery capacity is the space available for new graves for coffin burial.

3.3.4 Cemetery capacity is not as fixed and definitive as might be assumed:

- The size, topography, existing features and design of each cemetery influence how many grave spaces are originally envisaged.
- Ground conditions influence the depths to which graves may be excavated and thus the number of burials that may be accommodated. Ground conditions vary between cemeteries and can also vary to a surprising degree within each cemetery.
- Trees planted when the cemetery is first developed may mature to a significant size and reduce the area available for graves.
- In recent years, there has been a general trend for larger coffin sizes and an increase in the use of caskets, both of which may require larger grave space sizes and thus less graves than originally envisaged.
- It is possible to create 'new' space for graves by using land previously designated for other purposes, such as paths and landscape.

3.3.5 The data in Figure 5 below originate from an analysis of the BACAS databases, grave plans and site visits. Account has been taken of the new graves available in the as-yet unused areas of the recently developed Congleton and Crewe Meadow Brook cemeteries; potential new graves that could be created at the perimeters of sections in Sandbach and Weston cemeteries and the proposed extensions at Alderley Edge and Weston.

<b>Cemetery</b>	<b>Available</b>	<b>Created</b>	<b>Extension</b>	<b>Total</b>
Alderley Edge	322		1,000	1,322
Congleton	792			792
Crewe Coppenhall	0			0
Crewe Badger Avenue	0			0
Crewe Meadow Brook	6,705			6,705
Knutsford	426			426
Macclesfield	2,718			2,718
Nantwich	918			918
Sandbach	115	120		235
Weston	0	26	448	474
Wilmslow	283			283
<b>Totals</b>	<b>12,279</b>	<b>146</b>	<b>448</b>	<b>13,873</b>

*Figure 5: Summary of grave capacity*

Source: Cheshire East Council Cemetery Records

3.3.6 Figure 5 above shows that it is estimated that 13,873 graves are available for use for coffin burial across nine of the eleven Cheshire East cemeteries.

3.3.7 These estimates take account of the availability of graves originally planned when cemeteries were first designed, but which, however, may now no longer be deliverable, for example due to the growth of trees or the development of crematoria.

3.3.8 In some areas within the cemeteries, it is not feasible to excavate all of the graves originally envisaged without having to remove well established trees and shrubs

that currently enhance the cemeteries. The photographs below at Figures 6 and 7 illustrate such areas.



*Figure 6 :Attractive tree lined avenue adds significantly to character, Sandbach Cemetery*



*Figure 7: Trees planted to enhance cemetery character, Sandbach Cemetery*

- 3.3.9 The combined effect of the trees currently growing in the Council's cemeteries could potentially result in the loss of more than 500 graves that were originally planned on the cemetery maps. Accurately quantifying this impact upon grave availability in cemeteries, particularly the largest at Macclesfield and Crewe, would require extensive site investigations.
- 3.3.10 It is likely that the development during the 20<sup>th</sup> century of Crewe and Macclesfield crematoria within the cemeteries, together with their associated extensive Gardens of Remembrance, had the effect of significantly reducing the number of graves originally planned for those cemeteries when they were designed in the nineteenth century before crematoria were introduced.
- Crewe Badger Avenue Cemetery was originally opened in 1872. The crematorium was opened in 1958 on the site of the original cemetery chapels.
  - Macclesfield Cemetery was originally opened in 1866. The crematorium was opened in 1960, following the conversion and extension of the original Nonconformist Cemetery Chapel.
- 3.3.11 Conversely, as space for new graves becomes limited, steps can be taken to create new grave space by using areas not originally designated for the purpose<sup>1</sup>. However, there should be careful consideration of aesthetic, environmental and heritage factors, as well as the need to facilitate access to graves, when considering utilising areas not original allocated for burial.
- 3.3.12 The photograph below at Figure 8 illustrates an example of where a limited number of new graves could be excavated in parallel with existing graves, within the grass verges at the edges of existing 'full' areas of Sandbach Cemetery with consideration and ensuring that existing graves would not be driven over.

---

<sup>1</sup> See legal context section



*Figure 8: Plots C and D Sandbach Cemetery*

3.3.13 Cheshire East Council has already used this technique to create new graves and space for potential further new graves within Crewe Badger Avenue, Nantwich and Weston cemeteries:

- Prior to the opening of Crewe Meadow Brook Cemetery, a few paths at Crewe Badger Avenue Cemetery were removed to create new space for graves.
- Prior to the opening of the new extension, paths within the original cemetery at Nantwich Cemetery were allocated for new graves, some of which have been used.
- Additional graves and ashes plots have been created either side of the access path at Weston Cemetery. A boundary hedge has also been recently removed to create further space for graves, as illustrated in the photograph below at Figure 9.



Figure 9: Space for new graves in Weston Cemetery

## 4.0 Other burial provision: demand and capacity

### 4.1 Provision at the local level

4.1.1 As discussed in the section considering the demographic context, the population of Cheshire East is concentrated around urban areas, but is also dispersed at lower densities across more rural areas. Many of these communities are geographically distant from our eleven cemeteries and they rely on local burial provision. Where there are parish churchyards still open for burials, these may pre-date the establishment of the council's cemeteries.

### 4.2 Town and Parish Councils

4.2.1 There are 11 Town Councils and 97 Parish Councils within Cheshire East. An email survey of burial provision resulted in a response rate of more than 62 per cent and gathered information regarding burial provision by those councils. Figure 10 below summarises data on annual demand for new graves for coffin burial:

Burial Authority	Burials per year	Capacity in years
Middlewich Cemetery Joint Management Board	30	100
Audlem Burial Board	25	70
Nether Alderley Parish Council	*1	84
Swettenham Parish Council	2	84
Total burials per year	58	

Figure 10: Other providers – demand and capacity

Source: Responses to email survey for this strategy

4.2.2 The figure of \*1 new grave at Nether Alderley is an approximate estimate, based upon the size of the population. It can be challenging to precisely quantify demand, as this varies seasonally and from year to year. This is particularly the case where the population and numbers of deaths are relatively small.

4.2.3 These data suggest that approximately 58 coffin burials take place in new graves in these cemeteries each year, which represents 1.5 per cent of all deaths and 15.4 per cent of all coffin burials in new graves in Cheshire East.

4.2.4 In common with larger local authorities, town and parish councils generally charge higher cemetery fees to non-residents. They may also have a policy of not accepting non-resident burials, unless specific links with the community can be evidenced, as a means to prolong the capacity of their cemeteries to meet local need.

4.2.5 Swettenham Parish Council's cemetery rules specify that rights of burial will be granted subject to one of the following conditions being met:

- Resident within the parish of Swettenham at date of death
- Former residents who have left the parish due to retirement, marriage, residential care, but have a strong family link with the parish community.
- Former residents who were listed in the Register of Electors for the parish within the period of 5 years prior to death
- Residents from adjoining parishes who have maintained a strong connection with the parish by way of community involvement.

4.2.6 Nether Alderley Parish Council manages its cemetery through a Burial Board with Regulations that include:

Persons entitled to be buried in the Burial Ground:

- "Parishioners": Persons who are resident within the civil parish of Nether Alderley or who are on the current electoral roll of St. Mary's Church, Alderley.
- "Non-Parishioners": Anyone who lives outside the civil parish of Nether Alderley but within the ecclesiastical parish of St. Mary, Alderley.
- "Non-Parishioners": Anyone who lives outside the civil parish of Nether Alderley but who has lived within the civil parish of Nether Alderley for a period of no less than 10 years at any stage.

- “Non-Parishioners”: Anyone who has been on the electoral roll of St. Mary’s Church, Alderley, for a period of no less than 10 years at any stage.
- “Non-Parishioners”: Anyone who has lived within the ecclesiastical parish area of Great Warford for a period of no less than 10 years at any stage.

4.2.7 Therefore, burial space might be available in parish council cemeteries, but only to local residents.

### 4.3. Parish Churches

4.3.1 Cheshire East lies within the Diocese of Chester, which includes more than 190 churches, but which extends well beyond the local authority’s boundaries. Using data supplied by the Archdeacon of Macclesfield, an email survey was undertaken of approximately 75 per cent of the 61 churches within Cheshire East recorded as having churchyards in use for burial. This survey identified 35 Church of England churchyards where burials still take place, although some only offer space for the burial of ashes.

4.3.2 Churchyards often serve small local communities and may be hundreds of years old. These factors combine to make it difficult to establish precise figures for average demand for new graves and the number of grave spaces remaining.

4.3.3 Figure 11 below provides the results of the survey:

Deanery	Parish	Church	Coffin burials per year	Capacity in years	Ashes burials per year	Capacity in years
Bowdon	Ashley	St Elizabeth's			4	20
Congleton	Alsager	Christ Church	30	1		
Congleton	Astbury	St Mary's	15	10		
Congleton	Brereton	St Oswald's	2	20		
Congleton	Church Hulme	St Luke's	5	30		
Congleton	Eaton	Christ Church	1	50		
Congleton	Goostrey	St Luke's	5	5		10

Deanery	Parish	Church	Coffin burials per year	Capacity in years	Ashes burials per year	Capacity in years
Congleton	Hulme Walfield	St Michael	1	50		
Congleton	Mossley	Holy Trinity		0	2	5
Congleton	Smallwood	St John the Baptist	2	4		
Congleton	St John	St John	2	5	2	15
Congleton	St Peter	St Peter		0	8	4
Congleton	Warmingham	St Leonards	3	50	2	50
Knutsford	Chelford	St John the Evangelist	3	10		
Knutsford	Lower Peover	St Oswald	5	50		
Knutsford	Marthall	All Saints		50		
Knutsford	Over Peover	St Lawrence	5	50		
Knutsford	Over Tabley	St Paul's		100	1	50
Macclesfield	Bosley	St Mary the Virgin	1	20	1	10
Macclesfield	Gawsworth	St James the Great	2	30	7	
Macclesfield	Henbury	St Thomas	1	10		
Macclesfield	Marton	St James & St Paul	1	50		
Macclesfield	Pott Shrigley	St Christopher's	1	40	2	35
Macclesfield	Sutton St James	St James	3	10		
Macclesfield	Wildboarclough	St Saviour	1	30		
Macclesfield	Windle	St Michael	2	8		
Malpas	Marbury	St Michael and All Angels	2	15	2	20
Nantwich	Acton	St Mary	6	75	6	400
Nantwich	Baddiley	St Michael	1	50		
Nantwich	Burleydam	St Mary & St Michael	1	50		
Nantwich	Crewe Green	St Michael & All Angels		100		
Nantwich	Haslington	St Matthew's Haslington		100		
Nantwich	Leighton-cum-Minshull Vernon	St Peters	6	100	3	
Nantwich	Wistaston	St Mary the Virgin	12	20	15	20
Nantwich	Wrenbury	St Chad	9		5	
<b>Total burials</b>			<b>128</b>		<b>60</b>	

Figure 11: Demand and capacity in Churchyards

Source: Responses to email survey for this strategy

- 4.3.4 The data in Figure 11 are estimates and simplify a complex situation. Some churchyards listed have no space for coffin burials and only bury ashes. Others have only a few years' capacity remaining for coffin burial, whilst others seem to have low demand and enough space to last "about 100 years".
- 4.3.5 The survey suggests that approximately 120 coffin burials take place in new graves in these churchyards in Cheshire East each year, which represents 3 per cent of all deaths and 31.9 per cent of all coffin burials in new graves in Cheshire East. There are likely to be some additional burials occurring in the 15 other open churchyards.
- 4.3.6 The churchyard with the highest level of demand is Christ Church, Alsager. However, there is no scope for an extension of the churchyard. If this demand is to be met elsewhere, it will affect capacity at other sites.
- 4.3.7 Whilst some churches do not have a burial ground at all, some churchyards are full for coffin burial and others are both full and formally closed by Order in Council, as listed below in Figure 12:

Deanery	Parish	No Burial Ground	Full	Closed
Congleton Deanery	Alsager St Mary Magdalene	1		
Knutsford Deanery	Alderley Edge	1		
Knutsford Deanery	High Legh	1		
Macclesfield Deanery	All Saints	1		
Macclesfield Deanery	Macclesfield St John	1		
Macclesfield Deanery	Prestbury	1		
Macclesfield Deanery	St Barnabas	1		
Middlewich Deanery	Moulton	1		
Middlewich Deanery	Northwich (Castle) Holy Trinity	1		
Middlewich Deanery	Northwich (Winnington) St Luke	1		
Middlewich Deanery	Sandiway	1		
Nantwich Deanery	Crewe All Saints and St Paul	1		
Nantwich Deanery	Crewe Christ Church	1		
Nantwich Deanery	Crewe St Barnabas	1		
Nantwich Deanery	Crewe St Peter	1		
Nantwich Deanery	Doddington	1		

Deanery	Parish	No Burial Ground	Full	Closed
Nantwich Deanery	Shavington	1		
Nantwich Deanery	Weston	1		
Congleton Deanery	Elworth		1	
Congleton Deanery	Holy Trinity Mossley		1	
Congleton Deanery	Sandbach		1	
Congleton Deanery	St Stephen		1	
Congleton Deanery	Swettenham		1	
Knutsford Deanery	Alderley		1	
Knutsford Deanery	Wilmslow		1	
Macclesfield Deanery	Hurdsfield		1	
Macclesfield Deanery	St Peter		1	
Nantwich Deanery	Coppenhall		1	
Nantwich Deanery	Crewe St Andrew with St John the Baptist		1	
Knutsford Deanery	Knutsford St Cross			1
Knutsford Deanery	Knutsford St John the Baptist			1
Macclesfield Deanery	Macclesfield St Paul			1
Macclesfield Deanery	St Michael & All Angels			1
Middlewich Deanery	Middlewich			1
Nantwich Deanery	Audlem			1
Nantwich Deanery	Wybunbury			1

Figure 12: Churches without churchyards or full or closed churchyards

Source: Archdeacon of Macclesfield

#### 4.4 Summary of burial provision by Town and Parish Councils and Parish Churches

4.4.1 Currently, surveys indicate that town and parish councils and parish churchyards account for approximately 178 coffin burials in new graves per year.

4.4.2 In 2016, there were 3,961 deaths of residents in Cheshire East. Using the typical ratio of 60 per cent of burials taking place in new graves and 40 per cent in reopened family graves, Figure 13 below provides estimates to summarise the demand for coffin burials and the proportion of deaths they represent in Cheshire East:

Provider	New	Reopen	Total	% of Deaths
Churchyards	120	80	200	5.0%
Town and Parish Councils	58	42	100	2.5%
<b>Combined</b>	<b>178</b>	<b>122</b>	<b>300</b>	<b>7.5%</b>
Cheshire East	198	133	331	8.4%
<b>Totals</b>	<b>376</b>	<b>255</b>	<b>631</b>	<b>15.9%</b>

*Figure 13: Estimated demand for burial in Cheshire East in 2016*

Source: Responses to email survey for this strategy and Cheshire East Council Cemetery Records

4.4.3 Figure 13 suggests that town and parish council cemeteries and churchyards combined undertake only slightly less burials than Cheshire East Council. This underlines the important role these cemeteries and churchyards fulfil in meeting local needs for burial.

## 5.0 Demographic context

### 5.1 Factors influencing demand for burial space

5.1.1 Demand for burial space is influenced by a series of interlinked demographic factors:

- Population
- Age structure
- Mortality rates and numbers of deaths
- Ethnicity
- Religious belief

5.1.2 The Office for National Statistics (ONS) publishes demographic data at both national and local authority level, with the most definitive data contained within the Census 2011. Some of these data are periodically supplemented by estimates, the latest available on population being the mid-2016 estimates. The ONS also produce projections into the future and the latest available at local authority level are the 2014-based Subnational Population Projections.

## 5.2 Population

5.21 Figure 14 below compares the estimated population change in Cheshire East and England as a whole between the definitive Census 2011 and the ONS 2016 mid-year estimates:

	Census 2011	Mid-2016	2011-2016	
<b>Cheshire East</b>	370,127	376,700	6,573	1.8%
<b>England</b>	53,012,456	55,268,100	2,255,644	4.3%

Figure 14: Estimated population change 2011 to 2016

Source: Census 2011 table KS101EW and ONS table SAPE19DT8 population estimates

- 5.2.3 These figures indicate that the population of Cheshire East has increased during this period, but at less than half the rate as England as a whole.
  
- 5.2.4 As with other local authority areas, the population density is variable across Cheshire East with higher densities around urban centres. These include Congleton, Crewe, Knutsford, Macclesfield, Sandbach and Wilmslow.
  
- 5.2.5 At the time of the Census 2011, the population density in Cheshire East was only 3.2 persons per hectare, compared with 5.2 across the six unitary authorities in the North West and 4.1 in England as a whole.
  
- 5.2.6 These average figures conceal great geographical variation. Based upon ONS mid-2016 population (experimental) estimates, ward population densities in Cheshire East range from 0.4 persons per hectare in Wrenbury, to 73.5 in Crewe South.
  
- 5.2.7 Figure 15 below compares the ONS 2014-based subnational population projections for Cheshire East and England as a whole. It is important to note how the ONS produces these projections:
  
- 5.2.8 “The projected local authority population for each year is initially calculated by ageing on the population for the previous year, applying assumed local fertility and mortality rates to calculate the number of projected births and deaths, and then adjusting for migration into and out of each local authority. Assumed levels of fertility, mortality and migration for each local authority are **derived from observed values during the previous 5 or 6 years**. The projections are then constrained to the 2014-based national population projections for England.”<sup>2</sup>

	2014	2039	2014-2039	
<b>Cheshire East</b>	374,200	406,200	32,000	8.6%
<b>England</b>	54,316,600	63,281,500	8,964,900	16.5%

Figure 15: Estimated population change 2014 to 2039

Source: ONS Table 2 2014-based Subnational Population Projections

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<sup>2</sup> ONS Statistical Bulletin ‘Subnational population projections for England: 2014-based projections’ released 25<sup>th</sup> May 2016

5.2.9 These ONS 2014 trend-based projections suggest that the population of Cheshire East will increase through to at least 2039, but at approximately half the rate as England as a whole.

### 5.3 Age structure

5.3.1 Figure 16 below compares the age structure of Cheshire East and England as a whole at the Census 2011:

Age band	Cheshire East	England	Variation
0 to 4	5.5%	6.3%	-0.8%
5 to 7	3.3%	3.4%	-0.2%
8 to 9	2.1%	2.2%	-0.1%
10 to 14	5.8%	5.8%	0.0%
15	1.2%	1.2%	0.0%
16 to 17	2.5%	2.5%	0.0%
18 to 19	2.3%	2.6%	-0.3%
20 to 24	5.0%	6.8%	-1.8%
25 to 29	5.1%	6.9%	-1.7%
30 to 44	19.5%	20.6%	-1.2%
45 to 59	21.4%	19.4%	2.0%
60 to 64	7.1%	6.0%	1.2%
65 to 74	10.3%	8.6%	1.7%
75 to 84	6.4%	5.5%	0.9%
85 to 89	1.7%	1.5%	0.3%
90 and over	0.9%	0.8%	0.1%

Figure 16: Age structure comparison 2011

Source: Census 2011 Table KS102EW

5.32 Figure 17 below compares age structure using the ONS mid-2016 estimates:

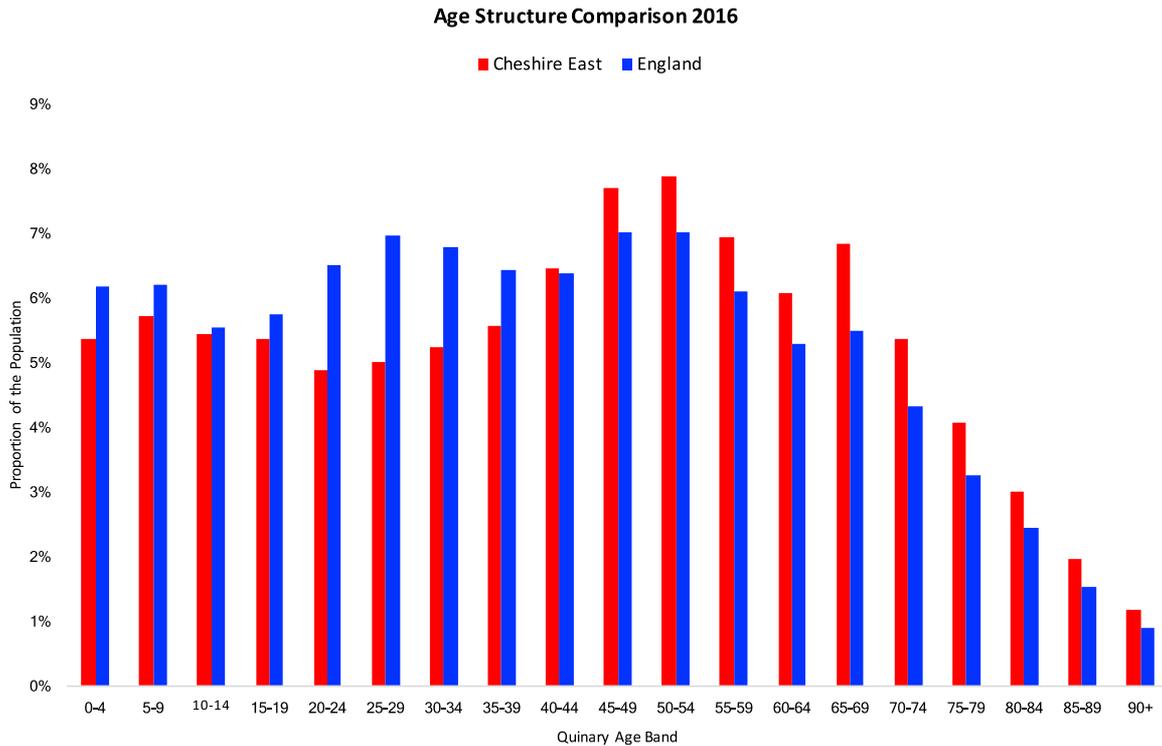


Figure 17: Age structure comparison 2016  
 Source: Census 2011 Table KS102EW

5.33 Figure 17 clearly indicates that Cheshire East has a generally older age structure than England as a whole.

5.34 As with other local authority areas, urban areas in Cheshire East tend to have the highest proportion of younger people and rural areas the highest proportion of older people.

5.35 Based upon ONS mid-2016 population (experimental) estimates, the proportion of people aged 65 years and over ranges by Ward from only 9 per cent in Leighton (Crewe) to 32.2 per cent in both Poynton East and Pott Shrigley. The greatest concentrations of older people are generally in the northern half of the Cheshire East area.

5.3.6 Figure 18 below uses data from the ONS 2014-based population projections to illustrate projected changes in the age structure of Cheshire East between 2018 and 2039:

Cheshire East				
Age band	2018	2039	Change	Change
0-4	19,900	19,800	(100)	-0.5%
5-9	21,700	21,000	(700)	-3.2%
10-14	21,600	22,100	500	2.3%
15-19	19,200	21,200	2,000	10.4%
20-24	17,400	17,700	300	1.7%
25-29	19,900	19,700	(200)	-1.0%
30-34	19,800	20,000	200	1.0%
35-39	21,400	19,800	(1,600)	-7.5%
40-44	22,100	22,600	500	2.3%
45-49	27,900	24,900	(3,000)	-10.8%
50-54	29,700	24,000	(5,700)	-19.2%
55-59	28,000	23,600	(4,400)	-15.7%
60-64	23,400	22,400	(1,000)	-4.3%
65-69	23,300	26,200	2,900	12.4%
70-74	23,400	27,600	4,200	17.9%
75-79	16,100	25,100	9,000	55.9%
80-84	12,200	19,100	6,900	56.6%
85-89	7,700	14,500	6,800	88.3%
90+	4,800	14,800	10,000	208.3%
<b>All ages</b>	<b>379,700</b>	<b>406,200</b>	<b>26,500</b>	<b>7.0%</b>

Figure 18: Projected change in age structure 2018 to 2039

Source: ONS Table 2 2014-based Subnational Population Projections

5.3.7 These ONS trend-based projections suggest a further ageing of the population during this period, with significant increases in the proportions of people aged 70 years and over.

5.3.8 Figure 19 below compares these changes in the age structure of Cheshire East, indicated by the ONS 2014-based projections for the period 2018 to 2039, with those for England as a whole:

Projected Change 2018 to 2039		
Age band	Cheshire East	England
0-4	-0.5%	4.1%
5-9	-3.2%	0.6%
10-14	2.3%	10.1%
15-19	10.4%	19.6%
20-24	1.7%	7.7%
25-29	-1.0%	4.5%
30-34	1.0%	3.2%
35-39	-7.5%	-3.4%
40-44	2.3%	12.3%
45-49	-10.8%	4.5%
50-54	-19.2%	-3.0%
55-59	-15.7%	1.8%
60-64	-4.3%	7.0%
65-69	12.4%	21.6%
70-74	17.9%	26.5%
75-79	55.9%	60.9%
80-84	56.6%	58.9%
85-89	88.3%	80.5%
90+	208.3%	177.4%
<b>All ages</b>	<b>7.0%</b>	<b>12.9%</b>

*Figure 19: ONS 2014-based projected age structure comparison 2018 to 2039*  
Source: ONS Table 2 2014-based Subnational Population Projections

5.3.9 Figure 20 below provides a further comparison of these ONS 2014-based projections for changes in population and age structure between 2018 and 2039:

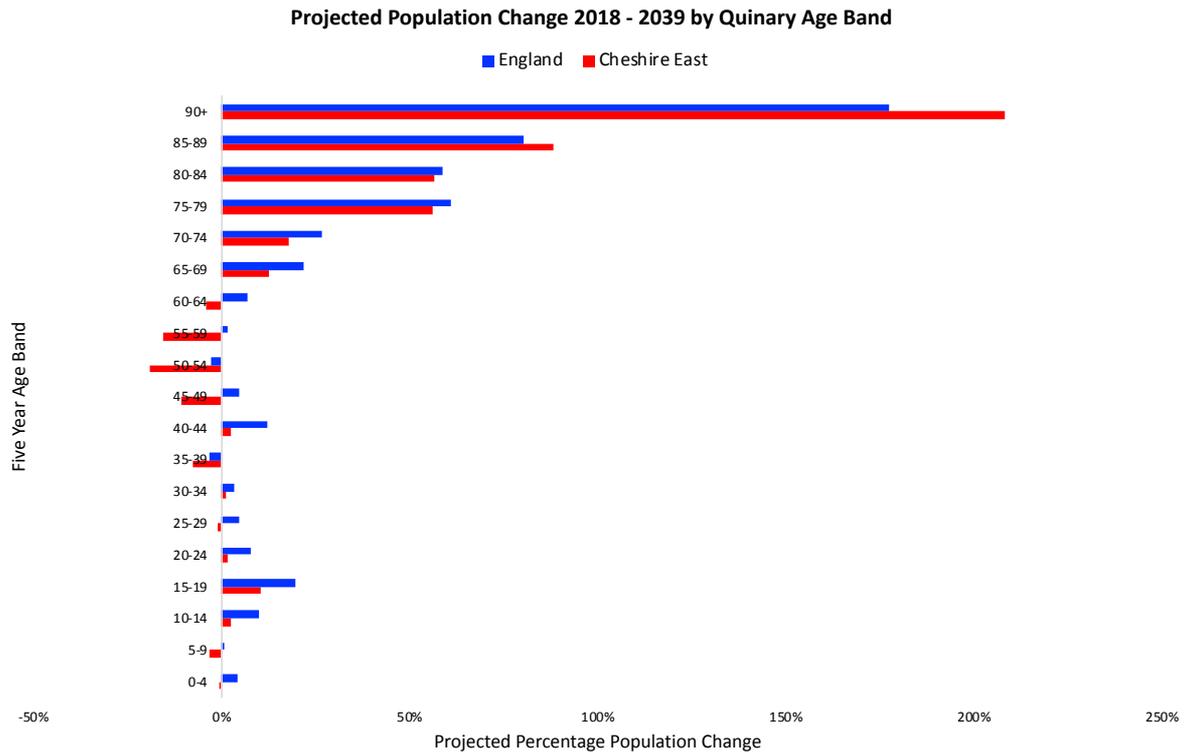


Figure 20: Projection population change 2018 to 2039  
 Source: ONS Table 2 2014-based Subnational Population Projections

5.3.10 The ONS 2014-based projections clearly indicate significant ageing of the population of Cheshire East during the period 2018 to 2039.

## 5.4 Mortality rates and numbers of deaths

5.4.1 Death rates and numbers of deaths fluctuate over time, as illustrated for the whole of England and Wales in Figure 21 below:

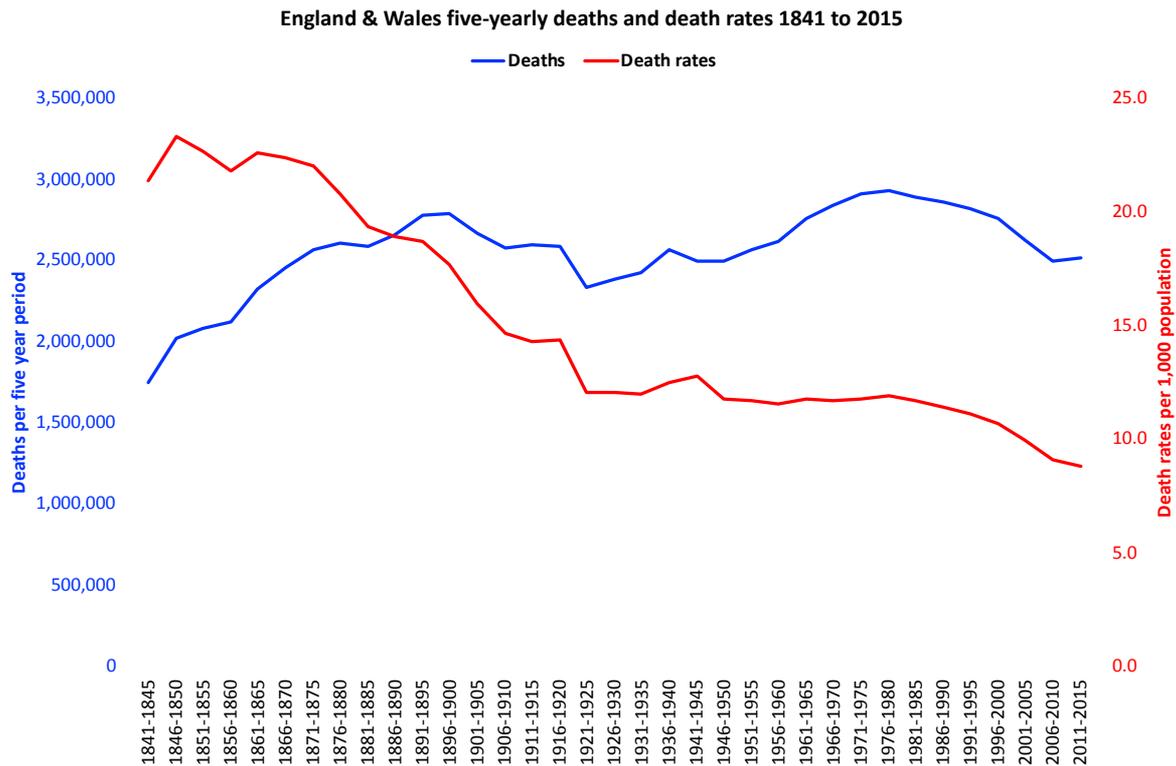


Figure 21: Five-yearly deaths and death rates in England and Wales 1841 to 2015  
Source: ONS Table 10 Deaths Registered in England and Wales 2012

5.4.2 It can be seen that the crude death rate (the number of deaths per 1,000 of the population) has declined significantly since the mid 19<sup>th</sup> century and that numbers of deaths have declined since a peak in the late 1970s. The context for these changes includes increasing population numbers, better healthcare and general improvements in living standards.

5.4.3 The benefits in terms of longevity are particularly experienced by the ‘baby-boomers’, the post-war generation born between 1945 and 1955. Since 1955, with the exception of 1976, the annual number of births in the UK has exceeded the annual number of deaths. This is referred to as ‘Natural Change’ and this has played a major part in the increase in the UK population, combined with net migration.

5.4.4 Figure 22 below compares the proportions of deaths in 2016 in Cheshire East and England by five-year age band.

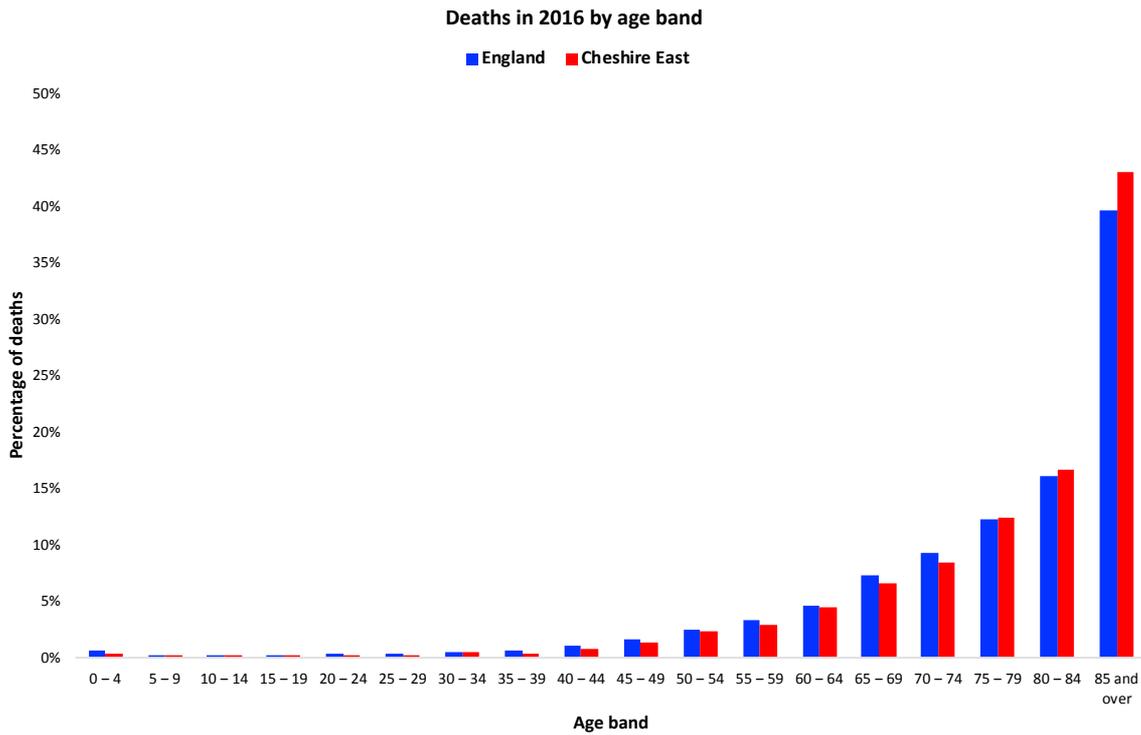


Figure 22: Deaths in England and Cheshire East in 2016 by quinary age band  
Source: ONS Table 2 2014-based Subnational Population Projections

5.4.5 By comparison with England as a whole, Cheshire East has a higher proportion of deaths in the 80 years and over age groups, reflecting the older age structure of the population. It is reasonable to assume that, as the population ages further there will be more deaths than at present. Figure 23 below compares the projected change in the numbers of deaths in Cheshire East and England as a whole:

	Actual deaths in 2016	Projected deaths in 2039	Change
Cheshire East	3,961	5,000	26.2%
England	490,791	584,600	19.1%

Figure 23: Projected increase in deaths  
Source: ONS Table 5 2014-based Subnational Population Projections

5.4.6 Figure 24 below illustrates the seasonal variation in deaths, as observed in Cheshire East over the 3-year period 2012 to 2014:

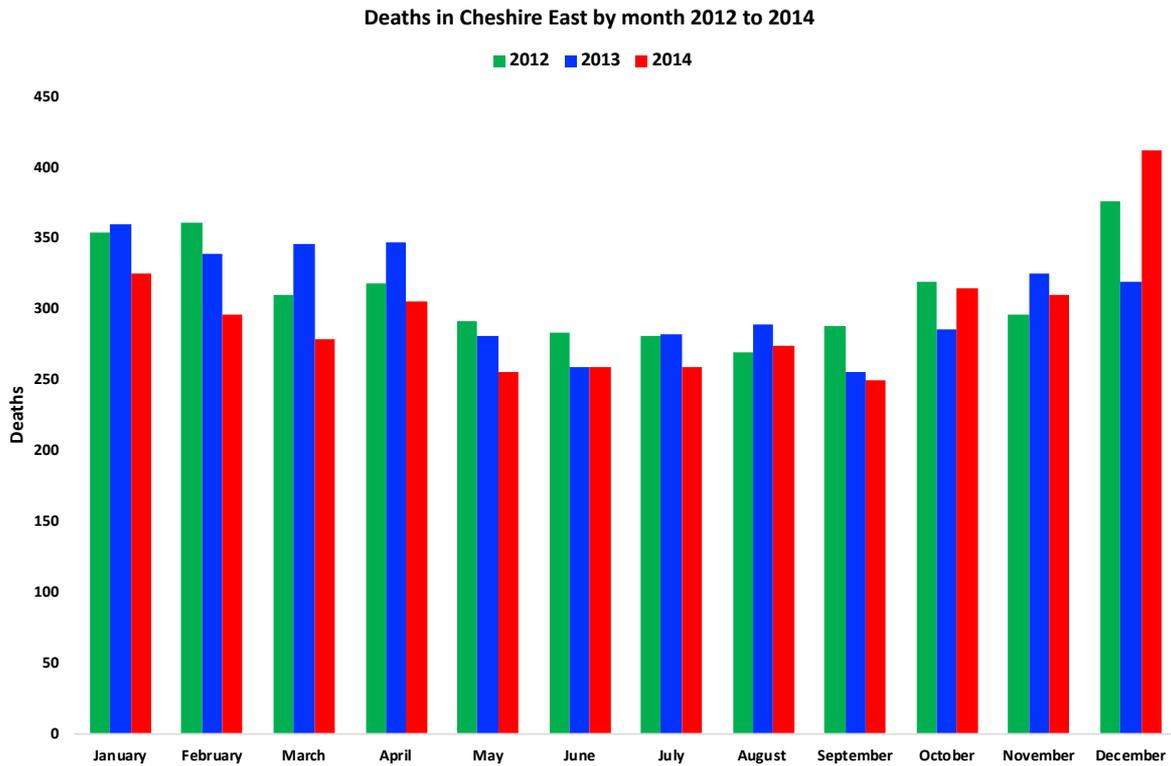


Figure 24: Deaths in Cheshire East by month 2012 to 2014

Source: ONS Daily deaths by local authority, England and Wales, 2010-2014 occurrences

5.4.7 This seasonal variation in deaths will be reflected in numbers of burials in the Council’s cemeteries, placing the greatest demand upon resources during the winter months.

## 5.5 Ethnicity

5.5.1 Ethnic origin is often associated religious belief and with preferences for burial or cremation. For example, in general terms, people of Pakistani or Bangladeshi origin are likely to be Muslim and so require burial, whereas people of Indian origin are more likely to be Hindu and so require cremation.

5.5.2 Using data from the Census 2011, Figure 25 below compares ethnicity in Cheshire East and England as a whole. It is important to note the exclusion of the majority white British group.

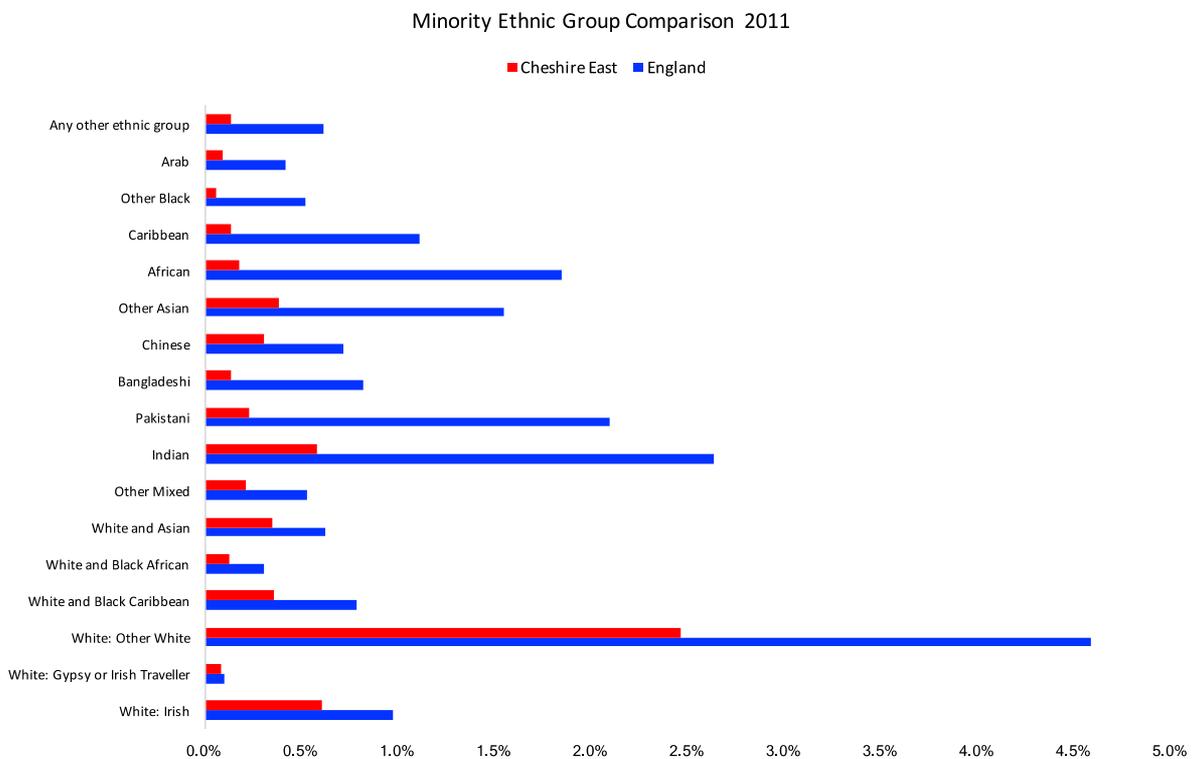


Figure 25: Minority ethnic group comparison 2011

Source: Census 2011 Table KS201EW

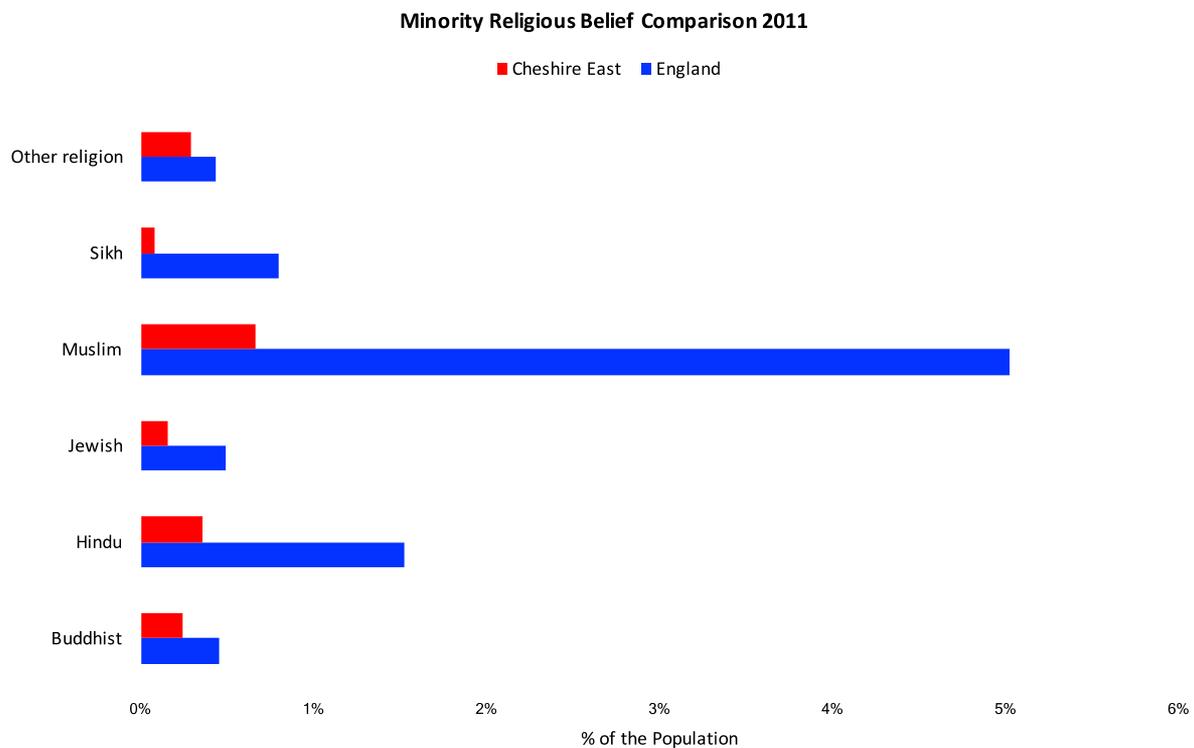
5.5.3 It is clear that the population of Cheshire East is far less ethnically diverse than England as a whole.

5.5.4 This suggests that preferences for burial and specific types of burial are likely to be less pronounced in Cheshire East than in England as a whole.

## 5.6 Religious belief

5.6.1 Religious belief can play a significant role in people’s choice between burial and cremation. Actual practice is subject to the degree of commitment to the religious belief concerned, cultural influences and the impact of mixed marriage.

5.6.2 Using data from the Census 2011, Figure 26 below compares minority religious belief in Cheshire East and England as a whole. It is important to note the exclusion of the majority Christian group.



*Figure 26: Minority religious belief comparison 2011*  
 Source: Census 2011 Table KS209EW

5.6.3 It can be seen that religious belief amongst population of Cheshire East is less diverse than that of England as a whole.

5.6.4 Like ethnicity, this suggests that preferences for burial and specific types of burial based upon religious belief are likely to be less pronounced in Cheshire East than in England as a whole.

## 5.7 Summary of the Demographic Context

- 5.7.1 The population of Cheshire East increased by an estimated 1.8% between 2011 and 2016. ONS trend-based projections suggest an increase of 8.6% between 2014 and 2039. Whilst this is approximately half the comparable rates of increase for England as a whole, it suggests that numbers of deaths may be expected to increase, with a consequent impact upon the provision of burial space.
- 5.7.2 Cheshire East has an older age structure than England as a whole, with generally higher proportions of older people living in more rural areas. The ONS projections suggest a further significant growth in the proportion of people in Cheshire East aged 70 years or more through at least until 2039. The projected growth in the proportion of people in Cheshire East aged 80 years or more is greater than that for England as a whole.
- 5.7.3 The statistical link between age and mortality suggests that, although many people are living longer than previous generations, numbers of deaths may be expected to rise significantly during the next 20 years, with a consequent impact upon the demand and provision of burial space.
- 5.7.4 In spite of medical advances, improvements in healthcare and increased longevity, the number of deaths remains highest during the winter months.
- 5.7.5 The population of Cheshire East is much less diverse than England as a whole in terms of ethnicity and religious belief. The result is that preferences for burial generally and specific types of burial based upon these two factors may be less evident in Cheshire East than in other areas.

## **6.0 Legal Context**

### **6.1 Provision and maintenance of cemeteries**

6.1.2 Cheshire East Council is a burial authority by virtue of the Local Government Act 1972, as amended. The Council provides and manages its cemeteries within the framework of the Local Authorities' Cemeteries Order 1977 (LACO), as amended.

6.1.3 The provision of cemeteries is not a statutory duty. However, LACO places various statutory duties upon local authorities in relation to cemeteries that they already provide, include the duty to “keep the cemetery in good order and repair, together with all buildings, walls and fences thereon and other buildings provided for use therewith”<sup>3</sup>.

### **6.2 Maintenance of closed churchyards**

6.2.1 The Local Government Act 1972 also places duties upon local authorities, in certain circumstances, in relation to Church of England churchyards. Where a churchyard has been formally closed under the Burial Act 1853 by Her Majesty by Order in Privy Council, the duty to maintain the churchyard automatically falls upon the Parochial Church Council. However, the Parochial Church Council may serve a written request upon a relevant local authority, normally the Parish Council, to take over the maintenance of the churchyard. Within 3 months of the service of the original request, the parish council may in turn pass the responsibility to maintain the churchyard to the next relevant level of local government, including district councils and unitary authorities.

6.2.2 The level of maintenance required in a closed churchyard is specified in the Local Government Act 1972 s.215(1):

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<sup>3</sup> Local Authorities' Cemeteries Order 1977 article 4(1)

- 6.2.3 “... the parochial church council shall maintain it by keeping it in decent order and its walls and fences in good repair.”
- 6.2.4 Where, under s.215(2), the PCC serve a request on the relevant local authority to take over the maintenance of the churchyard there is a duty imposed:
- 6.2.5 “... the maintenance of the churchyard shall be taken over by the authority on whom the request is served ...”
- 6.2.6 The local authority becomes responsible in lieu of the parochial church council for the maintenance of the closed churchyard and thus the local authority is under a statutory duty to maintain the closed churchyard to the same standard as that required by s.215(1) of the PCC, i.e.
- 6.2.7 “in decent order and its walls and fences in good repair”.
- 6.2.8 The Ministry of Justice confirm this in its document ‘Churchyard Closures: Frequently Asked Questions’:
- 6.2.9 What level of maintenance by a local authority is required?**
- 6.2.10 The churchyard should be kept in decent order and its walls and fences in good repair, in the same way that the parochial church council is required to maintain it.
- 6.2.11 The following is a helpful extract from ‘Legal Opinions Concerning the Church of England’, published by Church House Publishing, London.<sup>4</sup>

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<sup>4</sup> The opinion is copyright The Central Board of Finance of the Church of England 1997 and The Archbishops' Council 1999.

6.2.12 “The justification for the provision of section 18 of the Burial Act 1855 and the way in which it has led to the transfer of the responsibility for closed churchyards to local authorities was not intended to confer any privilege upon the Church of England, but was a recognition of the fact that until the Burial Acts of 1852 and 1853 churchyards or additional churchyards were the only burial places available, apart from commercial cemeteries and a few denominational burial grounds belonging to trustees.

More important, churchyards were (as they still are) the common burial places of the parishioners of any denomination and none. As the churchyard was available for the whole community, and in the first half of the 19<sup>th</sup> century had sometimes been provided, or extended, by means of a compulsory church rate, it was considered reasonable that when it was closed in the interest of the community, the expense of keeping it in decent order should be reimbursed to the churchwardens from what was then the poor rate.

6.2.13 On that basis, it was for the local authority, which succeeded to the functions of the overseers, to reimburse the PCC, which succeeded the churchwardens in this regard.”

### **6.3 Optimisation of burial space**

6.3.1 Cemeteries do not simply contain graves, but also have roads, paths, buildings and landscaping. Grave spaces are usually laid out in a grid pattern to make the most efficient use of the remaining space, but since Victorian times wide grass borders are often left adjacent to roads to enhance the aesthetics of the cemetery, as exemplified at Sandbach Cemetery. In modern times, the combination of narrow cemetery roads and a lack of care by some drivers can lead to vehicles passing over these verges.

- 6.3.2 LACO empowers local authorities to lay out cemeteries in any manner they see fit and it is quite usual to see changes in to the original layout over time as cemeteries are progressively extended to meet continued demand for burial.
- 6.3.3 Where space for new graves becomes exhausted, it is not uncommon for areas originally designated for other purposes, such as landscaping and paths, to be used to provide space for more new graves. Whilst this may appear to be a logical response to the need for burial space, it can have negative consequences including visual impact, access and the potential future re-use of graves.
- 6.3.4 The allocation of sections to specific religious affiliations, including Church of England, Roman Catholic, non-conformist and Muslim can sometimes lead to a situation, where relatively low levels of demand leave one group with significant capacity when space is limited on other sections. In these circumstances, it may be appropriate to re-allocate some of the remaining space amongst the groups with limited capacity.

### **6.4 Purchased (private or family grave)**

- 6.4.1 When a person purchases the exclusive rights in a grave, it enables them to decide who may be buried in the grave and this is normally family members. No-one may be buried in the grave and no memorial may be erected upon the grave without the registered owner's written consent. It does not, however, grant them ownership of the land itself and the local authority retains ownership of all the land in its cemeteries.
- 6.4.2 From their first establishment in the mid-nineteenth century, whilst it was lawful to grant exclusive rights for any period, it became standard practice to grant exclusive rights in perpetuity, i.e. forever.
- 6.4.3 From 1974, the Local Authorities' Cemeteries Order 1974 limited the periods for which rights may be granted to a maximum of 100 years. This does not apply

retrospectively, and any rights granted prior to 1974 in perpetuity are still legally valid.

- 6.4.4 Apart from in London, local authorities have no powers to extinguish exclusive rights of burial during the period for which they were granted, whether in perpetuity or for a specified period. This procedure is correctly termed 'reclamation' when, as in London, it involves the use of legal powers to extinguish exclusive rights of burial that are otherwise still operative.
- 6.4.5 As a consequence of the lack of these statutory powers outside of London, there are many thousands of graves in cemeteries throughout England and Wales in which sufficient space remains for further burials to be undertaken without any disturbance of original burials, but this space cannot be used except with consent of the original owner of the exclusive rights or their successor.
- 6.4.6 The only exception is where the exclusive rights were purchased 75 years or more ago, but never actually utilised. This occurs when a person buys the exclusive rights in a grave as a means of reserving it for future use, but then does not use the grave.
- 6.4.7 There may be many such reserved graves where exclusive rights have been purchased before 1943 and the graves have never been used. Using powers contained within LACO, the Local Authority may extinguish these old, unused rights so that the space in such empty graves may be released for use today. This requires the local authority to serve 6 months' notice of its intention to extinguish the rights. The original owner (or their successor) may object and retain the ownership of the rights.
- 6.4.8 Where the exclusive rights have been granted for a specified time, LACO empowers the local authority to extend this period at any time, provided that the maximum permitted period of 100 years is not exceeded.

- 6.4.9 The majority of cemeteries granted rights in perpetuity up until 1974. However, some authorities had already started granting rights for fixed periods as early as the 1960s.
- 6.4.10 Where the rights have been granted for 100 years, from say 1960, cemeteries will not have to face the process of renewing rights at their expiry until 2060. After such a long period of time, the original owner of the rights will themselves have died and it is quite likely that it will not be feasible to contact any living relatives with an interest in renewing burial rights in an old grave.
- 6.4.11 Crewe Corporation stopped granting exclusive rights in perpetuity in December 1960, with the last Deed of Grant being number 3062 issued on 7<sup>th</sup> December 1960. Deed number 3063, issued on 4<sup>th</sup> January 1961, was the first granting the rights for 40 years. The Deed had an indorsement stamped on the rear stating that the purchaser had the option of renewing the rights, in whole or in part, during the last 5 years of the rights period.
- 6.4.12 At its meeting on 16<sup>th</sup> October 2008, Crewe and Nantwich Borough Council resolved to extend the period of rights to 100 years and to apply this extension retrospectively to all exclusive rights granted since Deed number 3063 in 1961.
- 6.4.13 Some local authorities are reducing the periods for which they now grant rights down to 75 years, 50 years or even as low as 25 years, but at the same time they offer a choice of period and various options to periodically extend the period such as Kettering where the rights were increased to 99 years.
- 6.4.14 It is important to note that perpetuity rights never expire. Where rights granted for a specified period expire and are not renewed, the original purchaser or their successors no longer have any rights in the grave and the rights revert to the local authority. LACO empowers the local authority to remove any memorial on an expired grave.

- 6.4.15 Where there is sufficient depth remaining above the original burials in a grave in which the rights have expired, the local authority may undertake new burials above them and sell the exclusive rights in this remaining space to a new purchaser.
- 6.4.16 This offers some scope for optimising space in old cemeteries in the long term. However, a high proportion of graves will have been used for their full quota of burials and will have no depth remaining above old burials. Under current legislation, it would be illegal to disturb the original burials to make space for new burials.

### **6.5 Unpurchased (public or shared grave)**

- 6.5.1 A public grave is one where no-one has purchased the exclusive right of burial. The local authority may use the grave at any time for the burial of unrelated people, whose relatives cannot afford, or do not wish, to purchase any exclusive rights. It was standard practice in many cemeteries to excavate public graves to a greater depth than private graves to accommodate as many burials as possible. Such graves in large city cemeteries may contain 20 or even more burials and cover significant areas of land.
- 6.5.2 Demand for burial in public graves declined during the later 20<sup>th</sup> century in inverse proportion to rising levels of disposable income. They are now mainly used for burials undertaken by local authorities and health authorities under the Public Health (Control of Disease) Act 1984, where no-one else takes responsibility for the disposal of a body.
- 6.5.3 Space remaining above burials in old public graves can provide valuable space to help meet current demand for burials. Provided that the requirements in LACO for minimum depths of burials can be met, there are no legal or ethical reasons why a local authority may not sell the exclusive rights in the depth remaining in old public graves.

## 6.6 Re-use of graves

- 6.6.1 Across the UK, there is a growing awareness of the unsustainable way in which cemeteries are managed. As cemeteries fill up, the solution is to create new cemeteries, leaving the old ones to decline through lack of income.
- 6.6.2 This is an inevitable consequence of the system created by the Victorians to meet a burial space crisis, caused by a rapid increase and urbanisation of the population and epidemics of cholera, which led to demand overwhelming supply in urban parish churchyards.
- 6.6.3 In seeking to rectify the situation at that time, the Victorians invented a solution that has created huge negative implications in the present. The Victorians not only enabled the formal closure of churchyards and the creation of new cemeteries, but also introduced the concept of granting burial rights in perpetuity and introduced legislation that prohibits the disturbance of human remains.
- 6.6.4 Whilst parish churchyards have met local burial needs for centuries by the re-use of graves, this is not an option in cemeteries where exclusive rights of burial and prohibitions on disturbance exist. Land becomes locked up and unavailable for further burials.
- 6.6.5 Legislation applies to London local authorities<sup>5</sup>, which goes a little way towards enabling the re-use of graves. New legislation in Scotland is addressing this matter there. However, there appear to be no signs of new legislation forthcoming, that would enable local authorities in England to extinguish exclusive rights and re-use old graves.
- 6.6.6 The term 're-use' refers to the disturbance of old burials in order to make space for new burials. It requires specific legal permission, without which it is illegal.

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<sup>5</sup> The Greater London Council (Various Powers) Act 1976 and the London Local Authorities Act 2007

- 6.6.7 It is possible to obtain faculty permission from the Chancellor of the diocese to enable the re-use of old public graves in consecrated areas. This has already been successfully implemented at the City of London Cemetery and by the London Borough of Enfield at Edmonton Cemetery. The issue of a faculty cannot be guaranteed, but the likelihood is increased by adequate preparation for the faculty application process.
- 6.6.8 This option is not practicable for individual or small groups of graves and requires a reasonable number of public graves located within a defined area and which have not received a burial for 75 years or more.
- 6.6.9 In practice, the grave is reopened to sufficient depth for two new burials. If remains of the uppermost original burial are uncovered during excavation they are removed and reburied in a communal grave nearby. The remaining original burials are left undisturbed.
- 6.6.10 Since the faculties were issued to the two London local authorities mentioned above, s.25 of the Burial Act 1857 has been amended and a faculty could now authorise the exhumation of old burials and their replacement at a lower depth within the same grave.
- 6.6.11 It is important to note that the faculty jurisdiction of the Church of England does not override statute law and separate statutory powers are required to enable exclusive rights of burial to be extinguished. Such powers do not currently exist for local authorities outside of London.
- 6.6.12 Currently, re-use of old graves in Cheshire East could only occur under faculty relating solely to old public graves on consecrated land.

## 6.7 Burial Records

- 6.7.1 Since the 16<sup>th</sup> century, it has been a requirement for vicars to maintain a register of baptisms and marriages, and also burials in parish churchyards. The Parochial Registers Act 1812 required the Burial Register to be kept separately and prescribed its basic form and required all burials to be consecutively numbered. The Act also required a copy to be made of the entries in the Register to be sent annually to the Registrar of the Diocese.
- 6.7.2 When cemeteries first developed in the 19<sup>th</sup> Century, they followed this established pattern of keeping records of all burials. The Burial Act 1853 required the Register to be in the same format as a church Burial Register and, again, a copy of the entries to be sent annually to the Registrar of the Diocese. The Burial Act 1857 emphasized the importance of the Burial Register by making it a felony to wilfully damage, destroy or make a false entry in it.
- 6.7.3 The Local Authorities' Cemeteries Order 1977 (LACO), as amended by the Local Authorities' Cemeteries (Amendment) Order 1986, is the legislation currently applicable to the registration of burials and the recording of the sale of exclusive rights.
- 6.7.4 LACO was the first legislation to prescribe in some detail the content of the records. The 1986 amendment enables the keeping of the statutory cemetery records on computer.

## **7.0 Key issues and areas for development**

### **7.1 Demand for burial across Cheshire East**

7.1.2 In 2016, cremation accounted for an average of 79 per cent of funerals in England and Wales. There thus remains a significant 21 per cent of the population, who chose burial for their dead. This proportion is expected to remain at around current levels in the foreseeable future.

7.1.3 ONS 2014-based projections for Cheshire East indicate both a growth and ageing of the population, together with an increase of 26.2 per cent in the numbers of deaths by 2039. This suggests that demand for burial in Cheshire East will grow over the next twenty years.

7.1.4 However, in Cheshire East, only 8.4 per cent of deaths in 2016 resulted in a coffin burial in one of the Council's cemeteries. Evidence gathered for this cemeteries strategy suggests that at least a further 7.6 per cent of deaths resulted in a coffin burial in cemeteries provided by town and parish councils and in parish churchyards.

7.1.5 Whilst the Council operates a total of 11 cemeteries, these account for only 52.3 per cent of coffin burials within Cheshire East. This indicates a preference for local burial provision and a high level of its availability.

7.1.6 Cheshire East has a relatively low population density, with higher densities of population concentrated around urban areas. Demand for burial follows a similar distribution, as illustrated overleaf in Figure 27, a map of Cheshire East showing deaths by ward in 2016

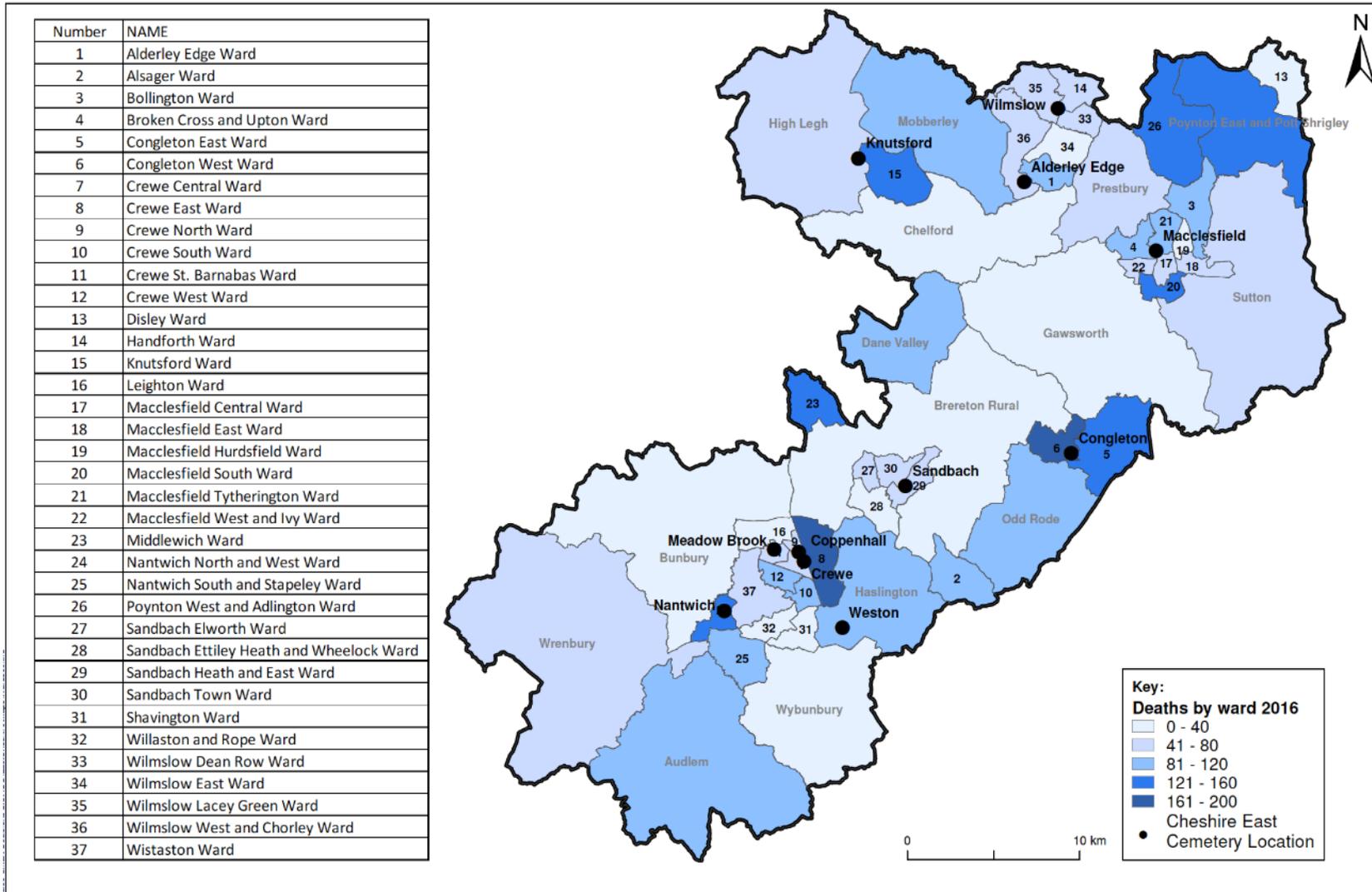


Figure 27: Deaths by ward in Cheshire East in 2016

## 7.2 Capacity for burial across Cheshire East

- 7.2.1 The local needs for burial provision in Cheshire East are in general currently being met through a combination of providers.
- 7.2.2 The analysis of Cheshire East Council's cemeteries, combined with surveys of town and parish councils and parish churches, suggests that whilst there generally appears to be sufficient provision for new graves, supply in some areas is limited.
- 7.2.3 In terms of its own cemeteries, Cheshire East Council could use a combination of optimisation of existing space for new graves, and the extension of cemeteries where space is lacking in order to maintain the availability of new grave spaces.
- 7.2.4 The optimisation of existing space within the cemeteries would require careful consideration of its impact upon access to graves, both new and existing.
- 7.2.5 It is important to have a clear understanding of the potential capacity within each cemetery. This would be best achieved by confirming the existence of empty and available graves within each section of each cemetery, including Crewe Coppenhall and Crewe Badger Avenue where no capacity is currently thought to exist. The checking of the cemetery grave plans and records against the situation on the ground would provide the most accurate information. 'Available' in this context means that they have not been formally reserved by individuals for future use.
- 7.2.6 The impact of trees, shrubs and other features upon new grave space deliverability could then be assessed, along with the costs and benefits of selective removal of these features.
- 7.2.7 The potential to deliver new grave space within the existing cemeteries in areas not currently designated for burial could also be explored. It would be important to

ensure that any space thus identified is deliverable on a cost-effective basis, as well as being acceptable in aesthetic, environmental, cultural and heritage terms.

- 7.2.8 The capacity at Wilmslow Cemetery could be significantly enhanced by overcoming the adverse ground conditions on Plot 3, which prevent its use for coffin burials. Without detailed site investigations, it is not possible to be certain whether the challenging ground conditions might be overcome.
- 7.2.9 One option to create new burial space could be to install concrete burial chambers, either below or above ground level. This would require an assessment of ground conditions by the supplier of the chambers to ensure their long-term stability. It would also require liaison with the Environment Agency to confirm the acceptability of the proposal in terms of any impact upon groundwater-
- 7.2.10 Concrete burial chambers are popular amongst certain groups, particularly people from the Caribbean and Italy, but can also have a more general appeal. They are more expensive to provide than standard earth graves and this is normally reflected in the price charged to bereaved families. It would therefore be appropriate to undertake consultation to ascertain whether burial chambers would be an acceptable option to the local community.
- 7.2.11 Figure 28 below combines data for estimated capacity with levels of demand for new graves in 2017 to provide indicative figures for years of continued capacity. Figure 28 assumes that demand at Crewe Coppenhall and Crewe Badger Avenue would be met locally at Crewe Meadow Brook.

Cemetery	Available graves	Demand in 2017	Capacity in years
Alderley Edge	1,322	11	120
Congleton	792	14	59
Crewe Coppenhall	0		0
Crewe Badger Avenue	0		0
Crewe Meadow Brook	6,705	62	108
Knutsford	426	15	29
Macclesfield	2,718	33	84
Nantwich	918	28	33
Sandbach	235	26	9
Weston	474	4	135
Wilmslow	283	16	18
<b>Totals</b>	<b>13,873</b>	<b>206</b>	<b>67</b>

*Figure 28: Estimated capacity in Cheshire East Council cemeteries.*

Source: Cheshire East Council Cemetery Records

- 7.2.12 However, the ONS 2014-based projections illustrated at Figure 23 indicate a 26.2 per cent increase in deaths in Cheshire East for the period between 2016 and 2039. The tables below at Figures 29 and 30 illustrate revised estimated numbers of graves remaining at each cemetery, when the percentage projected change in deaths for each year to 2039 is applied to the annual demand for new graves at each cemetery. This provides a more realistic understanding of future capacity.
- 7.2.13 For the purposes of this illustration, it is assumed that once capacity is no longer available at Sandbach, it would be accommodated at Crewe Meadow Brook, and similarly demand at Wilmslow would be met at Alderley Edge.
- 7.2.14 Crewe Badger Avenue and Crewe Coppenhall are omitted through having no capacity for new graves. Estimated capacity at the proposed extensions at Alderley Edge and Weston are included.

	Alderley Edge	Congleton	Crewe Meadow Brook	Knutsford	Macclesfield
2018	322	792	6,705	426	2,718
2019	314	781	6,635	408	2,685
2020	306	770	6,565	390	2,652
2021	298	759	6,493	372	2,618
2022	290	747	6,421	353	2,584
2023	281	736	6,349	335	2,550
2024	273	725	6,276	316	2,516
2025	264	713	6,202	297	2,481
2026	256	701	6,094	277	2,445
2027	247	689	5,986	258	2,409
2028	238	677	5,875	238	2,373
2029	229	664	5,761	217	2,335
2030	220	652	5,648	197	2,298
2031	211	639	5,531	176	2,260
2032	201	626	5,413	155	2,220
2033	192	613	5,294	133	2,181
2034	182	600	5,172	111	2,141
2035	172	586	5,048	89	2,100
2036	162	572	4,921	66	2,058
2037	134	558	4,794	43	2,016
2038	106	544	4,664	20	1,973
2039	76	529	4,531	0	1,930

Figure 29: Estimated annual capacity in Cheshire East Council cemeteries.

Source: Cheshire East Council Cemetery Records

	Nantwich	Sandbach	Weston	Wilmslow	All Cemeteries
2018	918	235	474	283	12,873
2019	894	205	469	269	12,660
2020	870	175	464	255	12,447
2021	845	144	459	241	12,228
2022	821	113	454	226	12,009
2023	796	83	449	212	11,791
2024	771	51	443	197	11,566
2025	745	19	438	182	11,342
2026	720	0	433	167	11,092
2027	694	0	427	152	10,862
2028	667	0	422	137	10,626
2029	640	0	416	121	10,384
2030	612	0	410	105	10,142
2031	585	0	405	89	9,895
2032	556	0	399	72	9,641
2033	528	0	393	55	9,388
2034	498	0	387	38	9,129
2035	468	0	380	21	8,864
2036	438	0	374	3	8,594
2037	408	0	368	0	8,320
2038	376	0	361	0	8,044
2039	345	0	355	0	7,762

Figure 30: Estimated annual capacity in Cheshire East Council cemeteries.

Source: Cheshire East Council Cemetery Records

- 7.2.15 The data for remaining capacity in Figures 29 and 30 suggest that there is sufficient capacity overall to meet demand for new graves for a considerable period, even beyond 2039, albeit that during this time Sandbach and Wilmslow cemeteries will become full and demand will switch to alternative locations.
- 7.2.16 Figure 31 below illustrates the potential future availability of new grave spaces in the Council's cemeteries that currently have space for new graves. The chart incorporates demand rising to 2039 in line with the ONS 2014-based projections and then continuing to rise at 2 per cent per year. The chart also includes demand switching from one cemetery to another as and when capacity is fully utilised.

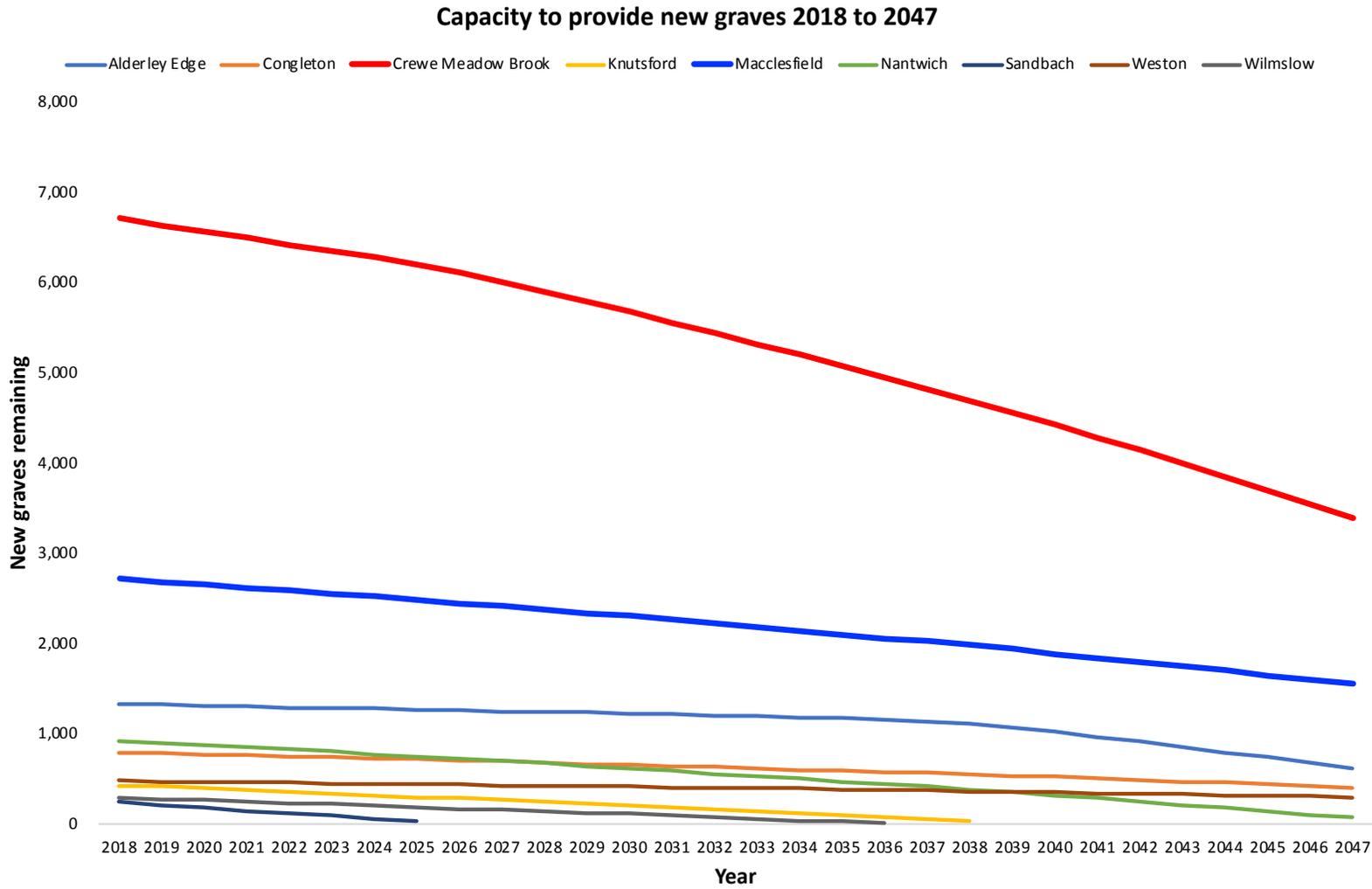


Figure 31: Capacity to provide new graves 2018 to 2047  
 Source: Cheshire East Council Cemetery Records

### **7.3 Drive-time catchment mapping and analysis – current situation**

- 7.3.1 A key factor influencing most people's choice of cemetery or crematorium for a funeral is its location relative to the people who will attend the funeral, and there is a general preference to minimize travel times.
- 7.3.2 Drive-time mapping is a tool that facilitates an understanding of catchment areas, populations and numbers of death.
- 7.3.3 Sophisticated computer software enables the identification of travel times by road traffic and its graphical representation as isochrones. These are irregular coloured shapes plotted on a map showing all of the geographical areas that are within pre-defined drive-times of selected locations.
- 7.3.4 Where a Funeral Director's hearse and limousine(s) lead even a short cortège of mourners' vehicles to a cemetery, travel speeds are often much lower than for normal traffic.
- 7.3.5 This is mainly a consequence of drivers trying to keep the cortège together when negotiating junctions so that everybody finds their way to the cemetery and arrives together at the right time for the funeral service.
- 7.3.6 The computer software accounts for varying travel speeds depending upon the roads within the search area and for this report has also accounted for the generally lower speeds achieved by funeral vehicles. The use of drive-time catchment mapping, using travel speeds of 60% of normal traffic, has been accepted at numerous Planning Appeals as being a valid approach to defining crematoria catchments. There is no reason why this approach is not applicable to cemeteries.

7.3.7 The maps below illustrate isochrones identifying areas within specified drive-times of those Cheshire East Council’s cemeteries with space remaining for burials.

7.3.8 It important to note that each isochrone shows the geographical area around its respective cemetery, in which residents would find that particular cemetery to be their closest out of the nine illustrated. There are churchyards and town and parish council cemeteries not illustrated, which may provide local burial in closer proximity than the respective Cheshire East cemetery.

7.3.9 Figure 32 below illustrates the 15-minute drive-time catchments:

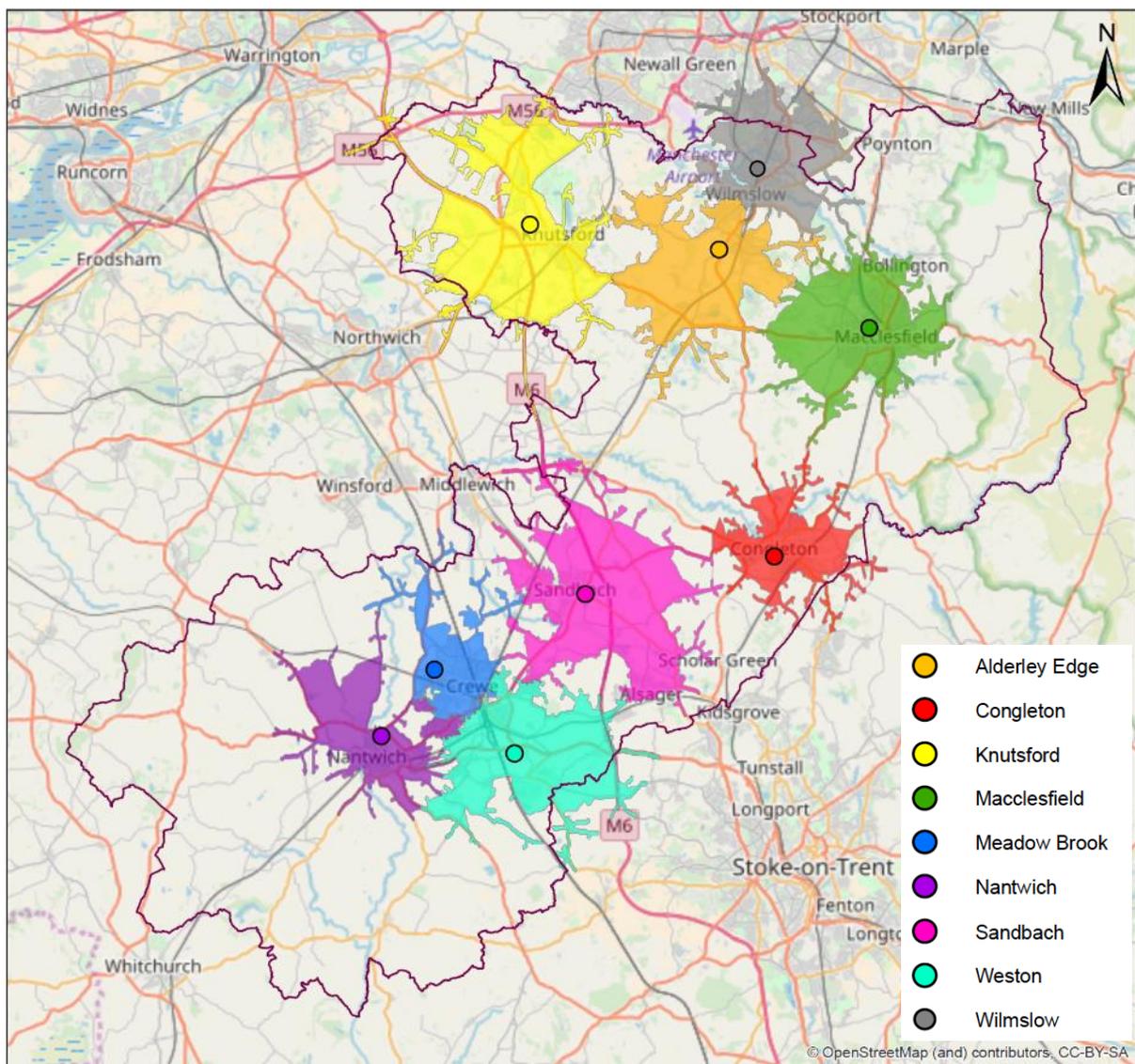


Figure 32: Cheshire East cemeteries 15-minute drive-time catchments

7.3.10 Figure 33 below illustrates the 30-minute drive-time catchments:

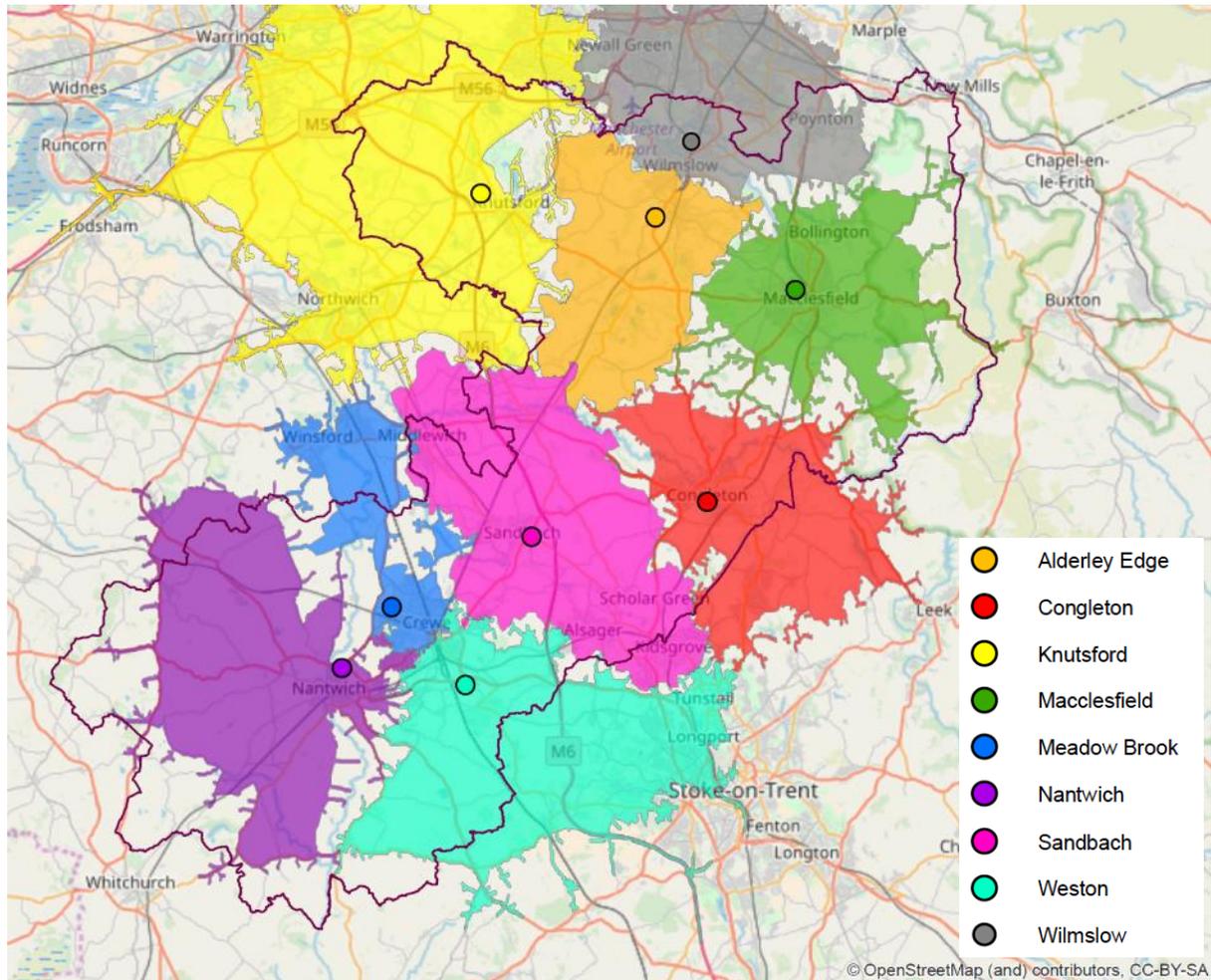


Figure 33: Cheshire East cemeteries 30-minute drive-time catchments

7.3.11 It can be seen that, as the drive-time increases to 30 minutes, most of the catchments extend beyond the boundary of Cheshire East.

7.3.13 Figure 34 below illustrates the 45-minute drive-time catchments:

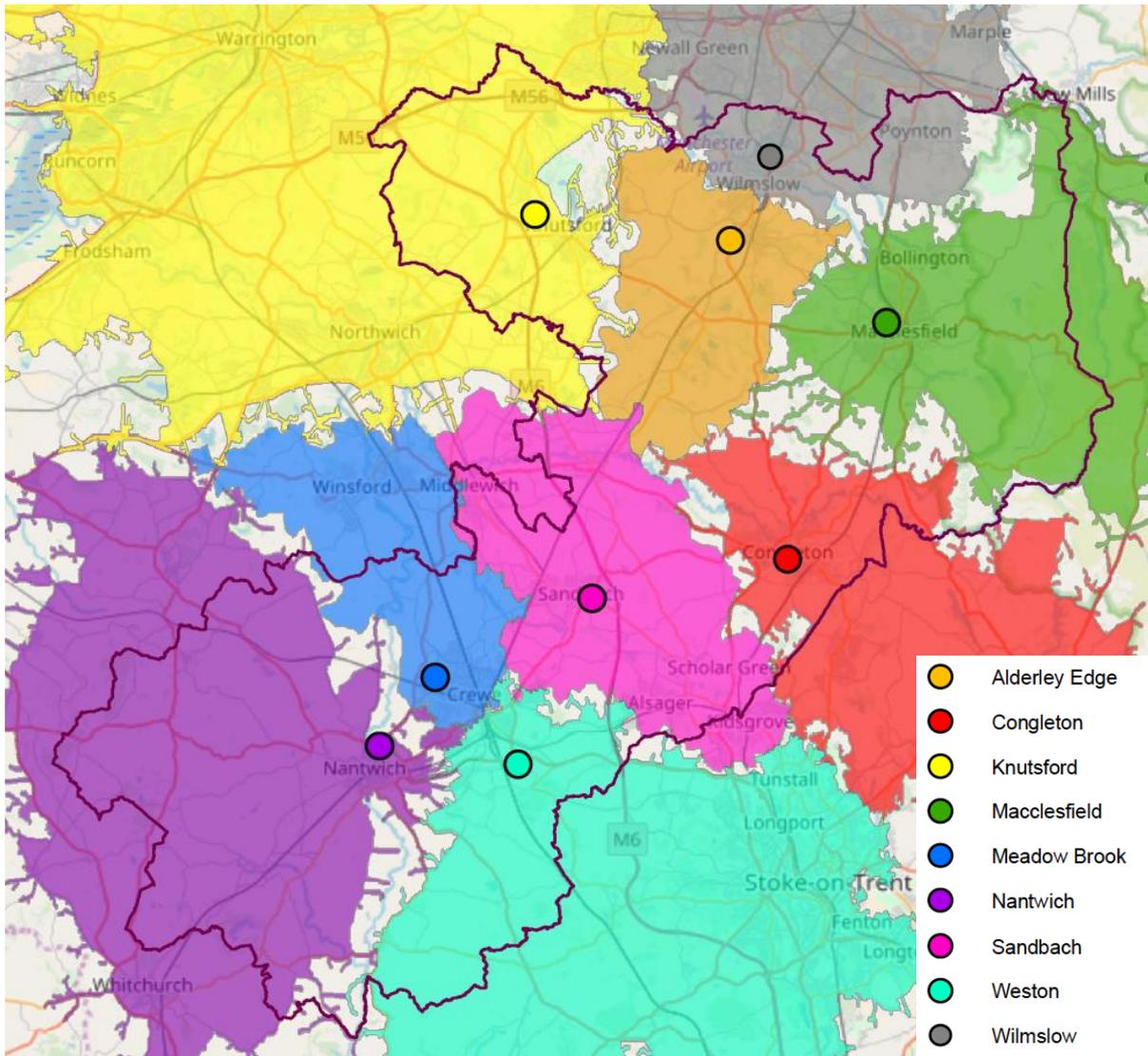


Figure 34: Cheshire East cemeteries 45-minute drive-time catchments

7.3.14 Figure 35 below illustrates the 60-minute drive-time catchments:

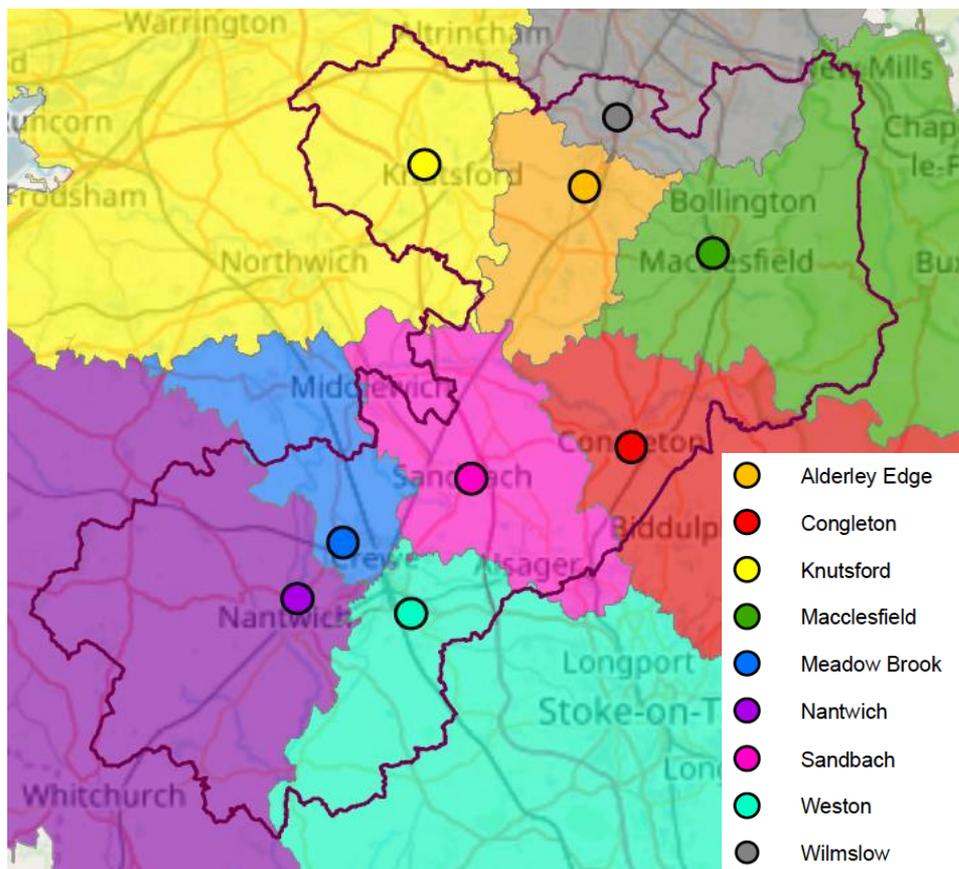


Figure 35: Cheshire East cemeteries 60-minute drive-time catchments

7.3.15 The isochrones illustrated in Figures 32 to 35 provide a useful visual representation of the geographical extent of the catchment area of each cemetery, on the basis that people would normally choose the closest cemetery.

7.3.16 The computer software does not only identify geographical catchment areas, but also generates data on population and deaths within each drive-time catchment.

7.3.17 The data are based upon Lower Super Output Area (LSOA) level, which are geographical areas used by the ONS for statistical purposes and contain an average of 1,500 people. The population data is taken from the Census 2011, as being the most accurate and the data on deaths relates to deaths occurring in 2016, the most recent data available at LSOA level.

7.3.18 Figure 36 below illustrates the population of Cheshire East within each drive-time catchment around each cemetery with new graves available:

Cemetery	Population in 2011 within each drive-time catchment			
	15 Mins	30 Mins	45 Mins	60 Mins
Alderley Edge	16,096	23,298	23,298	23,298
Congleton	24,992	26,482	26,482	28,529
Knutsford	15,209	16,790	16,790	20,366
Macclesfield	56,890	62,402	67,667	67,667
Crewe Meadow Brook	43,480	43,480	46,348	46,348
Nantwich	24,372	30,886	34,847	40,063
Sandbach	34,769	66,501	66,501	66,501
Weston	25,408	27,733	29,458	29,458
Wilmslow	21,633	36,227	37,475	42,813
<b>Totals</b>	<b>262,849</b>	<b>333,799</b>	<b>348,866</b>	<b>365,043</b>
<b>% of population</b>	<b>71%</b>	<b>90%</b>	<b>94%</b>	<b>99%</b>

Figure 36: Drive-time catchment populations 2011

Source: Drive-time computer software

7.3.19 Figure 37 below illustrates the numbers of deaths in Cheshire East 2016 within the various drive-time catchments of each council cemetery:

Cemetery	Deaths in 2016 within each drive-time catchment			
	15 Mins	30 Mins	45 Mins	60 Mins
Alderley Edge	207	279	279	279
Congleton	297	323	323	334
Knutsford	166	173	173	209
Macclesfield	582	656	708	755
Crewe Meadow Brook	422	422	456	456
Nantwich	313	400	443	476
Sandbach	370	680	680	680
Weston	239	252	274	274
Wilmslow	188	418	433	516
<b>Totals</b>	<b>2,784</b>	<b>3,603</b>	<b>3,769</b>	<b>3,979</b>
<b>% of deaths</b>	<b>70%</b>	<b>91%</b>	<b>95%</b>	<b>100%</b>

Figure 37: Drive-time catchment deaths 2016

Source: Drive-time computer software

7.3.20 Figure 13 above indicates that total coffin burials in Cheshire East Council cemeteries during 2016 totalled 331. This total represent 8.4 per cent of deaths in Cheshire East in that year.

7.3.21 Figure 38 below applies this overall 8.4 per cent figure to the deaths in 2016 within each drive-time catchment illustrated in Figure 37. This enables the calculation of the potential number of burials that might be expected at each cemetery from its respective drive-time catchment:

Cemetery	Calculated Burials (8.4% of deaths within each drive-time catchment)			
	15 Mins	30 Mins	45 Mins	60 Mins
Alderley Edge	17	23	23	23
Congleton	25	27	27	28
Knutsford	14	15	15	18
Macclesfield	49	55	59	63
Crewe Meadow Brook	35	35	38	38
Nantwich	26	34	37	40
Sandbach	31	57	57	57
Weston	20	21	23	23
Wilmslow	16	35	36	43
<b>Totals</b>	<b>234</b>	<b>303</b>	<b>317</b>	<b>334</b>

Figure 38 Drive-time catchment calculated burials 2016

Source: Drive-time computer software

7.3.22 Figure 39 below illustrates for each drive-time catchment the variation between actual and calculated burials, i.e. the actual burials in Cheshire East Council cemeteries in 2016, as recorded in the council’s cemetery records, as opposed to the numbers of burials calculated at 8.4 per cent of deaths occurring, which are identified by the specialist software within each drive-time catchment. Note that burials at both Crewe Badger Avenue and Crewe Coppenhall are included within Crewe Meadow Brook:

Cemetery	Actual Burials 2016	Variation between actual and calculated			
		15 Mins	30 Mins	45 Mins	60 Mins
Alderley Edge	23	6	0	0	0
Congleton	17	-8	-10	-10	-11
Knutsford	27	13	12	12	9
Macclesfield	63	14	8	4	0
Crewe Meadow Brook	86	51	51	48	48
Nantwich	44	18	10	7	4
Sandbach	31	0	-26	-26	-26
Weston	4	-16	-17	-19	-19
Wilmslow	36	20	1	0	-7
<b>Totals</b>	<b>331</b>	<b>97</b>	<b>28</b>	<b>14</b>	<b>-3</b>

Figure 39: Drive-time catchment actual burials and variation from calculated burials 2016

Sources: Actual Burials - Cheshire East Cemetery Records;

Calculated Burials - Drive-time computer software

- 7.3.23 Figures 38 and 39 are based upon applying the average 8.4 per cent of deaths across Cheshire East that resulted in a coffin burial in the Council's cemeteries in 2016.
- 7.3.24 Overall, there is only a difference of 3 between the total number of actual burials recorded (331) and the calculated number (334) within a 60-minute drive-time of the combined council's cemeteries.
- 7.3.25 A 30-minute drive-time has been recognised at a number of planning appeals as a desirable industry standard. Figures 38 and 39 illustrate that, overall, there is only a difference of 28 between the total number of actual burials (331) and the calculated number (303) within a 30-minute drive-time of the council's cemeteries.
- 7.3.26 The variation between calculated and actual figures within the shorter drive-times is likely to reflect the availability of alternative burial sites offered by other providers within the area concerned.

- 7.3.27 Crewe Meadow Brook appears to attract significantly more burials than might be expected from the calculations.
- 7.3.28 This may be due in part to the inclusion of actual burials at Crewe Coppenhall and Crewe Badger Avenue within the figure for actual burials at Crewe Meadow Brook. The drive-time catchment mapping and associated data reflect the current situation, where new graves are not available at Crewe Coppenhall and Crewe Badger Avenue. If these two cemeteries could still offer new graves, their drive-time catchments would extend into that shown for Weston.
- 7.3.29 The lack of new grave availability at Crewe Coppenhall and Crewe Badger Avenue is likely to lead people to choose Crewe Meadow Brook as their closest alternative. The extent to which this happens will only become clear from actual figures for demand in 2018 and future years.

**7.4 Drive-time catchment mapping and analysis – Two principal cemeteries.**

7.4.1 This section considers in isolation the two main urban areas, Crewe and Macclesfield, to examine the potential full extent of their catchments. Unlike the drive-time analysis for all nine cemeteries, the catchments have been allowed to merge, identifying areas which fall within an equal travel-time to either cemetery.

7.4.2 Figure 40 below illustrates the 15-minute drive-time catchments for Crewe Meadow Brook and Macclesfield:

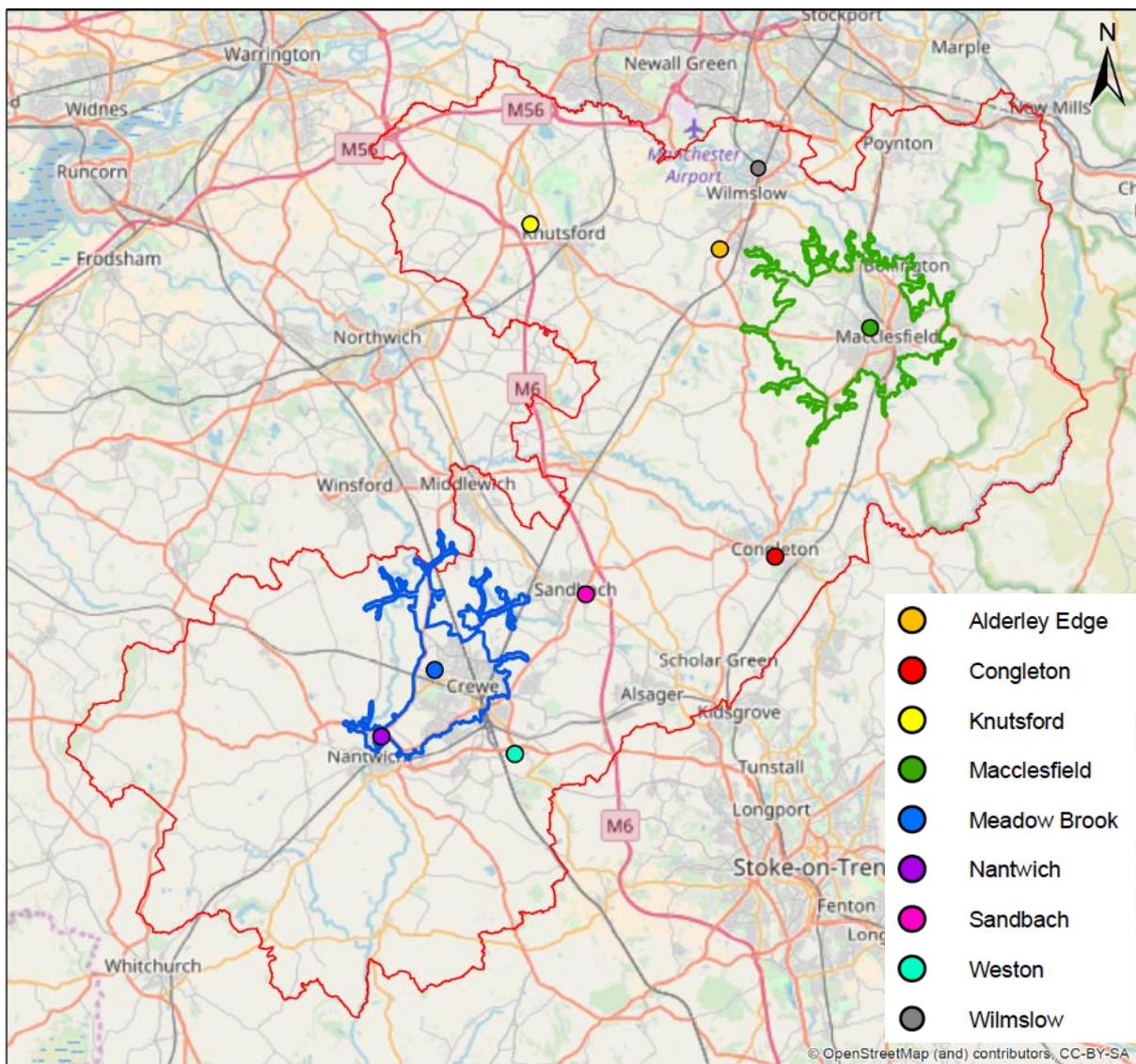


Figure 40: 15-minute drive-time catchments for Crewe Meadow Brook and Macclesfield

7.4.3 Figure 41 below illustrates the 30-minute drive-time catchments for Crewe Meadow Brook and Macclesfield:

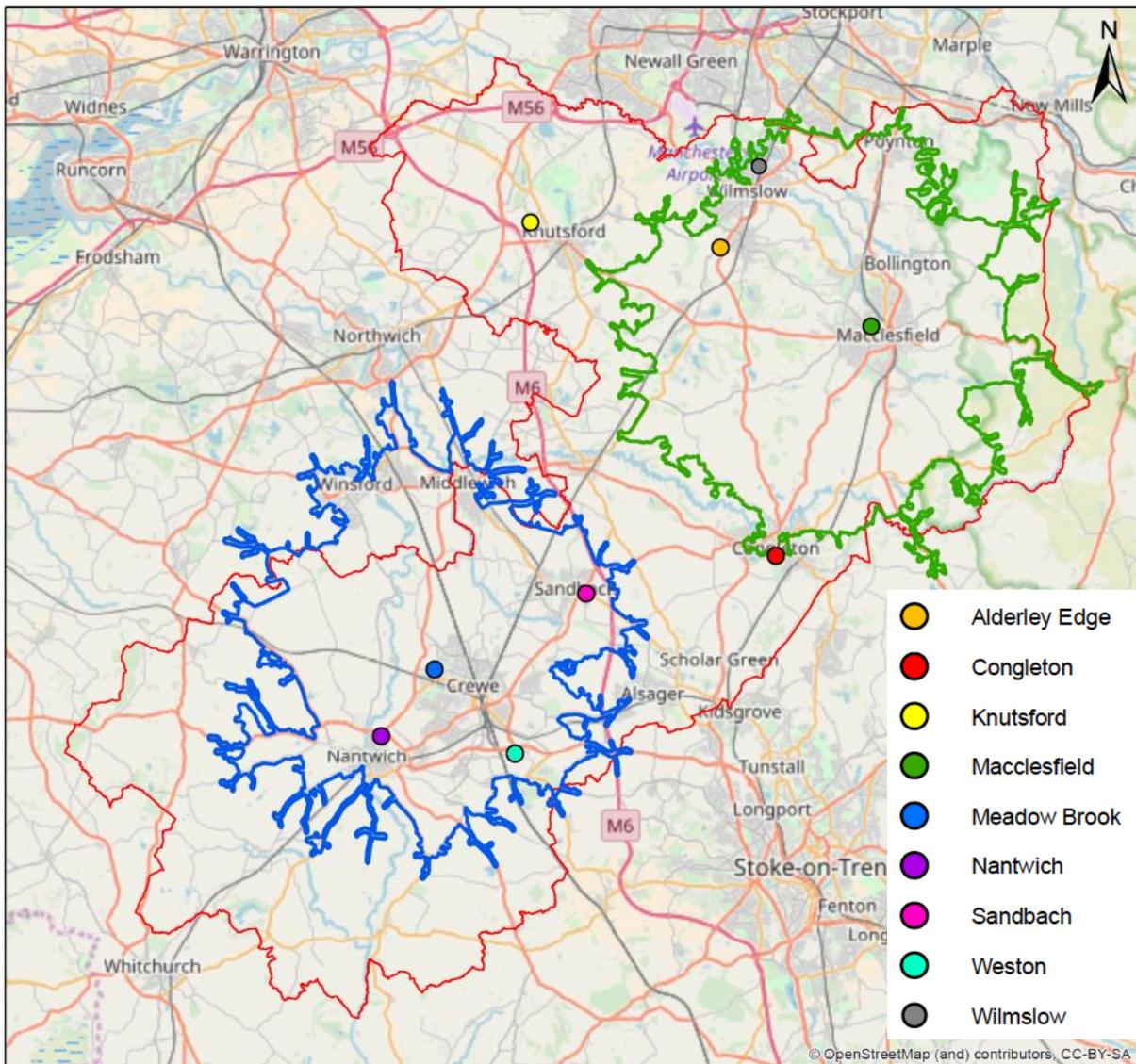


Figure 41: 30-minute drive-time catchments for Crewe Meadow Brook and Macclesfield

7.4.4 Figure 42 below illustrates the 45-minute drive-time catchments for Crewe Meadow Brook and Macclesfield:

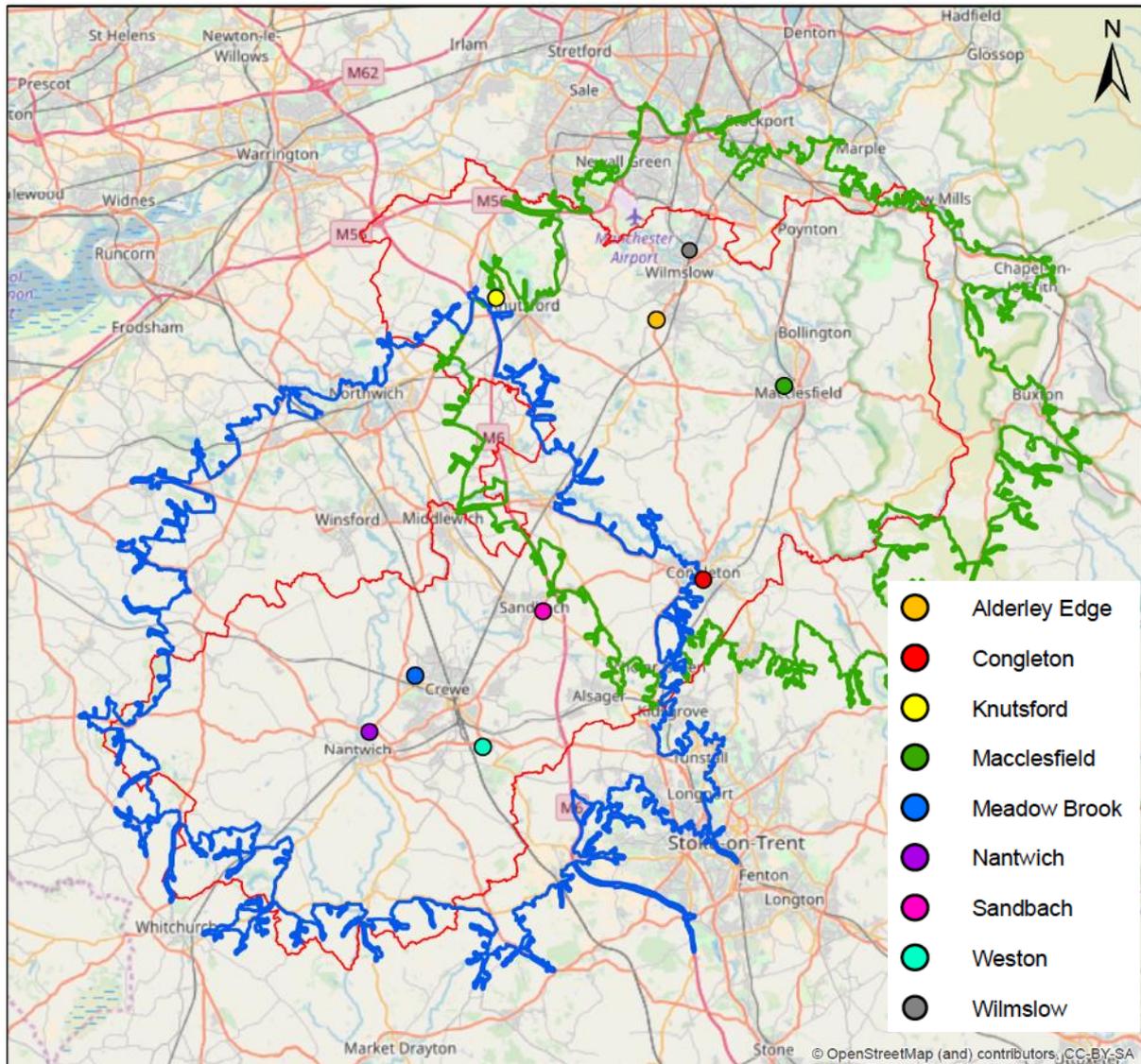


Figure 42: 45-minute drive-time catchments for Crewe Meadow Brook and Macclesfield

7.4.5 Figure 43 below illustrates the 60-minute drive-time catchments for Crewe Meadow Brook and Macclesfield:

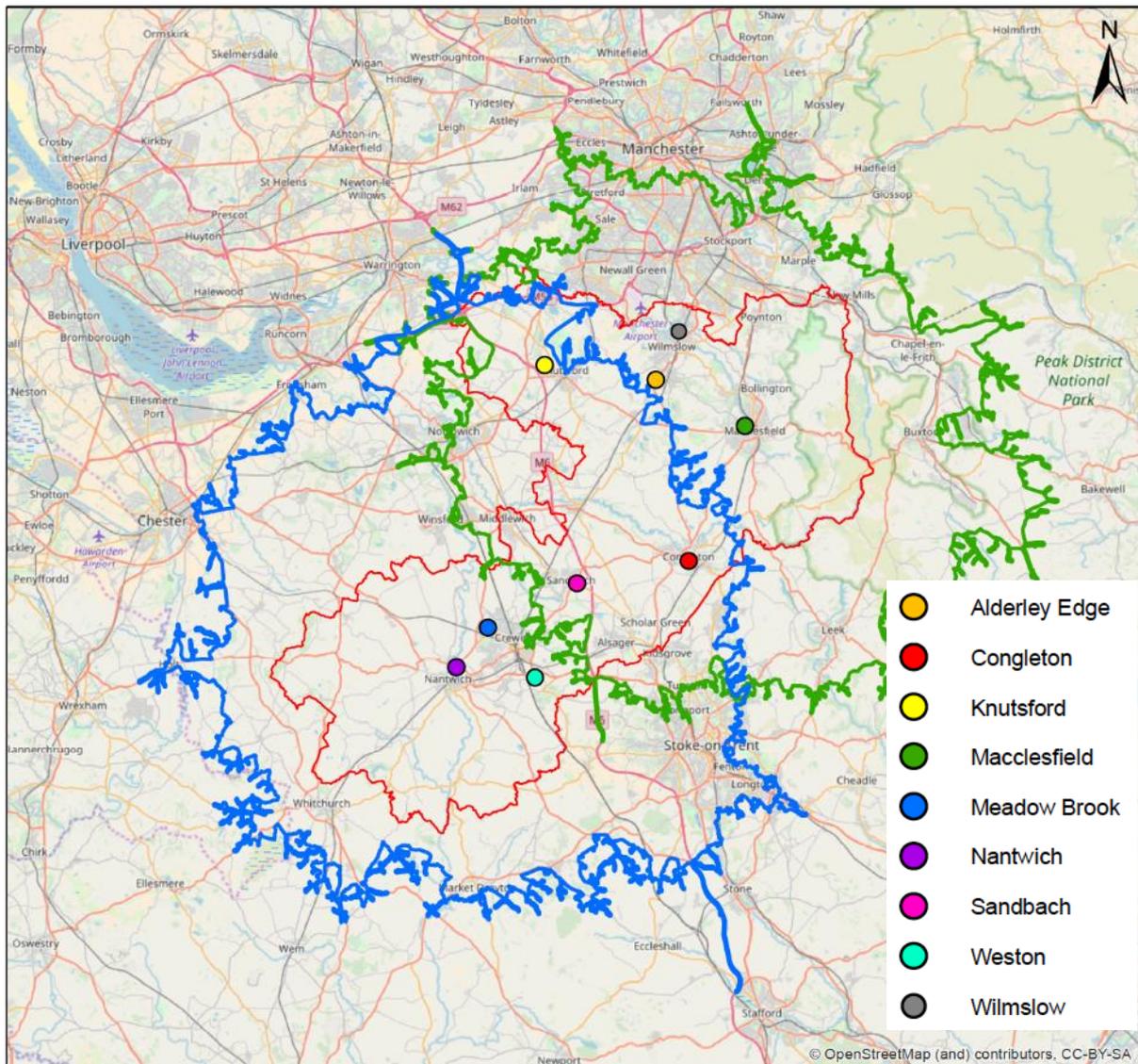


Figure 43: 60-minute drive-time catchments for Crewe Meadow Brook and Macclesfield

7.4.6 Figure 44 below illustrates the population of Cheshire East in 2011 within the drive-time catchment around each cemetery, including any overlap between catchments. The percentages refer to the proportion of the total population of Cheshire East residents within each catchment:

Cemetery	Population			
	15 Mins	30 Mins	45 Mins	60 Mins
<b>Macclesfield</b>	<b>54,455</b>	<b>124,600</b>	<b>193,507</b>	<b>251,499</b>
	14.7%	33.7%	52.3%	67.9%
<b>Crewe Meadow Brook</b>	<b>59,602</b>	<b>140,686</b>	<b>185,553</b>	<b>238,071</b>
	16.1%	38.0%	50.1%	64.3%

Figure 44: drive-time catchment populations 2011

Source: Drive-time computer software

7.4.7 The isochrones illustrated in Figure 41 reveals that there is no catchment overlap within a 30-minute drive-time of each site. Figure 45 suggests that 265,286 people, 71.7 per cent of the population of Cheshire East in 2011, lived within a 30-minute drive-time of either one or both of these two cemeteries.

7.4.8 In comparison, Figure 36 illustrates that there were 333,799 people, 90 per cent of the population of Cheshire East in 2011, who lived within a 30-minute drive-time of one of the Council’s nine cemeteries.

7.4.9 It is perhaps surprising that the current nine cemeteries include within a 30-minute drive-time only 68,513 more residents of Cheshire East in 2011 than just the locations of two of these same cemeteries. This is likely to be a reflection of the relative population densities and travel times in the various locations.

7.4.10 Figure 45 below illustrates the numbers of deaths in 2016 of Cheshire East residents within each drive-time catchment around each cemetery, including any overlap between catchments. The percentages refer to the proportion of the total of deaths of Cheshire East residents in 2016 within each catchment:

Cemetery	Deaths within each drive-time catchment			
	15 Mins	30 Mins	45 Mins	60 Mins
Macclesfield	<b>552</b>	<b>1,403</b>	<b>2,138</b>	<b>2,748</b>
	13.9%	35.4%	54.0%	69.4%
Crewe Meadow Brook	<b>598</b>	<b>1,428</b>	<b>1,946</b>	<b>2,483</b>
	15.1%	36.1%	49.1%	62.7%

Figure 45: drive-time catchment deaths 2016

Source: Drive-time computer software

- 7.4.11 Figure 45 suggests that 2,831 deaths, 71.5 per cent of deaths in the population of Cheshire East in 2016, were of residents within a 30-minute drive-time of one or the other of these two cemeteries.
- 7.4.12 Figure 46 below superimposes the separate 30-minute drive-time catchment isochrones for Crewe Meadow Brook and Macclesfield from Figure 41 over the 30-minute drive-time catchment isochrones for all nine cemeteries to enable a visual comparison:

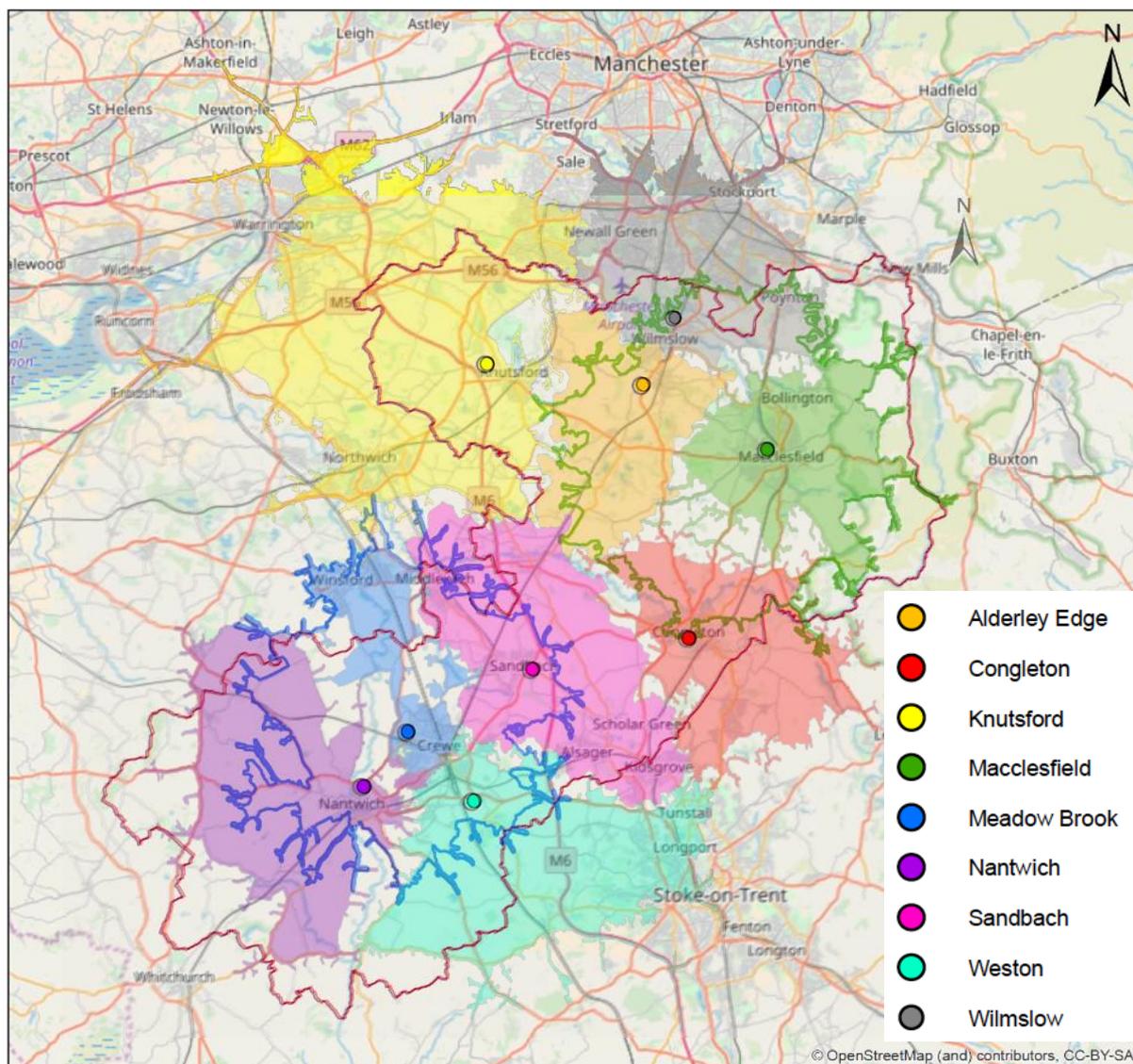


Figure 46: Comparison of 30-minute drive-time catchments

7.4.12 Figure 46 reveals the catchment areas of the individual cemeteries where they extend beyond the 30-minute drive-time catchments of Crewe Meadow Brook and Macclesfield.

7.4.13 Knutsford seems to be entirely beyond the 30-minute drive-time catchments of Macclesfield. Knutsford Cemetery is owned by Knutsford Town Council.

7.4.14 It is important to recognise that the drive-time catchments of town and parish council cemeteries and parish churchyards are not illustrated.

7.4.15 The drive-time catchment analysis suggests that Cheshire East Council might wish to consider Crewe Meadow Brook and Macclesfield as its two principal cemeteries and continue to operate and maintain their other cemeteries.

## 8.0 Vision, policies and objectives

- 8.1 The vision is to ensure that the quantitative and qualitative needs of the people of Cheshire East for burial are met, by working with other providers, both existing and potential, to enable this provision to be located in proximity to the population, which is often widely dispersed across Cheshire East's 1,166 square kilometres.
- 8.2 The vision requires an awareness of levels of demand and capacity and their distribution, to seek to meet those needs through developing appropriate provision in terms of location and type of burial facilities.
- 8.3 The key policy is for Cheshire East Council to focus its long-term burial provision in two principal cemeteries in Crewe and Macclesfield, whilst continuing to operate and maintain the other cemeteries. The future management of the seven cemeteries outside of these two main conurbations, and the development of additional provision, could better meet local needs by being the responsibility of town and parish councils.
- 8.4 A policy of optimising burial space in existing cemeteries, sensitive to aesthetic, heritage and access considerations, would maximise the period during which each cemetery will be able to offer new graves.
- 8.5 A policy on an appropriate fee structure for exclusive rights of burial agreed with reference to supply and demand that could cover a range of exclusive rights that benefits both the bereaved and the Council, would provide greater flexibility and sustainability.
- 8.6 Exclusive rights of burial could be offered with a range of periods, such as 25, 50 and 75 years, a range of renewal options, such as five or ten years, and priced accordingly. The shortest period would be offered at the lowest price and would benefit those unable to afford the longer periods. It would enable them to subsequently renew the exclusive rights at affordable rates if they so wished. This would be a more appropriate way to provide equality of opportunity than a single price.

## 9.0 Cemetery Strategy Short Term

9.1 The strategic management of the cemeteries requires ready access to reliable data, which will be provided by:

- Consolidation of the three separate BACAS databases.
- Inclusion of mapping of graves in BACAS for all cemeteries.
- Confirm ability of BACAS to produce management statistics suited to the specific needs of Cheshire East Council.
- Provision of resources, including training in the use of the mapping program, to identify graves in each section of each cemetery that are empty, available and deliverable.
- Audit of data held within BACAS to ensure accuracy.

9.2 Review periods of exclusive rights, extension periods and pricing structure.

## **10.0 Cemetery Strategy Medium Term**

- 10.1 Research potential solutions to overcoming difficult ground conditions at Wilmslow Cemetery.
- 10.2 Progress the development of the extension of Weston Cemetery.
- 10.3 To consider, where appropriate, the transfer of existing facilities or working to set up a trust for future cemetery provision where there is a desire to provide more local provision over and above Cheshire East's principal provision.

## **11.0 Cemetery Strategy Long Term**

- 11.1 Cheshire East Council to continue to manage the two principal cemeteries at Crewe and Macclesfield, providing burial facilities that are sustainable, through a combination of the measures already taken in the short and medium term.
- 11.2 Continue to consider the transfer of existing facilities and or the creation of trusts for future cemetery provision, where appropriate, (as 10.3 above).
- 11.3 The short-term actions relating to BACAS will provide ready access to accurate and reliable data and associated mapping will enable the Council in the long-term to:
- Optimise the use of land already available within existing cemeteries.
  - Continue liaison, co-operation and appropriate degrees of joint-working, with town and parish council and churches to ensure continued burial space provision to meet local need.

## Cheshire East Council Cemetery Regulations

### Introduction

Cheshire East Borough Council welcomes all visitors to their cemetery grounds. Visitors are kindly asked to respect the peace, dignity and reverence of these facilities in order to promote them as places of tranquillity for quiet reflection.

Visitors are requested to contribute to the peaceful environment that the Council seeks to maintain within the cemeteries by acting in a dignified and respectful manner at all times and to comply with the requirements of these Regulations and relevant Terms and Conditions.

These regulations are the general terms and conditions under which Cheshire East Council operates its 11 cemeteries. They are designed to ensure the safe and peaceful operational enjoyment of the cemeteries for all visitors and staff.

Additional specific terms and conditions apply to particular areas and features within the sites.

### Locations

Northern Area	Address	Post Code
Bereavement Administration Office (North)	The Cemetery Lodge, 87 Prestbury Road, Macclesfield. Telephone 01625 383 946-8	SK10 3BU
Alderley Edge Cemetery	Chelford Road, Alderley Edge	SK9 7TQ
Knutsford Cemetery	Tabley Hill Lane, Tabley	WA16 0EW
Macclesfield Cemetery & Crematorium	Prestbury Road, Macclesfield	SK10 3BU
Wilmslow Cemetery	Manchester Road, Wilmslow	SK9 2LE

Southern Area	Address	Post Code
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Bereavement Administration Office (South)	The Cemetery Office, Market Close, Crewe. Telephone 01270 685 545	CW1 2NA
Congleton Cemetery	Howey Lane, Congleton	CW12 4AE
Crewe Coppenhall Cemetery	Reid Street, Coppenhall	CW1 3DZ
Crewe Badger Avenue Cemetery & Crematorium	Badger Avenue, Crewe	CW1 3JG
Crewe Meadow Brook Cemetery	Minshull New Road, Crewe	CW1 3PP
Nantwich Cemetery	Whitehouse Lane, Nantwich	CW5 6HP
Sandbach Cemetery	The Hill, Sandbach	CW11 1JJ
Weston Cemetery	Cemetery Road, Weston	CW2 5LQ

Memorial masons and contractors may only undertake work in the cemeteries on Mondays to Fridays during the standard times of opening, excluding Public Holidays.

## Access

Private motor vehicles may use the designated roads within the cemeteries, respecting the cemetery environment. They must not exceed 10 mph and must not be driven off the roads onto adjoining areas at any time.

Parking is available in designated car parks within the cemeteries at Congleton, Crewe Badger Avenue, Crewe Meadow Brook and Macclesfield. Vehicles may be parked on the roads within the cemeteries, provided the vehicle remains wholly on the carriageway, except for the cemeteries at Crewe Coppenhall and Weston, where there is no vehicular access.

Buses and coaches must not enter the cemeteries and all passengers must disembark at the entrance, unless given prior consent by the council or the council's agents.

The roads within the cemeteries must not be used for the purpose of learning to drive.

Cycles are permitted in the cemeteries, but must be ridden on the roads only and at a maximum speed of 10 mph.

Skateboarding, roller skating and similar activities are not permitted within the cemeteries.

Children under the age of 10 years may only visit the cemeteries if accompanied and supervised by a responsible adult.

Dogs are permitted within the cemeteries, but must be kept under strict control and on a lead at all times. The person in charge of a dog is responsible for cleaning up and appropriately disposing of any dog fouling that may occur within the cemeteries.

Horses are not permitted within the cemeteries, with the exception of horses used to draw a hearse.

## Conduct

Our cemeteries are places of peace and reflection. In the interests of others, we will not permit anyone to:

- create any disturbance or commit any nuisance
- interfere with, or act in a disrespectful manner towards, any burial taking place
- interfere with any grave, vault, memorial, plants or trees
- play at any game or sport
- consume alcohol, except in association with burial ritual or by prior authorisation from the Bereavement Services Manager
- use threatening, offensive or abusive language towards any staff member or visitor or assault any staff member or visitor
- undertake commercial filming or photography without prior authorisation from the Bereavement Services Manager
- undertake guided walks or tours without prior authorisation from the Bereavement Services Manager

Any person who fails to meet these reasonable standards of conduct will be asked to leave the site immediately and also may be subject to civil or criminal action as appropriate.

**Burials Procedure**

All burials must initially be booked with the staff at the relevant Bereavement Administration Office. By arrangement with the relevant Bereavement Administration Office, a member of staff can be available to meet the family or the bereaved or their representatives at the cemetery to discuss and clarify the arrangements. Alternatively, bookings can be placed by telephone.

The booking must then be confirmed by delivery of the Council’s fully completed ‘Notice of Interment’ form, together with the Registrar’s Certificate or Coroner’s Order, or other relevant legally required authorisation for the burial to that Office.

In the case of burials requiring new graves or new plots for ashes, it is advisable for the family concerned to visit the cemetery of their choice to see the types of graves that are on offer at that particular site and to understand any restrictions on types of memorial that may be applicable.

New graves or new plots for ashes are normally prepared in sequence. Where a family wish to select a grave or plot that is outside of this sequence, an additional fee is payable.

If any official documents are transmitted electronically, the originals must be received by the appropriate area Bereavement Administration Office before the funeral may proceed.

The timescales for delivery of the documents are set out below:

<b>Type of burial</b>	<b>Delivery of Notice of Interment and Registrar’s or Coroner’s certificate to the appropriate Bereavement Administration Office</b>
Coffin burial in a new grave	Minimum of 3 working days before the burial
Coffin burial in a reopened grave	Minimum of 2 working days before the burial
Ashes burial	Minimum of 2 working days before the burial

The Council shall not be responsible for:

- Any discrepancies, errors or omissions in any 'Notice of Interment' or other document relating to a funeral or the consequences arising from such discrepancies, errors or omissions.
- Failure to complete any documents appropriately and in accordance to the law relating to a funeral or the late receipt of any 'Notice of Interment' or other documents will result in the delay of the funeral.

Where the funeral involves the reopening of a purchased grave, the funeral may only proceed where sufficient space remains in the grave and under one of the following circumstances:

- The written consent of the registered owner of the exclusive rights is included on the 'Notice of Interment.'
- The funeral is that of the registered owner of the exclusive rights.
- In any other circumstances, the ownership of the exclusive rights must be formally transferred to the person legally entitled to ownership before the funeral may take place. This transfer should be completed using forms supplied by the Council.

All fees associated with a burial in the Council's cemeteries must be received at the appropriate Bereavement Administration Office together with the Notice of Interment and Registrar's or Coroner's certificate.

All graves and ashes plots will be prepared by the Cemetery Staff or their nominated agent.

Where mourners wish to backfill a grave, advance notice of this should be communicated to the Bereavement Administration Office on the Notice of Interment.

### Types of coffin / container

The type of coffin or other container that will be accepted for burial in the cemeteries must be appropriate for the type of burial:

- **Standard burial:** any type of coffin or casket except zinc-lined, lead-lined or made of metal.
- **Shroud burial:** the shrouded body should be brought to the cemetery in a coffin, from which it is removed prior to lowering the shrouded body into the grave.

The standard grave space provided in the cemeteries accommodates most sizes of coffin and casket. However, in the case of a particularly large coffin or casket, it will be necessary to allocate and charge for 2 grave spaces to enable the burial to take place.

**Private Graves / Exclusive Rights of Burial**

The cemeteries and each grave space within them are the property of the Council. However, the Council may grant the Exclusive Right of Burial within a grave space or ashes plot for 100 years, subject to specific terms and conditions relevant to the particular type of grave or plot selected in each case.

There is a fee payable for the purchase of the Exclusive Right of Burial. In addition, there is a fee payable for each burial that takes place in the grave or plot.

The Council issues a formal Deed of Grant of Exclusive Right of Burial for each grave or plot and, together with these Regulations and the associated Terms and Conditions issued at the same time, this forms the legal contract between the Council and the purchaser.

The Exclusive Right of Burial entitles the registered holder(s) to:

- Be buried in the grave or plot, subject to space being available;
- Authorize further burials in the grave or plot, subject to space being available;
- Apply and erect a suitable memorial on the grave or plot, in accordance with the Regulations and Terms and Conditions specific to the type of grave;
- Apply for an additional inscription on a memorial on the grave or plot.

Ownership of the Exclusive Right of Burial does not give individuals or families the right to place any items on a grave or plot that are not permitted in cemeteries. Such items include, but are not restricted to, wind chimes, windmills, flags, lights, candles, any kind of fencing and anything made of glass. These restrictions form part of the Terms and Conditions of the sale of the Exclusive Right of Burial. The Council reserves the right to remove any item that they consider unsuitable from any grave without notice. Any item removed will be retained at the cemetery for one month pending collection by the individual concerned, after which it will be disposed of if unclaimed.

No burial may take place within a grave and no memorial may be erected upon a grave without the written consent of the registered owner of the Exclusive Right of Burial in that grave.

The Council will grant the Exclusive Right of Burial in a grave to one named individual. Where desired, the Council will grant the Exclusive Right of Burial in a grave to two named individuals. Each registered owner of the Exclusive Right of Burial may be buried in the grave without the consent of the other registered owner, subject to there being sufficient space within the grave.

However, the written consent of both registered owners will be required to enable a memorial to be erected on the grave or to permit the burial in the grave of any other person.

Possession of the Deed of Grant of Exclusive Right of Burial in itself does not prove ownership of the exclusive rights. The ownership of the Exclusive Right of Burial belongs to the purchaser as registered by the Council at the time of the sale of the right or following the registered transfer of ownership.

The ownership of the Exclusive Right of Burial may be transferred either during the owner's lifetime or after their death, using the appropriate Council Forms.

At least one year prior to the expiry of the Exclusive Right of Burial in a grave, the Council will seek to contact the registered Grantee offering to extend the Exclusive Right of Burial. However, where the Exclusive Right of Burial in any grave expires and is not renewed, it will revert to the Council.

In such cases, neither the original purchaser of the Exclusive Right of Burial nor anyone to whom the Exclusive Right of Burial may have been transferred has any rights to the grave. The Council reserves the right to remove any memorial on a grave where the Exclusive Right of Burial has expired and after 3 months to use or dispose of the memorial in any manner it thinks fit.

It is the responsibility of the owner of the Exclusive Right of Burial to inform the Council of any change of address or their intention to transfer ownership of the right.

**Public graves**

A public grave is one in which no exclusive right of burial has been granted and in which the Council may bury the bodies of unrelated people at any time.

There is a fee payable for each burial that takes in the grave or plot.

If it is desired to erect a memorial upon a public grave, it will be necessary to purchase the Exclusive Right of Burial, which includes the right to erect and maintain a memorial. This option is only available in relation to the most recent burial in the grave.

## Memorials

Memorials must conform to the specific standards set for each type of grave and contained within the relevant Terms and Conditions. These standards relate to design, materials, size and methods of fixing.

Memorial masons and their employees and/or subcontractors must be suitably qualified, experienced and competent to perform all works necessary when erecting, dismantling and repairing memorials to meet current industry and statutory Health and Safety requirements and guidelines.

The standard of workmanship will be evidenced by qualifications and registration obtained from an accreditation scheme operated by either the National Association of Memorial Masons Retail (NAMM) or the British Register of Accredited Memorial Masons (BRAMM) or equivalent.

All memorials shall be erected to conform to the most recent edition of the National Association of Memorial Masons' 'Recommended Code of Working Practice' or the British Register of Accredited Memorial Masons' 'Blue Book'.

The details of each proposed memorial must be submitted to the appropriate Bereavement Administration Office using the Council's Memorial Application form. The memorial may only be erected / installed following written approval by the Council, issued in the form of a Permit.

Subject to the type of grave selected, it may be necessary to allow a period of 12 months to pass following a burial before a memorial can be erected upon a grave.

The Council reserves the right to remove any memorial, which either does not conform to its description on approved the Memorial Application form or which is erected without the permission of the Council. The memorial will be retained at the cemetery for 3 months only, pending collection by the individual concerned, after which it will be disposed of if unclaimed. The Council reserves the right to take action against the responsible memorial mason, in accordance with the Council's licensing scheme or the BRAMM Scheme or equivalent.

The maintenance and insurance of the memorial is the responsibility of the owner of the Exclusive Right of Burial.

## Grounds maintenance

The maintenance of the grounds, including the cutting of all grass areas and the excavation of graves is the responsibility of the Council.

In order to excavate or gain access to excavate a grave, it may be necessary to temporarily place plant, equipment and excavated materials on top of adjacent graves. The period during which this may be necessary will be kept to a minimum. Once the burial has been completed, the grave will be backfilled and the surface of any adjacent grave affected by the works will be made good.

Following a burial, the grave will be backfilled and any floral tributes placed carefully over the grave. All floral tributes, including plastic bases and 'oasis', may be removed and disposed of by the Council 14 days after the burial.

Subject to the specific Terms and Conditions for the grave concerned, the owner of the Exclusive Right of Burial in a grave may plant and cultivate suitable, low-growing plants or place cut flowers within a specified area of the grave. The Council reserves the right to remove plants, plastic flowers, cut flowers, wreaths or other such items in the interests of maintaining the site to the highest standards.

Following each burial in an earth grave, the ground will settle over a period of months. The Council will routinely top up the level of any grave that sinks in this way for up to one year from the date of the burial.

The Council reserves the right of passage by people and machinery over all graves for all purposes in connection with the cemeteries, including but not limited to grounds maintenance; preparation of graves; erection, removal and repair of memorials; memorial safety inspections. The Council reserves the right to cover or temporarily remove any memorial in connection with burials in the cemeteries.

When a grave is excavated for a second or subsequent burial, it may be necessary to remove the memorial upon the grave to enable safe excavation. It is the responsibility of the owner of the

exclusive rights in the grave to arrange for the memorial to be removed and replaced upon the grave after a suitable period has elapsed to allow for the settlement of the backfilled ground.

When a grave is excavated, it may be necessary to temporarily remove one or more memorials to enable access to the grave. In such circumstances, the affected memorial(s) will be replaced immediately following the funeral.

### Payments

Payments for all goods and services must be received by the Council prior to any funeral service, burial or erection of a memorial in any of the cemeteries.

### Responsibility for loss or damage

The Council is not liable for any damage or loss of personal property caused by third parties within Cemetery.

### Comments, suggestions and complaints

The staff at the cemeteries are here to assist you and to ensure that the highest standards of service are achieved in the cemeteries. If you wish to leave any comments or feedback then please e-mail us at XXX. If for any reason you consider that our standards are not being met, please raise the matter in the first instance with the Bereavement Services Manager at the appropriate Bereavement Administration Office.

The Council's Complaints Procedure is available from our office or on our website.

### Review of Regulations

The Council reserves the right to review and amend at any time these Regulations and any Terms and Conditions of sale of exclusive rights.

These Regulations were approved and adopted by the Council on XXX

### Definitions

**"Council"** means Cheshire East Council

**"Cemetery"** means any cemetery provided and maintained by Cheshire East Council.

**“Resident or Parishioner”** means any person residing within Cheshire East Council who can provide proof of residency, either with a Council Tax Bill or via the Electoral Register.

**“Coffin” or “Casket”** means any container within which a body or cremation ashes of a person may be buried in the cemetery. All containers used for burial must be suitable for the purpose and have adequate identification of the deceased therein.

**“Burial” or “Interment”** means the placing of a coffin, or other container containing a body or ashes into any type of grave or plot for ashes.

**“Grave”** means a burial place formed in the ground by excavation and surrounded by earth sidewalls.

**“Grave space” or “Plot”** means the area allocated by the Council and comprising of the grave itself and its surrounding sidewalls of earth.

**“Exclusive Right of Burial”** means the right to decide who is buried in a specific grave, the type of memorial that may be erected upon the grave and the inscription upon it, all subject to these Regulations and the terms and conditions attached to the Deed of Grant of Exclusive Rights issued by the Council. The Council may periodically review and modify the Cemetery Regulations and terms and conditions. The granting of the exclusive right of burial includes the granting of the right to erect and maintain a memorial upon the grave, subject to the completion of the Council’s memorial application form and subject to the memorial complying with the Regulations and Terms and Conditions relevant to the type of grave.

**“Purchased” or “Private”** grave or plot means a grave in which the Council has granted the Exclusive Right of Burial.

**“Public” or “Unpurchased”** grave means a grave in which the Council has not granted the Exclusive Right of Burial and in which the Council may permit the burial of unrelated people at the Council’s discretion.

**“Lawn grave”** means a grave space where the surface of the grave and the adjoining ground is level, clear of obstructions and maintained as a grass lawn. An approved memorial may be erected and maintained at the head end of the grave space within a border 18” (457mm) deep.

**“Traditional grave”** means a grave space upon which an approved memorial with kerbs may be erected and maintained.

**“Memorial”** means any memorial authorized by the Council to be installed and maintained within the cemeteries.

**“BRAMM”** means the British Register of Accredited Memorial Masons

**“NAMM”** means the National Association of Memorial Masons

**“Unsuitable”** means anything deemed by the council to negatively impact on the cemetery environment or other users of the cemetery.

**“Suitable planting”** means the selection of plants that will not exceed a height of 450mm or spread of 450mm [I think maximum dimensions should be specified, but these are simply suggestions]



## Cabinet

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**Date of Meeting:** 10 July 2018

**Report Title:** Cheshire East Council Common Allocations Policy Review

**Portfolio Holder:** Cllr Ainsley Arnold - Portfolio Holder for Housing, Planning and Regeneration.

**Senior Officer:** Frank Jordan – Executive Director - Place

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### 1. Report Summary

- 1.1. Cheshire East Council currently has a Common Allocations Policy in place which was approved on the 31<sup>st</sup> March 2015 and sets out how social housing will be allocated across the authority in accordance with Part VI of the Housing Act 1996.
- 1.2. In February 2018, permission was granted to consult on proposed changes to the Common Allocations Policy. This was due to a number of factors including:
  - 1.2.1. New duties brought about by the Homeless Reduction Act 2017.
  - 1.2.2. Case law updates and Central Government guidance.
  - 1.2.3. Reflective review of comments, complaints and compliments and feedback from a recent Peer Review.
- 1.3. The way in which social housing is allocated is key to creating strong, prosperous, sustainable communities. Cheshire East Council is committed to putting residents at the heart of what we do and working to develop even better outcomes for our residents and access to decent, affordable accommodation is at the forefront of this.
- 1.4. Following consultation on the proposed changes, this report includes a summary of the feedback (Appendix one) and outlines the recommended changes to the Common Allocations Policy (Appendix two) and seeks approval of the revised policy (Appendix three).

## **2. Recommendations**

### **2.1. That Cabinet:**

- 2.1.1. Approves the revised Cheshire East Council Common Allocations Policy (Appendix three)
- 2.1.2. Delegates authority to the Executive Director of Place in consultation with the Portfolio Holder for Housing, Planning and Regeneration to make any future revisions to the Common Allocations Policy following changes in legislation and Government guidance.

## **3. Reasons for Recommendations**

- 3.1. It is a statutory requirement that Local Authorities have an Allocations Policy in place under Part VI of the Housing Act 1996. The Policy needs to reflect changes in legislation and Government guidance as well as local requirements.
- 3.2. It is important that the Policy is regularly reviewed to ensure that it remains fit for purpose and continues to ensure that the limited resource of social housing is allocated fairly, in line with legislation and with local and national priorities.

## **4. Other Options Considered**

- 4.1. There were no alternative options considered, as failure to update the policy in line with changes in legislation will leave the Council open to challenge.

## **5. Background**

- 5.1. In February 2018, a report was presented to the Portfolio Holder for Housing, Planning and Regeneration, which outlined a number of proposed changes to the current Cheshire East Council Common Allocations Policy that had previously been approved by Cabinet in 2015.
- 5.2. The report outlined that a review of the existing policy had identified areas that required changes to ensure that our policy is in line with legislation and local requirements. Approval was given to carry out a consultation exercise on the proposed changes.
- 5.3. Consultation took place for a six-week period from 5<sup>th</sup> March 2018 to 10<sup>th</sup> April 2018. The consultation exercise asked residents and stakeholders to say if they agreed or disagreed with the following proposed changes and to comment as appropriate:

- Tenants of social landlords cannot register for a move within the first 12 months of their tenancy unless they can evidence an urgent need to move or significant risk of harm.
- Proposed banding for those receiving assistance for homelessness.
- Proposed banding for armed forces personnel.
- Proposed banding for households in social housing wishing to downsize.
- Proposed banding for people living in supported accommodation
- If a Household is overcrowded in excess of the bedroom standard or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C+ if they do not have long term security of tenure as opposed to Band C.
- Where an applicant's current accommodation is having an adverse effect on a diagnosed medical condition of any member of the household who intends to move, applicants will be placed in Band C+ if they have no security of tenure as opposed to Band C.
- Where an applicant's current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C+ if they have no security of tenure as opposed to Band C .
- Changes to the definition of having a local connection.
- Removal of the assessment criteria for pregnant women over 20 weeks in term of overcrowding. Pregnant women will only be considered for an additional room for baby after baby is born.
- Additional policy regarding re-lets in multiple unit blocks of flats or maisonettes - will be allocated on a 50-50 basis 50% to singles over 25, couples and families in employment 50% to applicants in the highest priority band.

5.4 Following the close of the consultation period, 18 responses were received. The majority, 62% were received from Cheshire East Council residents. 11% were from members of a voluntary or community organisations and 27% Cheshire East Council officers, and Registered Housing Providers.

5.5 Following consultation, the responses were presented to the Cheshire Homechoice Board. The Board comprises of representatives from Cheshire East Council, Peaks and Plains, Guinness Trust and Plus Dane Group and all comply with the Common Allocations Policy when allocating social housing. Whilst Cheshire East Council is responsible for the administration of the policy, partners have to be in agreement to the proposed changes.

5.6 Appendix 1 provides a summary of the feedback and the responses prepared by the Cheshire Homechoice Board.

## **6. Implications of the Recommendations**

### **6.1. Policy Implications**

6.1.1. Housing is intrinsically connected to a range of strategic priorities emanating from national directives, Cheshire East Council's strategic, and service initiatives including the Local Plan Core Strategy, Cheshire East Council's Business Plan, Homelessness Strategy and the Housing Strategy.

6.1.2. Cheshire East Council relies very heavily on Registered Providers to deliver and maintain good quality social housing to meet the diverse housing needs of our communities. We need to ensure that they have the capacity and ability to deliver this through their structures and maintain sustainable communities.

### **6.2. Legal Implications**

6.2.1. Under Part VI of the Housing Act 1996 it is a statutory requirement that a Council has an allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation; and allocations must be made in accordance with that scheme.

6.2.2. The Act requires authorities, before adopting an allocation scheme, or altering a scheme to reflect a major change of policy, to:

6.2.2.1. Send a copy of the draft scheme, or proposed alteration, to every Private Registered Provider with which they have nomination arrangements, and

6.2.2.2. Ensure they have a reasonable opportunity to comment on the proposals.

6.2.2.3. The Localism Act 2011 gives Councils the freedoms to enable them to manage their housing waiting list better by giving them the power to determine which applicants do or do not qualify for an allocation of social housing. Councils are able to operate a more focused list which better reflects local circumstances and can be understood more readily by local people.

6.2.2.4. Whilst the Act gives, the Council, more freedom it is still a requirement to maintain the protection provided by the statutory reasonable preference criteria to ensure that priority for social housing goes to those in the greatest housing need.

6.2.3. Whilst there is no specific requirement on a Council to consult before adopting an allocations policy, case law has established that a duty to consult can be implied where the decision being taken is so important; or its impact will be of such significance that basic fairness dictates that consultation is appropriate. Therefore, a decision was taken to carry out a wider consultation exercise.

### 6.3. Finance Implications

6.3.1. The proposed policy changes can be implemented within the current available budget.

6.3.2. Changes to the banding system and the priorities awarded will require amendments to the ICT system. There is a £5,000 allowance for ICT amendments in the Homechoice budget, which is estimated, will cover the costs, however Councils have been allocated grant funding for ICT provision in relation to the implementation of the Homelessness Reduction Act (£9,000) and therefore if these costs exceed the allocated budget then there is some contingency funding, which can be drawn upon.

### 6.4. Equality Implications

6.4.1. An Equality Impact Assessment has been completed. [Common Allocations Policy - Equality Impact Assessment](#)

6.4.2. The Council is committed to ensuring equality and the promotion of diversity and will seek to ensure that applicants are not discriminated against on the basis of race, ethnic origin, culture, religion, gender, sexual orientation, age or disability. The Allocations Policy is subject to an Equality Impact Assessment (Appendix four) and regular monitoring will be undertaken to ensure its fair implementation.

6.4.3. Human Rights Implications - Cheshire East considers that the provisions of this Housing Allocations Scheme comply with the provisions of the Human Rights Act 1998 and the European Convention on Human Rights

### 6.5. Human Resources Implications

6.5.1. There are no HR implications for Cheshire East Council.

**6.6. Risk Management Implications**

6.6.1. In order to ensure that Cheshire East Council do not face legal challenge it is important to ensure that all partners sign up and adhere to the Common Allocations Policy and do not operate additional policies in tandem. By consulting with partners and agreeing the proposed changes, then this mitigates against the risk of partners having to operate additional policies to meet their own business needs.

**6.7. Rural Communities Implications**

6.7.1. For most of the suggested policy, changes that are outlined report there is limited or no impact on Rural Communities specifically.

**6.8. Implications for Children & Young People**

6.8.1. Concerns were highlighted by Children's Services in relation to the access to social housing for young people leaving care. The primary issue being: those young people whom are impacted by the reduced priority assessment by virtue of a history of rent arrears or anti-social behaviour. The assessments that relate to this concern are outside of the scope of the Policy and can be actioned more quickly through the partnership agreements and procedures with our Registered Providers. By addressing the issue in this way, it is hoped that the Council can negotiate a more positive outcome for our young people.

**6.9. Public Health Implications**

6.9.1. The provision of decent accommodation can have significant health benefits for residents. Poor housing can affect a person's mental and physical health. We need to ensure that residents have access to affordable, appropriate housing and reduce the use of temporary accommodation where possible.

**7. Ward Members Affected**

7.1. All wards

**8. Consultation & Engagement**

8.1. Invitations went out via emails, web notifications and a press release to stakeholders and residents to express their views on the proposed changes to the policy. Comments were collated via an on line survey. Consultation

took place over a six-week period from 5<sup>th</sup> March 2018 to 10<sup>th</sup> April 2018. Appendix one provides a summary of the feedback and responses.

## **9. Access to Information**

- 9.1. Appendix one – summary of consultation feedback and responses  
Appendix two – summary of the proposed changes to the policy  
Appendix three – Revised Cheshire East Council Common Allocations Policy

## **10. Contact Information**

- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Karen Carsberg

Job Title: Strategic Housing Manager

Email: [Karen.carsberg@cheshireeast.gov.uk](mailto:Karen.carsberg@cheshireeast.gov.uk)

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**Appendix One - Homechoice board – consultation feedback and responses**

**The summary below presents the questions which were consulted on and the feedback and Cheshire homechoice comments and recommendations.**

1. Tenants of social landlords cannot register for a move within the first 12 months of their tenancy unless they can evidence an urgent need to move or significant risk of harm.

**No comments made for feedback**

2. Proposed banding for those receiving assistance for homelessness

Feedback	Homechoice board comments & recommendations
Clarity required on the priority banding for 190 "Intentionally Homeless" cases.	Policy outlines that those applicants whom are homeless but not under a local authority duty will be placed in band C.
the policy states people can register on Homechoice at 16 "however tenancies are usually only offered to people 18yrs and over" – Could you share a bit more information as to why and what can be done for a 16/17yr old to have a tenancy? We ourselves have two young people in their own tenancies at this age. Do Homechoice and the housing providers just need a guarantor or is there other criteria? What for example if we had a 17yr old who was working full time and earning a good income?	Young people under the age of 18 are not financially responsible or eligible for credit and as rent to registered providers is often paid in arrears this would place young people in a position the car not legally accountable for. Young people with a guarantor earning over £16,000 per year will be considered based on the basis of the financial stability of their guarantor. Young people earning a good income are still not liable for financial credit so would not be considered without a guarantor.
Following an appeal, the local authority has 40 working days to review it. – To me 8 weeks seems a long time to make a decision. Could the reason for this timescale be explained or could it be reduced?	This is because a panel review requires a full panel meeting and a quorum to provide fairness and equality and these meetings are bi-monthly. In exceptional cases, an email to all parties could be considered but this is not preferable as it reduces the opportunity for fairness and debate.
The Homechoice Panel (Appeal Panel) – Can other agencies be represented on this panel such as Children's' Social Care / Adults? Do minutes of these panel's get shared with families and services that support them?	Other agencies can submit representations and evidence in support of an application or even attend the hearing but an appeal is against the policy it is for the partners to determine if the policy has been followed or not. Minutes are not shared due to data protection and the families and individuals discussed my not all be known to other agencies.
Reduced preference on banding – It does not give a timescale – previously it has been 12 months for care-leavers but there was a suggestion that this was being reduced to 6 months. However now the policy is vague and gives no timescales. Can you give a timescale?	This detail is contained within the procedure document and not the outline policy. Timescales are currently at 12 months for all applicants.
When Housing considers reducing a care-leavers banding I believe that this should be done in consultation with Children's' Services. This could be a joint Housing/Children's' meeting and then a	This is outside the scope of the policy review as it relates to the assessment detail. However, in response board are happy for the ignition panel to be party to the decision making

<p>decision recorded on both the young persons Children's' file and Housing's own systems. Length could be negotiated with the person given actions and targets to work to.</p>	<p>on care leavers provided there is representation from the Homechoice partnership at each meeting. This will be addressed in the Homechoice procedures.</p>
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3. Proposed banding for armed forces personnel

Feedback	Homechoice board comments & recommendations
<p>Armed forces personnel will be in receipt of pensions which allows them to access the private housing sector.</p>	<p>Some ex-armed forces personnel will have disabilities or needs that cannot be accommodated by private sector housing. Not all ex-armed forces personnel will be in receipt of a pension that will be sufficient to meet their housing needs.</p>

4. Proposed banding for households in social housing wishing to downsize

Feedback	Homechoice board comments & recommendations
<p>Under-use of properties should have a high banding for those wishing to down size to free up much needed larger properties.</p>	<p>This will remain the case.</p>
<p>I think the downsizing criteria need to be placed in a higher band than band C, making room for people in need of larger homes.</p>	<p>This comment supports the decision to place sponsored downsizing households in band B</p>

5. Proposed banding for people living in supported accommodation

Feedback	Homechoice board comments & recommendations
<p>Need to consider Tenancy Sustainability in these instances, what support packages are in place/need to be in place and tenure of these support services to aid tenancy sustainment.</p>	<p>Cheshire East floating support services will be used to ensure tenancy sustainment. Cheshire East has procured Housing Related Support Services across Cheshire East.</p>

6. If a Household is overcrowded in excess of the bedroom standard or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C+ if they do not have long term security of tenure as opposed to Band C

**No comments made for feedback**

7. Where an applicant's current accommodation is having an adverse effect on a diagnosed medical condition of any member of the household who intends to move, applicants will be placed in Band C+ if they have no security of tenure as opposed to Band C.

Feedback	Homechoice board comments & recommendations
Requires clarity on medical condition as this is open to interpretation.	“Any condition or disability that is being impacted by an applicants current housing circumstances.” Full clarity for officers is available in the procedure’s document instructing staff on the detail of their assessment.
People with Asperger’s or Autism should receive more support in terms of banding/allocation. Cheshire Homechoice needs to be more accessible- for those with physical AND non-physical impairments.	Learning disabilities would be considered within this assessment and the impacts of an applicants current housing circumstances on their disability would be taken account of. The Banner “medical” does not just refer to physical health.
People with medical conditions should be placed in a higher band than band C, your policy does not support their health needs and the impact they have.	Where an applicant’s condition is significantly impacted by their housing their application would be considered under band B “urgent housing need” where the need to move has an urgency or there is a risk of harm this assessment would be used rather than the general medical assessment

8. Where an applicant’s current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C+ if they have no security of tenure as opposed to Band C

Feedback	Homechoice board comments & recommendations
Requires clarification i.e. "Poor Property Condition (not caused by tenant)	Poor property condition would be confirmed following a visit from our Housing Standards team. Only disrepair that is something that requires landlord action and that the required action is not being address would result in a priority.
I cannot see that the information explicitly mentions sufferers of domestic abuse. It does mention violence but not all domestic abuse includes violence but could be harassment, stalking etc.	Assessments for domestic abuse would be made under the band B criteria “urgent housing need”. Clarity will be added to the final policy in this regard.

9. Changes to the definition of having a local connection

Feedback	Homechoice board comments & recommendations
I don't think you are going far enough in terms of how long a person should be living in Cheshire East before being allocated social housing. I think a person should have lived in the area for 5 years minimum as an over 18. I think it would be harder to fake living here for 5 years than it would for 2 years, reducing the Council’s burden to support bogus claims for support.	This change responds directly to government guidance. There is not the opportunity to be more flexible.
Clarify Page 17 of the draft policy: “Currently live, or have lived, within Cheshire East and have	As an adult or child. Any 2 consecutive years that

<p>done for at least 2 consecutive years.” This appears very ambiguous and open to interpretation, does not mention as an adult, or when the 2 consecutive years are considered as being applicable.</p>	<p>can be evidenced by the resident would be acceptable. The burden of proof is with the applicant, however we are able to refer to the electoral register and other council resources, where required.</p>
<p>i.e. lived in Cheshire East in late teens and early 20s then moved to another borough, many years later fancied returning to their ‘routes’ – appears would have local connection, also very difficult to evidence the two years if they are historic.</p>	<p>The evidence in this case would need to be provided by the resident. The guidance on this is taken from central government; it is more robust than our former policy.</p>
<p>The local connection for social housing appears to be more stringent when many people would qualify as local connection under other remits, but not for local connection to the social register, it appears we would have to result in channelling more people via HRS accommodation and into the PRS, both of which are a finite and expensive alternative outcome.</p>	<p>This change is a requirement outlined by Central government. Applicants whom are former residents will gain the right to return but residents whom have just arrived will have to have been resident for longer.</p>
<p>In the proposed changes to a Local Connection then the issue of the changes made to the legislation in the Homeless Reduction Act in relation to Care Leavers has not been addressed in the new Policy. The Homelessness Reduction Act 2017 states that where a care leaver is aged under 21 and normally lives in a different area to that of a local authority that owes them leaving care duties, and has done for at least 2 years including some time before they turned 16, the young person will have a local connection in that area. The Policy only references Care Leavers under Cheshire East Council. Regard needs to be made to the change to the legislation.</p>	<p>A qualification for a connection under any homelessness legislation will be considered under the “other significant reason criteria” This seemed simpler than creating a new variable criteria. The detail for this assessment will be contained in the supporting document for staff (the procedures) to help them understand how to conduct all policy assessments.</p>
<p>Largely welcome these proposals. However, I represent the large rural ward of Sutton, in which Sutton itself has a large number of bungalows: the neighbouring parishes of Wincle, Wildboarclough and Macclesfield Forest are all in the National Park. I am concerned that local knowledge has been lost. When the bungalows were built, I was told that the reason there were so many, was to ensure that the needs of the local farmers and others could get access to a semi-rural property on retirement, as with the National Park's policies, it would never be possible to recreate them in those parishes. Can there please be an assurance that, if any of these are not fully adjoining Sutton Parish, they will be given the local occupancy category, as though the residents were from Sutton Parish itself?</p>	<p>There is no record of this agreement in planning records or a formal section 106 agreement.</p>
<p>Obviously we are most concerned for our service users – will there be exemptions to people fleeing domestic abuse re: needing to have a local connection and/or waiting 12 months before a move? The rule seems rather ‘blanket’ as set out here.</p>	<p>As per the current policy, each case would be considered separately and regard given to an assessment under the criteria of “Other significant reason”.</p>

10 & 11. Removal of the assessment criteria for pregnant women over 20 weeks in term of overcrowding. Pregnant women will only be considered for an additional room for baby after baby is born

Feedback	Homechoice board comments & recommendations
The criteria for pregnant women should also include males who may be main carers following separation and accommodation banding should be based on future need not after the child is born to avoid risk to a child at arrival.	Men with caring responsibility will also be considered.
It's contradicting that a pregnant person qualifies for extra room than say someone who has 2-5 children in one room	The policy allows an allocation of an addition room when there are more than 2 people sharing a room.
Making pregnant women wait until they've given birth would put the mother through stress which could harm the baby. It also means she could give birth in an unsafe, unsuitable environment and would prevent the mother from 'nesting' instinct which I understand helps to bond with the baby. I'm unsure why it would be suggested to wait until after the baby is born - I hope it's not in case the child is still born or given up for adoption, but can't see why else, which is baffling.	The decision on this mirrors the decision made by the DWP & Housing Benefit qualification. The policy is not a blanket policy and where there is an urgent need to move a housing officer would work with an expectant mother to secure a discretionary housing payment and a property of a suitable size.

12. Additional policy regarding re-lets in multiple unit blocks of flats or maisonettes - will be allocated on a 50-50 basis 50% to singles over 25, couples and families in employment 50% to applicants in the highest priority band

Feedback	Homechoice board comments & recommendations
"Multiple unit flats - speaking as a homeowner with a young family, you buy in an area with people in similar circumstances to yourself - so you buy near other families, for friendship, community, support and so on. You wouldn't want to bring a family up around lots of single people - that's two very different groups. Would it not make sense to put singles/child free couples together in one bed accommodation in a multi unit block of flats, and families in 2+ bed accommodation in a different block of multiple unit flats?"	Where a household elects to request a move to a multiple unit block we would not refuse an application. The policy outlines in the allocation criteria that families get priority for houses but should they chose to live in a flat, those whom are working would be given a priority for every other let.

13. Other comments

Feedback	Homechoice board comments & recommendations
The corporate parenting duty applies to the whole Council and should be supported by relevant partners (which would include Registered Providers of social housing). The Council commissions Voice for Children to support the Council to deliver excellent services for our cared for children and care leavers. The contract for 2018-19 has been revised to include a mentoring scheme for cared for	Where Cheshire East Care leavers are in adequate accommodation, they will remain in band D (adequate means that all their housing needs are met and there are no risks to their health of safety). Where Cheshire East care leavers have a need

<p>children / care leavers that require support in respect of debt, youth offending and drugs and ensure that their ability to access good / sustainable housing is not put in jeopardy. Hope this supports the conversation re: an allocation policy for care leavers that cements a Band B priority irrespective of concerns that, as corporate parents, we are working with our vulnerable children to turn around.</p>	<p>to move they will move to band B (above all other young people with a housing need and in the same group as residents at risk of homelessness) Where Cheshire East care leavers have arrears or other reason for reduced preference their case will have a tailored approach (agreed at the ignition panel between Social Care colleagues and Housing) to supporting them to achieve a re assessment as quickly as possible.</p>
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**Appendix Two - Policy changes outlined**

Existing policy	Amendment following review & consultation	Page
<p>Existing tenants of the partner Registered Providers, who have been tenants for 12 months or more, can apply to move and will have their priority assessed in the same way as any other applicant. The decision to permit a transfer to a property with the same Registered Provider is at the discretion of the Registered Provider.</p>	<p>Any tenants of social landlords (Registered Providers) in the first 12 months of their tenancy will be excluded from registering for a move, unless they can evidence an urgent need to move or significant risk of harm.</p> <p>Tenants of social landlords will be permitted to register after the first 12 months of their tenancy however in order to be considered for an alternative tenancy from their existing landlord they will have to meet the transfer criteria outlined by their landlord.</p> <p>Common reasons for tenants being overlooked are:</p> <ul style="list-style-type: none"> <li>• Rent arrears</li> <li>• Poor property condition</li> <li>• A poorly maintained garden</li> </ul> <p>Moves to other landlords will be considered in alignment with general lettings criteria.</p>	<p>Page 7</p>
<p>Not present</p>	<p><b>Under a homeless relief duty and accommodated by Cheshire East Council</b></p> <p>Customers whom have been assessed as qualifying for the Homelessness Relief Duty s.189(b)(2), in accordance with the Homelessness Reduction Act 2017, and have been place in emergency accommodation by Cheshire East Council will qualify for band A priority. This priority will be time limited and subject to bidding controls or direct offers.</p> <p><b>Under a Cheshire East Council homeless prevention or relief duty and likely to qualify for an allocation of emergency accommodation</b></p> <p>Households whom are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act <b>AND</b> are likely to qualify for an offer of emergency accommodation, will be placed into Band B. This priority will be time limited and subject to bidding controls or direct offers.</p>	<p>Pages 12 &amp; 13</p>

	<p><b>Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation</b></p> <p>Households whom are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act <b>AND</b> are <b>NOT</b> likely to qualify for an offer of emergency accommodation, will be placed into Band C+. This priority will be time limited.</p> <p><b>Homeless or at risk of homeless but not under Cheshire East Council duty</b></p> <p>Where households have elected not to be assessed under the homelessness reduction act or are owed a duty by another local authority; priority band C will be awarded to applicants whom have:</p> <ul style="list-style-type: none"> <li>• Received a non priority or intentional homeless decision</li> <li>• Had their prevention or relief duty discharged</li> <li>• Had their full homeless duty discharged</li> <li>• Have elected not to be assessed under the homelessness reduction act</li> </ul> <p><b>AND</b> remain homeless or at risk of homelessness.</p>	
Not present with this degree of clarity	Current and former armed forces personnel whom are already adequately housed will be placed in Band D. Where a household of current or former armed forces personnel has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as having served in the armed forces and is overcrowded they will be assessed as Band B). Where an applicant is in housing need AND has a serious disability as a result of service in the armed forces applicants will be placed in band A.	Page 13
Current tenants who occupy larger homes belonging to one of the partner Registered Providers, whom are willing to move to smaller, more manageable accommodation, may be considered for downsizing priority. Applicants will need to obtain the support of their landlord before being awarded this priority and the aim is to make their existing home	<p>Current tenants who occupy larger homes belonging to one of the partner Registered Providers <b>AND</b> whom are experiencing issues with affordability maybe placed in band B. <b>Applicants will need to obtain the support of their landlord before being awarded this priority.</b> This assessment differs significantly from the under-occupation priority; sponsorship for this priority would come from, and be monitored by, the Registered Provider and will be time limited and could be subject to bidding controls or direct offers.</p> <p>This assessment will not confirm eligibility to any other downsizing schemes held by the partners nor does it mean that the Registered Provider will finance a move.</p>	Page 13

<p>available to other applicants registered with Cheshire Homechoice.</p> <p>Applicants with downsizing priority will be placed in Band A.</p> <p>Where more than one applicant in a short list has downsizing priority, the partner allocating the property may use discretion in conducting the allocation and may overlook the effective date of the applicants.</p> <p>This assessment will not confirm eligibility to any other downsizing schemes held by the partners nor does it mean that the Registered Provider will finance a move.</p>		
<p>Applicants from Supporting People funded supported accommodation (excluding sheltered accommodation) in Cheshire East will be placed in Band C.</p> <p>However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band B.</p>	<p>Applicants living in short term supported accommodation services in Cheshire East will be placed in Band D.</p> <p>However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band B.</p> <p><b>Definition of short term supported accommodation</b> – Placements must be short term in nature. Sheltered or home based support would not qualify. The support service must be funded or commissioned by Cheshire East council and the available placements must be exclusive to applicants with a connection to Cheshire East.</p> <p>Applicants living in longer-term supported accommodation services that no longer qualify for a funded placement or the support provided and have capacity to manage a tenancy independently will be considered under the prevention of homelessness criteria with a view to the suitability of their accommodation.</p>	<p>Page 14</p>

<p>If a Household is overcrowded in excess of the bedroom standard; or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C. The overcrowding priority does not increase with the number of rooms lacking.</p>	<p>If a Household is overcrowded in excess of the bedroom standard or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C+ if they do not have long term security of tenure. Those with security of tenure will be placed in band C. The overcrowding priority does not increase with the number of rooms lacking.</p> <p><b>Definition of security of tenure</b> – An applicant whom owns their own home or lives in a tenancy with a registered social landlord that is likely to last longer than 6 months or applicants in a private tenancy with a remaining term of under 6 months.</p>	<p>Page 15</p>
<p>Where an applicant’s current accommodation is having an adverse affect on a diagnosed medical condition of any member of the household whom intends to move, applicants will be placed in Band C.</p>	<p>Where an applicant’s current accommodation is having an adverse affect on a diagnosed medical condition of any member of the household whom intends to move, applicants will be placed in Band C+ if they have no security of tenure and band C if they have security of tenure.</p>	<p>Page 16</p>
<p>Where an applicant’s current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C.</p>	<p>Where an applicant’s current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C+ if they have no security of tenure and band C if they have security of tenure.</p>	<p>Page 16</p>
<p>Applicants who fulfil any of the following will be considered as having a local connection:</p> <ul style="list-style-type: none"> <li>• Currently live, or have lived, within Cheshire East and have done for at least 6 out of the last 12 months or 3 out of the last 5 years.</li> </ul>	<p>Applicants who fulfil any of the following will be considered as having a local connection:</p> <ul style="list-style-type: none"> <li>• Currently live, or have lived, within Cheshire East and have done for at least 2 consecutive years</li> </ul>	<p>Page 17</p>

In households where a woman is over 20 weeks pregnant and would be overcrowded when the baby is born the household will be placed in Band C	Removed	
Not present	Pregnant women will only be considered for an additional room for baby after baby is born.	Page 18
Not present	Re-lets (not new build) in multiple unit blocks of flats or maisonettes will be allocated on a 50-50 basis. Lettings will be made in accordance with: 50% to singles over 25, couples and families in employment 50% to applicants in the highest priority band	Page 22

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# CHESHIRE HOMECHOICE Common Allocation Policy

VERSION 4 - 2018



cheshire  
**homechoice**  
*a brighter way to housing solutions*

## Cheshire East Choice Based Lettings Partnership

*"Providing housing solutions in Cheshire East through choice"*



**Working for a brighter future together**

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## SECTION ONE THE COMMON ALLOCATION POLICY

### Background

In 2010 Cheshire East Council launched their choice based lettings partnership with the aim of developing a common allocation policy, a common housing register and a choice based lettings scheme. The following organisations are members of the Partnership:

- Cheshire East Council
- Plus Dane Group
- Peaks & Plains Housing Trust
- The Guinness Partnership

The Partnership "Cheshire Homechoice" use a system of advertising properties and expressions of interest (bids) alongside this Common Allocations Policy to determine how properties are allocated.

In addition to the partners the following organisations advertise 100% of their available homes with Cheshire Homechoice:

- Great places
- Muir
- Riverside
- Equity
- Your Housing
- Adactus
- Aspire
- Staffordshire Housing Association
- Regenda

Further to these, a small number of providers advertise a proportion of their available homes with Cheshire Homechoice:

- Sanctuary
- Contour
- Places for People
- Anchor
- Johnnie Johnson
- One Vision Housing

This policy is subject to periodic review. Reviews to date include:

- 2012 – Version 2
- 2015 – Version 3
- 2018 – Version 4

This document is version 4

### Our vision

*"Providing housing solutions in Cheshire East through choice".*

## Key aims and objectives

The overall aim of the policy is to ensure that all social/ affordable housing is allocated fairly and objectively to those in the greatest housing need, having regard to any legislative requirements and Codes of Guidance issued by the Ministry of Housing, Communities and Local Government. (MHCLG)

This policy has been developed with a view to meeting the following principles and key objectives:

- To operate a choice based lettings system which is simple; easy to understand; transparent; open and fair
- To operate an allocations system that offers realistic, informed choice for all
- To improve mobility within Cheshire East
- To encourage balanced and sustainable communities
- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion and belief, and age
- To give adequate priority to applicants who fall within the “Reasonable Preference” categories
- To give adequate priority in order to prevent homelessness whilst maintaining a balance between the needs of the homeless and other applicants in housing need
- To empower applicants by giving them more opportunity to express choice and preferences about where they want to live whilst having regard to the availability of housing resources and the high demand for housing
- To assist those applicants who are vulnerable to access the service.

## Equality and fairness

Cheshire Homechoice will ensure its policies, procedures and practices are non-discriminatory and will promote equal opportunities by preventing and eliminating discrimination on the grounds of race, disability, gender (Inc. reassignment), sexual orientation, pregnancy/ maternity, religion/ belief and age. The scheme will be accessible, responsive and sensitive to the diverse needs of individuals.

The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all applicants will be asked to provide relevant information when they apply to join the register.

Cheshire Homechoice will ensure all potential applicants have equality of information about the service and equal opportunity to apply, bid for and receive offers of accommodation. We will:

- Advertise the service widely in a variety of accessible media
- Provide practical assistance to those who may have difficulty in understanding the requirements of the system
- Provide practical assistance, where the applicant may have difficulty completing an application
- Provide tailored assistance to those who may have difficulty in bidding for properties.
- Monitor the profile of those who are applying and placing bids to ensure that minority and hard to reach groups are actively engaged in the service.

## SECTION TWO THE COMMON HOUSING REGISTER

### Introduction

The Common Housing Register is a single list of all applicants for housing across Cheshire East. It includes new applicants and existing tenants wishing to transfer. Applicants who apply to join the Register need only apply once to be considered for vacancies across the whole of the Cheshire East borough.

### Who can apply?

The register is open to all apart from those who are ineligible due to immigration status or classed as non-qualifying due to unacceptable behaviour as defined in the following sections.

### Eligibility

#### Age

Anyone age 16 or over can apply to have their housing need registered, however tenancies are usually only offered to people of 18 years of age and over.

#### Persons from Abroad

A person (defined by s13 (2) of the Asylum and Immigration act 1996 ) may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under section 160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

- (i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)),and,
- (ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

All allocations made by Cheshire Homechoice will be made in accordance with the most current legislation, taking into account any qualifying rights to reside or immigration control limitations.

#### Unacceptable behaviour

Under s.160ZA of the Housing Act 1996, any applicant (or a member of their household) who is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant, will be classed as non-qualifying for an allocation. In most circumstances this means anti-social behaviour or significant/persistent rent arrears.

#### Joint applications

In Line with s.160ZA of the Housing Act 1996, a joint application will not be accepted from two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people

apply and one of them is eligible an application will be accepted from the person who is eligible, as a sole applicant.

### **Multiple applications**

Multiple applications will not be allowed. If multiple applications do exist, the application which is a most accurate reflection of the applicant's circumstances will be kept open. Any other applications will be cancelled.

### **Transfers/ Existing tenants of social landlords**

Any tenants of social landlords (registered providers) in the first 12 months of their tenancy will be excluded from registering for a move, unless they can evidence an urgent need to move or significant risk of harm.

Tenants of social landlords will be permitted to register after the first 12 months of their tenancy however in order to be considered for an alternative tenancy from their existing landlord they will have to meet the transfer criteria outlined by their landlord.

Common reasons for tenants being overlooked are:

- Rent arrears
- Poor property condition
- A poorly maintained garden

Moves to other landlords will be considered in alignment with general lettings criteria.

### **Mutual exchanges**

Mutual exchanges are advertised outside of Homechoice, through the registered providers own channels and will be dealt with outside the policy. A link to relevant websites will be provided on the Cheshire Homechoice website or details of the scheme can be sent to applicants on request.

### **Applications from Elected Members, Board Members and Employees**

Applications can be accepted from employees, elected members, board members and their close relatives. Applicants must disclose any such relationship at the time of application.

### **How to apply**

An application can be made by completing a Cheshire Homechoice application form online and providing the information requested. The registration of an application may be delayed or cancelled if the information requested is not provided.

The purpose of the Cheshire Homechoice application is to correctly identify the housing priority for each applicant, which is expressed as a Priority Band. Once an application has been registered applicants will be notified of their:

- Date of registration
- Priority band assessment
- Priority date

- Application reference number

### **Advice, information and support**

Advice will be provided by Cheshire East Council; information will be available online or on request in other formats and support in accessing the service will be provided to a bespoke level, on request.

### **Home visits**

Home visits may be carried out to assess some applications where appropriate.

### **Changes in circumstances**

Applicants who move to a new address or whose circumstances change after they have been accepted onto the Housing Register (e.g. someone joining or leaving their household) should immediately contact the Cheshire Homechoice Team at Cheshire East to notify them of the change. A new application may be required.

Cheshire Homechoice reserves the right to reconsider an applicant's priority band assessment on the grounds of change of circumstances at any time until an offer of accommodation has been accepted and a tenancy agreement signed.

If an applicant's circumstances have changed prior to the allocation of a property and records held by Cheshire Homechoice have not been updated the partners reserve the right to overlook an applicant's bid or to revoke an offer. It is an applicant's responsibility to keep Cheshire Homechoice updated with any circumstances relating to housing.

### **Housing register renewal**

Applicants must keep their application details up to date and place bids on adverts for properties that meet their requirements. Cheshire Homechoice reserves the right to close inactive applications. At a minimum of annually, Cheshire Homechoice will require applicants to renew and update their application. If applicants wish to remain on the register, they must contact Cheshire Homechoice within 28 days. Providing none of the housing circumstances have changed and the previous assessment remains valid the application will be re-opened promptly and the previous priority of the application will remain unaffected. Where circumstances have changed an application will be re-assessed in accordance with this policy.

In Bands A & B there will be more regular monitoring and reviews; Cheshire Homechoice will encourage applicants in all Bands to keep their details current and will contact applicants regularly to ensure we hold current and relevant information.

### **Closed applications**

Applications will be closed in the following circumstances:

- A request has been received from the applicant (or their advocate)
- The applicant has accepted a tenancy as a sole or joint tenant
- The applicant has bought a property

- Notification has been received from an executor or personal representative that the applicant is deceased and s/he was the sole applicant
- It is discovered that the applicant has given false or misleading information in their application
- Information is obtained that gives reason to believe that the applicant is no longer eligible
- If a response to correspondence is not received within 10 working days (2 weeks)

Applicants can request an explanation of the reason/s for their application closure and can request a review of the decision (see Reviews and Appeals).

If the applicant makes a request to reopen their application within 20 working days (4 weeks) of it being closed it will be reopened (where eligible) and receive the original assessment of Band and priority date provided no relevant circumstances have changed.

### **Deliberately withholding information or providing false information**

Legal action could be taken against any applicant who provides false information when applying for housing (including a fine of up to £5,000). Under Section 171 of the Housing Act 1996 it is an offence to:

- Deliberately provide false information; or
- Deliberately withhold information that should have been given

Where an applicant has been found guilty of making a fraudulent application, they will automatically have their application closed as above. Possession proceedings can be instigated if a tenancy was obtained by giving false information and the tenant may be classed as non-qualifying for the Housing Register

## **Decisions**

### **Reviews**

Applicants have the right to request a review against decisions made in the allocation process. These include:

- A decision to reduce preference
- A decision to overlook a bid on a shortlist
- A decision about the priority band assessment
- A decision about eligibility to make an application
- A decision to close an application

The applicant's request for a review of the decision should be made in writing within 20 working days (4 weeks) of the original decision being made with supporting evidence why they require a review of the original decision.

An independent officer from Cheshire Homechoice will carry out reviews. The officer will not have been involved in the original decision. The officer will consider the evidence provided and decide whether to overturn or support the original decision. The applicant will be informed in writing of the decision within 20 working days (4 weeks) of receipt of the request for a review. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

### **Appeals**

If the applicant is not satisfied with the decision made by a reviewing officer, they can request the Cheshire Homechoice Panel (see below), review the evidence provided and review the decision. Applicants will need to do this in writing within 20 working days (4 weeks) of the review letter being sent. The Cheshire Homechoice Panel will have 40 working days (8 weeks) in which to review the supporting evidence and respond in writing to the applicant of the decision made.

### **Cheshire Homechoice Panel**

Cheshire Homechoice is committed to equality of opportunities and therefore will monitor all processes robustly to ensure that there is open and fair access to social/ affordable housing and to ensure allocations of accommodation are made to those in the greatest housing need. This will be done through the Cheshire Homechoice Panel. Operational managers from all Cheshire Homechoice partners will attend the panel on a regular basis to make decisions on, and monitor the following:

- Reviews of decisions
- Customer satisfaction/complaint levels
- Accessibility for vulnerable groups
- Reduced preference applicants
- Ineligible or unqualified applicants
- Allocations to ensure they have been carried out fairly and transparently and in line with this Policy
- The number of direct/management lets and the reasons they were made
- Refusal of offers
- Community, new build and local lettings to ensure that need is being met

### **Cheshire Homechoice Board**

Future developments and alterations to this Common Allocation Policy, or the overall scheme, will be decided by the Cheshire Homechoice board, which consists of strategic managers from each of the participating organisations.

### **Making a complaint**

If an applicant wishes to make a complaint they should contact Cheshire East to be informed to which partner the complaint should be directed and advise them of the partner's complaint procedure.

All applicants who make a complaint will be treated fairly and objectively. A reply to any complaint received will be delivered within the timescales set out in each partner organisation's complaints policy. Copies of these can be obtained from the individual partners (see Appendix 1)

If the applicant has gone through the complaints procedure and remains dissatisfied, they can write to the Housing Ombudsman or the Local Government Ombudsman or apply for a judicial review.

## SECTION THREE ASSESSING HOUSING NEED

### Reasonable preference groups

All qualifying applications will be assessed under this policy, to ensure that those in greatest housing need are given preference for an allocation of accommodation. Cheshire Homechoice gives reasonable preference to applicants as set out in section 166A(3) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). These are:

- People who are homeless including those who are intentionally homeless and those who are not in priority need.
- People who are owed a duty by a local authority under section 190(2), 193(2), (189b) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3)
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds relating to disability
- People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

In addition, section 166 A (3) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of applicants who fall within the reasonable preference categories and who have particularly urgent housing needs.

To ensure that local priorities are met, the scheme may provide for other factors, other than those set out in section (2) of the Housing Act 1996, in determining which categories of applicants are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme over those listed in the statutory preference categories listed in section 166A (3)

### Priority band assessment

#### Band A

- Under a homeless relief duty and accommodated by Cheshire East Council
- Unable to occupy their current accommodation
- Armed forces personnel with a housing need and serious disability
- Owed a full homeless duty by Cheshire East Council

#### Band B

- Under a Cheshire East Council homeless prevention or relief duty and likely to qualify for an allocation of emergency accommodation
- Downsizing
- Living in unsanitary conditions
- In supported accommodation and ready to move on
- Urgent housing need
- Care Leavers or armed forces personnel with additional housing need

**Band C+**

- Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation
- Overcrowded, without secure tenure
- Housing is impacting on a medical condition, without secure tenure
- Housing is impacting on welfare, without secure tenure
- Homeless or at risk of homeless but not under Cheshire East Council duty

**Band C**

- Overcrowded, with security of tenure
- Tenants of registered providers whom under occupy a property in Cheshire East
- Housing is impacting on a medical condition, with security of tenure
- Housing is impacting on welfare, with security of tenure

**Band D**

- Do not meet any of the reasonable preference criteria and/or are otherwise adequately housed

**Band E**

- Reduced preference

**Housing needs assessment**

Housing need is not cumulative. The housing needs assessment will take account of all household circumstances and the highest priority circumstance will determine the priority Band.

**Homelessness Prevention & Relief**

**Owed a full homeless duty by Cheshire East Council**

The Local Authority has a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to ensure that homeless Households owed a full housing duty by Cheshire East Council under s.193C (4) are provided with suitable accommodation. Homeless Households to whom the full duty is owed will be placed in Band A.

Households awarded this priority under the scheme should receive an offer of an allocation within a short period of time, therefore the priority awarded on the grounds of homelessness will only be permitted for a limited period of time and subject to bidding control or direct offers.

**Under a homeless relief duty and accommodated by Cheshire East Council**

Customers whom have been assessed as qualifying for the Homelessness Relief Duty s.189(b)(2), in accordance with the Homelessness Reduction Act 2017, and have been place in emergency accommodation by Cheshire East Council will qualify for band A priority. This priority will be time limited and subject to bidding controls or direct offers.

**Under a Cheshire East Council homeless prevention or relief duty and likely to qualify for an allocation of emergency accommodation**

Households whom are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act **AND** are likely to qualify for an offer of emergency accommodation, will be placed into Band B. This priority will be time limited and subject to bidding controls or direct offers.

**Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation**

Households whom are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act **AND** are **NOT** likely to qualify for an offer of emergency accommodation, will be placed into Band C+. This priority will be time limited.

**Homeless or at risk of homeless but not under Cheshire East Council duty**

Where households have elected not to be assessed under the homelessness reduction act or are owed a duty by another local authority; priority band C+ will be awarded to applicants whom have:

- Received a non priority or intentional homeless decision
- Had their prevention or relief duty discharged
- Had their full homeless duty discharged
- Have elected not to be assessed under the homelessness reduction act

**AND** remain homeless or at risk of homelessness.

**Unable to occupy current accommodation**

Households who cannot physically access their accommodation (long term) or who are in hospital or respite care and have been medically assessed as being unable to return permanently to their current home will be placed in Band A.

**Armed forces personnel**

Current and former armed forces personnel whom are already adequately housed will be placed in Band D. Where a household of current or former armed forces personnel has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as having served in the armed forces and is overcrowded they will be assessed as Band B). Where an applicant is in housing need **AND** has a serious disability as a result of service in the armed forces applicants will be placed in band A.

**Downsizing**

Current tenants who occupy larger homes belonging to one of the partner Registered Providers **AND** whom are experiencing issues with affordability maybe placed in band B. **Applicants will need to obtain the support of their landlord before being awarded this priority.** This assessment differs significantly from the under-occupation priority; sponsorship for this priority would come from and be monitored by the Registered Provider and will be time limited and could be subject to bidding controls or direct offers.

This assessment will not confirm eligibility to any other downsizing schemes held by the partners nor does it mean that the Registered Provider will finance a move.

### **Living in unsanitary conditions**

If Cheshire Homechoice can confirm that an applicant has 'no access' at all to toilet, washing or cooking facilities; or the applicant is statutorily overcrowded, the applicant will be placed in Band B.

For the definition of 'no access' to facilities, Cheshire Homechoice will consider shared access or access to facilities outside of the home to be access. Running water will be enough for the assessment of washing facilities and a microwave is considered sufficient for cooking.

### **Households in supported accommodation**

Applicants living in short term supported accommodation services in Cheshire East will be placed in Band D.

However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band B.

**Definition of short term supported accommodation** – Placements must be short term in nature. Sheltered or home based support would not qualify. The support service must be funded or commissioned by Cheshire East council and the available placements must be exclusive to applicants with a connection to Cheshire East.

Applicants living in longer-term supported accommodation services that no longer qualify for a funded placement or the support provided and have capacity to manage a tenancy independently will be considered under the prevention of homelessness criteria with a view to the suitability of their accommodation.

### **Urgent housing need**

Additional priority may be awarded where an applicant cannot access their washing or bathing facilities safely due to a physical disability and where adaptations cannot be done to the property to facilitate access. Subject to further assessment by the partners and or the Occupational Therapy Team (where appropriate) applicants will be placed in Band B.

Households with a requirement for equipment to manage a disability which cannot be accommodated in their current home will be placed in Band B.

Where there are pending convictions or intensive ongoing investigations that indicate a significant risk of harm to a member of a household and the police or an ASB co-ordinator (or equivalent) are in support of the fact that a move is the only resolution, applicants will be placed in Band B.

Cases meeting all of the following criteria will be placed in Band B:-

- cases referred to Multi-Agency Risk Assessment Conference (MARAC) where there is a risk outside the property, of domestic violence
- where a perpetrator of domestic violence remains a risk to a person/ family that cannot be controlled long term by the police as a matter of public protection
- a move is the only solution.

More serious issues may be considered in line with Homelessness Legislation.

Other significant risks of harm including those relating to mental health will also be considered under these criteria.

### **Care leavers**

For the purposes of assessing priority, a young person will be considered under the care leaver's policy if they can prove they are, or have previously been, a "Cared for Child" by Cheshire East Council AND are under the age of 26.

Young people who are care leavers of Cheshire East Council under the Children (Leaving Care) Act 2000 and are already adequately housed will be placed in Band D. Where a "care leaver" (as defined above) has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as a care leaver and is overcrowded they will be assessed as Band B). The only exception to this is if the care leaver meets any of the assessment criteria in Band A or Band E

Supporting documentation will be required from the appropriate Local Authority department.

### **Overcrowding**

If a Household is overcrowded in excess of the bedroom standard or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band C+ if they do not have long term security of tenure. Those with security of tenure will be placed in band C. The overcrowding priority does not increase with the number of rooms lacking.

**Definition of security of tenure** – An applicant whom owns their own home or lives in a tenancy with a registered social landlord, that is likely to last longer than 6 months; or applicants in a private tenancy with a remaining term of over 6 months. Only where a notice has been service by a social landlord or mortgage company will tenure be considered insecure.

### **Under occupation**

Tenants of Registered Providers within Cheshire East whom under occupy a property and have a need to move to a smaller property, will be assessed as Band C.

If an applicant applies for a property of the same size or larger than their current home their bid may be overlooked by a Registered Provider as this would be considered an abuse of this priority.

For the purposes of assessing overcrowding/ under occupation the following criteria will be applied:

Household	Bedroom Need
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person age 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

### Housing impact on a medical condition

Where an applicant's current accommodation is having an adverse affect on a diagnosed medical condition of any member of the household whom intends to move, applicants will be placed in Band C+ if they have no security of tenure and band C if they have security of tenure.

### Housing impact on a household's welfare

Where an applicant's current accommodation is having an impact on the welfare of household members, applicants will be placed in Band C+ if they have no security of tenure and band C if they have security of tenure.

Circumstances that will be given consideration under this criteria:

- Anti-social behaviour
- Financial hardship
- Property condition

### Households with children or pregnant women

Households with children or pregnant women will be placed in Band D unless additional housing need is identified.

### Reduced preference

A reduced preference assessment overrides all other priority assessments.

In certain circumstances, section 167(2A) of the Housing Act (1966) as amended by the Homelessness Act 2002 allows local authorities to take certain other factors into account when determining priorities between applicants. This can result in the applicant being awarded a lower priority than they would otherwise receive according to their housing needs alone.

Reduced preference may apply when the applicant, or member of the household, has demonstrated unacceptable behaviour which was not serious enough to justify a decision to treat the applicant as ineligible, but which can be taken into account in assessing the applicant's level of priority. Examples include:-

- Property related debts
- Current or former rent arrears
- Acts of anti-social behaviour that have caused or are likely to cause serious nuisance to neighbours
- Property damage

- Assaulting, abusing or harassing officers or elected members
- Households who have no local connection to Cheshire East
- 2 unreasonable refusals of written/verbal offers or wasting the time of partners
- Intentionally worsening housing circumstances with the intent of increasing priority
- Those applicants who wish to remain on the list but have no intention of bidding presently
- Withholding information that should have been provided
- Providing false information
- No local connection

This list is not exhaustive. Applicants who are given reduced preference will be placed in Band E.

A decision to reduce preference will be reviewed, where circumstances have changed, upon written request from the applicant. Each case will be considered on its own merits.

### **Local connection**

Applicants who fulfil any of the following will be considered as having a local connection:

- Currently live, or have lived, within Cheshire East and have done for at least 2 consecutive years
- Have immediate family (mother, father, brother, sister, son, daughter, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more
- Have a permanent contract of employment based within Cheshire East borough
- Members of the armed forces:
  - (a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge
  - (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
  - (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result
- Other significant reason

Applicants without a local connection will be placed in Band E.

## SECTION FOUR

### ADVERTISING, BIDDING, SHORT LISTING & TENANT SELECTION

Cheshire Homechoice is a Choice Based Lettings scheme that enables applicants to bid for properties they are eligible for. The successful applicant will be decided in line with this policy.

#### Advertising properties

Property adverts will be clearly presented to show the charges, property features and local neighbourhood information.

Applicants will be able to view online, the properties for which they are eligible. There will sometimes be restrictions as to which applicants are eligible for a property. Any such restrictions will be made clear in the advert, for example where:

- A property is only suitable for applicants who need adaptations such as a level entry shower
- A property that is ring fenced to certain age groups
- A property that permits wheelchair access

Bids from applicants may be allowed if they cannot match the requirements in an advert, applicants make the decision to place a bid and there is an expectation that they will have read all of the advert content including the detailed description. Registered Providers are only able to overlook a bid if restrictions are disclosed in an advert. For example: overlooking applicants that do not have a local or community connection, there must have been a statement in the advert to advise customers that a local or community connection is required.

Property adverts will clearly display the maximum number of household members that a property can accommodate. Registered Providers will aim to maximise the occupancy of a property and under or over occupancy will only be considered if there are no bids from an applicant who can fully occupy all the rooms in a home. In making a decision to under occupy the Registered Provider must fully consider affordability before making an offer.

For the purposes of eligibility, suitable property size will be determined in alignment with Local Housing Allowance guidance and this policy.

Houses will be prioritised to households with children under 16 and bedrooms allocated as a minimum to the criteria below:

Household	Bedroom Need
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person aged 16 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

Pregnant women will only be considered for an additional room for baby after baby is born.

### **Extra care housing**

Properties with extra care facilities may be advertised as part of the scheme. The service providers will directly match vacant properties to qualifying applicants that meet the eligibility criteria following a detailed assessment of their housing, care and support needs. Although some extra care facilities will also operate their own waiting list and application process.

### **Affordable housing developments**

Affordable housing may also be advertised through the scheme. When new housing developments are built within rural areas a Section 106 agreement may state that applicants who are allocated the properties must have a direct local connection to that specific rural area. When this is the case properties advertised on the Cheshire Homechoice website will make clear what the eligibility criteria are for the property.

### **Bidding**

Available properties will be advertised daily and applicants can bid for up to 2 properties at any one time. All vacant homes will be advertised in the first instance for a minimum of 5 days to include a Saturday, Sunday & Monday.

Bids can be placed on properties via the telephone, email, the website and auto bid. Visitors to Cheshire East Offices will be directed to an internal phone line. Advice and support will be provided to applicants who need it; to ensure they are able to access and use the scheme.

Where a provider has made an offer to an applicant and pending the signing of the tenancy an applicant will no longer be permitted to place bids and any previous bids for other homes should not be considered. Registered Providers are not permitted to offer a home to an applicant whom has received an offer.

### **No bids or suitable applicants**

If a property is not let on the first advert, providers must re-advertise the property as a “home available now” and consider opening up the restrictions (i.e. considering permitting a wider age range, or under occupation or reducing non working limits). At this time other media can be considered but applicants with a Homechoice application must be given priority or those sourced externally.

### **Bidding support for vulnerable applicants**

Cheshire Homechoice places demands on applicants. It gives people an active role in the lettings process and encourages them to place bids on empty properties.

Applicants will need to:

- Receive information on the housing options available
- Have access to and ability to use the technology necessary to apply to Cheshire Homechoice and place bids for properties
- Have the capacity to make decisions on the basis of the information provided

Broadly speaking vulnerability can mean anyone who cannot be actively involved in the choice based lettings process, for example:

- Older people
- People with learning difficulties
- People with mental health issues
- People fleeing domestic violence
- People with drug or alcohol issues
- People with medical needs
- People with sensory impairment

Cheshire Homechoice will ensure vulnerable applicants are able to access the Cheshire Homechoice website. When a vulnerable applicant is identified every effort will be made to assist and support them through the process. In all cases the level and type of support will be decided on an individual basis. A number of measures will be put in place to ensure that vulnerable applicants are not disadvantaged for example through:

- Providing appropriate advice and assistance
- Providing information in other formats
- Partnership working with support agencies
- Translating documents on request
- Ensuring appropriate support is available for applicants using the system
- Using auto-bidding and property alerts to improve accessibility.

Wherever possible Cheshire Homechoice would like applicants, whatever their background or presumed ability, to become active participants in the choice based lettings process. However we recognise in limited circumstances it may be necessary to assist certain vulnerable people outside of the choice based lettings process and to allocate properties to them.

#### **Bidding control for homelessness & prevention**

Applicants who are awarded priority on the grounds of homelessness or the prevention of homelessness will be closely monitored and reviewed by Cheshire East Housing Options and Homechoice case workers.

#### **Short listing & tenant selection**

Bids on property adverts will be placed in the order of priority e.g. Band A highest priority, then Band B, Band C+ Band C, Band D and finally Band E.

If two or more applicants within the same Band have bid for the same property for which they qualify, the date they entered their current Band will be used to determine the higher priority. If the Band date is the same, the original housing register application registration date will be used to determine priority.

If an applicant is ranked first for more than one property and provided the eligibility criteria are met, they will be contacted to make a decision about which property they wish to consider and no further offers on additional properties will be made.

Once an applicant has accepted an offer of a property, they will no longer be permitted to place any bids. Equally, Registered Providers are not permitted to approach applicants whom have accepted an offer with another provider, even if historic bids have been placed.

## Shortlisting out of band order

In certain circumstances shortlists may be allocated out of band order and applicants may see that a home they bid for is allocated to an applicant with a lower priority.

Reasons for this include:

- Properties with adaptations
- Community connections – rural lettings
- New property priority – new build lettings
- Multiple unit allocations
- Local lettings
- Houses prioritised for children

### Properties with adaptations

Adapted properties are homes, which have been designed for or significantly adapted to meet the needs of applicants with physical or sensory disabilities. In most cases, adapted homes will be advertised along with all other vacant homes to ensure that applicants assessed as needing this type of accommodation are given the widest possible choice. On occasion providers may use a bespoke search of applicants on the housing register to make direct offers.

Applicants with a need for adapted accommodation that has been determined by Cheshire East (CE determined need) will be given priority for adapted homes over others in the same priority Band whom do not need adaptations.

In selecting an applicant for an adapted property from the short-list, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances a property may be allocated out of priority order, if a property is particularly suitable for the needs of an applicant.

Applicants with a need for adaptations can also bid for properties without appropriate adaptations, however the applicant must understand that they are likely to be required to fund their own adaptations or to have funding in place from an external source; registered providers are unlikely to fund adaptations.

### Community connection – Rural lettings

Properties in rural areas may be let under the Cheshire Homechoice policy for meeting local need. Advertisements for these properties will stipulate that those with a community connection will be given preference within the terms of the policy.

The partners of Cheshire Homechoice are mindful of the concerns of residents for stability and sustainability within their communities, but also of the need to foster diversity within those communities and facilitate geographical mobility within the Cheshire East Borough.

In some rural areas we may require applicants to demonstrate a community connection to that particular settlement. Cheshire Homechoice will make any such requirement clear in the advertisement for the property. In these instances, any applicant currently registered with Cheshire Homechoice may bid; however, preference will be given to the household in the greatest housing need demonstrating the community connection. In the absence of a bid from any applicant with a community connection, the property will be let to an applicant with no community connection.

In these cases a person will be deemed to have a community connection if they fulfil one or more of the criteria below. If there is more than one applicant with a connection they will be considered in the order of their priority Banding and priority date.

- Currently live, or have lived, within the boundaries of the parish or adjoining parish and have done for at least 2 consecutive years
- Have immediate family (sibling, son, daughter, parent, step-parent or adoptive parents) who are currently living within the boundaries of the parish or adjoining parish and have done for at least five years
- Have a permanent contract of employment based within the parish or adjoining parish

An adjoining parish is defined by another rural parish with an adjoining boundary to the parish in which the vacant property is located. The adjoining parish must also fall within the boundaries of Cheshire East Borough.

Allocations will be conducted considering all reasons in their own merit, not comparing against people who can demonstrate a stronger connection. The connections are not tiered.

All applicants will be required to have evidence of their connection to a parish on file before the close of the bidding cycle in which a property is advertised.

#### **New property priority - New build lettings**

There will be a cascade priority for all new build developments on **first let only**.

A shortlist for a new property will be re-ordered to ensure that the following cascade of priority is followed:  
1<sup>st</sup> priority – Applicants demonstrating a local connection to the town/ village in which the property is being built

2<sup>nd</sup> priority – Applicants currently employed/ key workers and certain voluntary workers

To qualify for a new build priority the evidence of connection or work must be on file before the close of the bidding cycle; this is the applicants' responsibility.

\*\*Where a new property is built within the confines of one of the rural communities the community connection criteria will replace the local connection criteria.

#### **Multiple unit allocation**

Re-lets (not new build) in multiple unit blocks of flats or maisonettes will be allocated on a 50-50 basis.

Lettings will be made in accordance with:

- 50% to singles over 25, couples and families in employment
- 50% to applicants in the highest priority band

#### **Local lettings**

Certain properties may be let in accordance with a Registered Provider's local lettings policy. When properties are advertised on the Cheshire Homechoice website they will be clearly labelled with the eligibility criteria. Any local lettings policies will be reviewed by Cheshire East before being implemented and annually (where relevant) to ensure that tenant selection is fair and need is still being met.

#### **Houses to children**

In respect of public health recommendations and the benefits demonstrated to children through access to outdoor space, houses will be prioritised to households with children under 16.

### **Capital limits & income checks**

In some instances Registered Providers may overlook a bid placed by an applicant if they have sufficient income, equity and/or savings to be able to afford to rent or purchase a property on the open market.

Assessments may be conducted by Registered Providers to ensure that applicants can afford to pay the rent for a property before an offer is made. If an applicant cannot afford to pay the rent, their bid for a property might be overlooked.

Where an applicant is deemed not to be able to afford a home, despite being eligible for the housing related benefits to support the rent, Registered Providers should be providing access to or referring to financial support services.

The procedure for assessments will be shared with the Local Authority and monitored to ensure that access to social/ affordable housing by vulnerable applicants is not being restricted. Registered providers will be responsible for promoting financial inclusion for all applicants.

### **Viewing properties and receiving offers**

Registered Providers may request additional information to support the allocation process.

A formal offer of accommodation will not be made until the information and/or supporting evidence has been provided and failure to do so may lead to an application being closed.

Applicants who unreasonably refuse 2 verbal/written offers within a 12-month period will have their priority reduced to Band E for a period of 6 months. Applicants accepted as Statutorily Homeless will be assessed in line with current housing legislation that applies to refusing offers.

If an applicant does not agree with their priority being reduced, they can request a review.

### **Feedback on results**

Lettings results will be made available to the public via the Homechoice website (feedback). Results will include:

- Lettings results for property type and neighbourhood
- The total number of bids made for the property
- The successful applicant's registration date and/or priority Band
- Properties described as a management let, where an offer was made and the property was not advertised/ or the property advert was not successful in facilitating tenant selection
- The results of customer satisfaction surveys.

### **Direct lets**

The partner Registered Providers will advertise ALL vacant properties via Cheshire Homechoice. There will be certain occasions when a property cannot be advertised, for example:

- An emergency move for an existing tenant
- Where a property has specific adaptations and a tenant has been sourced from the register via a bespoke search
- Where a shortlist for a similar property has been used
- Where a property has not been let to an applicant from a shortlist and the provider used alternative media

The Cheshire Homechoice Panel will monitor all lets made outside of the choice based lettings process to ensure fairness and for transparency all direct lets will be recorded online , for public information.

### **Nominations**

Registered Providers (not formal Cheshire Homechoice partners) operating within Cheshire East will provide at least 50% of their vacancies (excluding transfers) for nominations via the scheme. The Local Authority will monitor to ensure compliance with the nomination agreements in their area.

### **Future development of the scheme**

Cheshire Homechoice is committed to continually reviewing its practices and procedures associated with this policy, to ensure a consistent and joined up approach in the delivery of a first class choice based lettings service.

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**Appendix 1**

**Contacts**

**Cheshire East Council**

Town Hall  
Macclesfield  
Cheshire  
SK10 1EA  
[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)  
Tel: 0300 123 5017 option 1

**The Guinness Partnership**

1 Stable Street  
Oldham  
OL9 7LH  
[www.guinnesspartnership.com](http://www.guinnesspartnership.com)  
Tel: 01270 506200

**Plus Dane Group**

Shepherds Mill  
Worrall Street  
Congleton, Cheshire  
CW12 1DT  
[www.plusdane.co.uk](http://www.plusdane.co.uk)  
Tel: 01260 281037

**Peaks & Plains Housing Trust**

Ropewalks  
Newton Street  
Macclesfield  
SK11 6QJ  
[www.peaksplains.org](http://www.peaksplains.org)  
Tel: 01625 553553

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*Working for a brighter future together*

## **Cabinet**

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**Date of Meeting:** 10 July 2018

**Report Title:** Corporate Grants Policy

**Portfolio Holder:** Cllr Paul Bates, Finance and Communication

**Senior Officer:** Mark Palethorpe, Executive Director - People

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### **1. Report Summary**

- 1.1. The Council's Constitution Section 6.29 and 6.30 refers to a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies. This report is seeking acceptance of a Corporate Grants Policy for the operation of grants schemes in Cheshire East Council for 2018/2019.
- 1.2. To accompany the Corporate Grants Policy, a Grant Funding Protocol has also been developed. If approved, the Policy and Protocol would provide guidance on the considerations to be taken into account when making decisions in relation to allocation of grants, donations and other contributions to outside bodies.

### **2. Recommendations**

- 2.1. That Cabinet:
  - 2.1.1. Approve the draft 'Corporate Grants Policy' (Appendix 1).
  - 2.1.2. Approve the draft 'Grant Funding Protocol' (Appendix 2).

### **3. Reasons for Recommendation/s**

- 3.1. The draft Corporate Grants Policy sets out the overall approach to be taken to the allocation of grants, donations and other contributions to outside bodies.
- 3.2. The Grant Funding Protocol will provide further guidance on how the Council determines whether assistance is to be provided by way of grant funding or whether a service is to be commissioned and thereby be subject to the procurement procedures.

3.3. There are many different service areas across Cheshire East Council that currently offer grant schemes or may wish to introduce a grant scheme in the future. The Corporate Grants Policy and Grant Funding Protocol outlines that the award of grants should be aligned to meet the strategic outcomes in the Council's Corporate Plan.

3.4. All Council departments have budgetary pressures. This means all financial decision should stand up to public scrutiny. Aligning grant schemes with the Council's strategic outcomes provides an opportunity to be more targeted with limited resources in achieving the set priorities of the Council. This will allow us to maximise the difference we make to people in our communities.

3.5. Whilst some grant schemes operate under strict criteria and policies, not all service areas operate in this way. As such the Corporate Grants Policy and Grant Funding Protocol will clearly set the principles and criteria within which all schemes must operate. A key element in this, is defining the differences between grants and competitive procurement, with a pathway to follow when deciding the most appropriate route to secure the desired outcomes of the service area.

#### **4. Other Options Considered**

4.1. Doing nothing is not an option. The introduction of the Corporate Grants Policy and accompanying Grant Funding Protocol helps to address best practice and ensure all grant schemes operate within compliance.

#### **5. Background**

5.1. The Corporate Grants Policy and Grant Funding Protocol will provide overarching corporate guidance to ensure consistency in the application, scoring and monitoring of grants which currently varies widely across the Council. Each grant scheme will need to have its own scheme, application process and monitoring procedures in place.

5.2. There are a large number of individual grant schemes operating within the Council. These include the:

- Early Help and Community Grants
- Disabled Facilities Grant
- Disability Relocation Grant
- Affordable Warmth Grant
- Macclesfield Shop Front Grant Scheme

- Healthy Pupils Capital Fund Grant
- Cultural Economy Grants.
- New Homes Bonus [to be introduced in 18/19]

As such, there is a need to that each grant has an appropriate scheme in place which complies with the policy and protocol.

- 5.3. It is likely that other grant schemes will be introduced in the future. Adoption of the policy will also mean schemes created in-year apply the same approach.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. The Council has the power to award grants to organisations using its general power of competence in section 1 of the Localism Act 2011. In exercising the power the Council must satisfy its public law duties. In essence this means that in making the decision the Council must have taken into account only relevant considerations, followed procedural requirements, acted for proper motives and not acted unreasonably. A grant policy is a clear statement of the criteria that the Council is applying and is essential if the Council is to defend any challenge to its decision making process. An overarching Corporate Grants Policy provides a consistent basis upon which policies are created and reviewed regularly.

6.1.2. The accompanying Protocol provides guidance on whether a service should be procured in which case the Council's Contract Procedure Rules apply, or whether it should be grant funded, in which case the aims and principles of the overarching Corporate Grants policy should be applied.

### **6.2. Finance Implications**

6.2.1. The options have no overall financial impact to the council as total Cheshire East budgets will remain the same, grants awarded in any year will only be awarded up to the budgeted amount.

6.2.2. This Grant Funding Protocol has been developed to provide further guidance on grant funding and should be read in conjunction with paragraphs 6.29 to 6.33 of the Authority's Finance Procedure Rules. Please note that in accordance with the Constitution the making of grants up to £50,000 is delegated to Officers. Grants between

£50,000 and £100,000 shall be approved by the relevant Portfolio Holder and grants over £100,000 shall be approved by Cabinet.

6.2.3. The Cheshire East Council budget includes in excess of £200m of grant payments, but, by value, this mostly relates to grants that are received from Central Government, with conditions, and payments are then passported to appropriate individuals or organisations. The main grants are for Housing Benefit Payments and the Dedicated Schools Grant and these are not subject to the proposed Corporate Grants Policy. The Grants Policy applies where the Council is applying discretion and then managing the associated outcomes of providing funding. The policy applies to both Revenue and Capital Grants. By applying a consistent policy to grant payments the Council will be able to enhance the demonstration of the value for money requirements linked to working with third parties.

**6.3. Equality Implications**

6.3.1. An Equality Impact Assessment will be completed.

**6.4. Human Resources Implications**

6.4.1. Introduction of the corporate grants policy will be managed through existing resources within the Adult Social Care Commissioning Team.

**6.5. Risk Management Implications**

6.5.1. The risk of not agreeing a corporate grants policy is that the council's constitution, which makes reference to a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies, will not have the necessary policy in place.

**6.6. Rural Communities Implications**

6.6.1. There are no negative implications on the rural community as all of the Council's grants schemes are open to anybody to apply, as long as they meet each specific schemes criteria.

**6.7. Implications for Children & Young People**

6.7.1. Moving towards an outcome focussed approach gives greater opportunity for organisations to meet the needs of children and young people.

**6.8. Public Health Implications**

6.8.1. Grant schemes gives a positive health outcome as people are coming together in community groups and meeting other, like-minded, community members, which reduces social isolation.

**7. Ward Members Affected**

7.1. The implications of the introduction of a Corporate Grants Policy and Grant Funding Protocol are borough wide.

**8. Consultation & Engagement**

8.1. Engagement took place with the voluntary, community and faith sector during the development of the Early Help Framework.

**9. Contact Information**

9.1. Any questions relating to this report should be directed to the following officer:

Name: Nichola Glover-Edge

Job Title: Director of Commissioning

Email: [nichola.glover-edge@cheshireeast.gov.uk](mailto:nichola.glover-edge@cheshireeast.gov.uk)

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# Corporate Grants Policy

for the operation of  
Grants Schemes  
in Cheshire East Council

2018/19



*Working for a brighter future together*

## 1. PURPOSE AND OBJECTIVES

1.1. Cheshire East Council is committed to working for a brighter future together to build strong and resilient communities within the Borough and to maximise social wellbeing for all residents. One way of achieving these goals is to provide financial assistance in the form of grants to individuals and groups to develop leadership skills, increase participation in community life and address identified social issues.

## 2. BACKGROUND

2.1. This document is Cheshire East Council's Corporate Grants Policy, which sets down the approach to be taken to the allocation of grants, donations and other contributions to outside Bodies. It is reviewed annually by the Cabinet Member for Finance and Communications, in consultation with the Chief Operating Officer and Head of Legal Services.

2.2. When using the term grants in this Policy it refers to the giving of a fixed amount of Council funds to organisations or individuals through an application and assessment process.

2.3. There are many different service areas across Cheshire East Council that currently offer grant schemes or may wish to introduce a grant scheme in the future. This policy covers all grants made by Cheshire East Council, including Statutory Grants and Discretionary Grants, both in terms of annual grant schemes and ad hoc schemes established to meet a specific need.

2.4. This Policy sets out how discretionary grants (statutory schemes have their own national requirements) offered by these service areas should be aligned to meet the strategic outcomes as set out in the [Council's Corporate Plan](#). The Council's Corporate Outcomes are:

- Outcome 1 – Our local communities are strong and supportive
- Outcome 2 – Cheshire East has a strong and resilient economy
- Outcome 3 – People have the life skills and education they need in order to thrive
- Outcome 4 – Cheshire East is a green and sustainable place
- Outcome 5 – People live well and for longer

2.5. Aligning grant schemes with the strategic outcomes provides an opportunity to be more targeted with limited resources in achieving the set priorities of the service area whilst making a difference to people in our communities, which also contribute to the overall priorities of the Council.

2.6. This Policy ensures that all Cheshire East Council grant schemes operate under strict criteria and policies, providing a corporate approach to ensure each grant scheme considers all legal and budgetary implications as well as having a clearly defined application, decision making and monitoring process in place. This Policy should be read in conjunction with the Grants Protocol that clearly sets out guidance for establishing a grants scheme and the differences between grants and contracts commissioned through the procurement process, with a pathway to follow when deciding which funding will be the most appropriate route to secure the desired outcomes of the service area.

2.7. Discretionary Grant funding should only be provided where organisations can demonstrate that a defined impact will be made through their project or activity and that clear outcomes can be achieved.

2.8. This Policy covers all discretionary grants offered by the Council and can include statutory grants offered to individuals or organisations, community grants offered to the voluntary, community and faith sector, capital grants offered to nursery and educational establishments and grants to businesses.

### **3. LEGAL AND BUDGETARY FRAMEWORK**

- 3.1. The Cabinet Member for Finance and Communications will on a periodical basis, agree a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies, in consultation with the Chief Operating Officer and Head of Legal Services as per section 6.29 of the Council's Constitution.
- 3.2. Grants, donations and contributions will be paid by the Council in accordance with the policies determined under this policy subject to there being adequate provision in service budgets and the appropriate approvals being sought.
- 3.3. The Grant Funding Protocol sets out further guidance on grant funding, consideration of state aid implications, the process for allocation and any conditions that should apply to any grant funding.
- 3.4. Heads of Service will report on the outcomes achieved through the provision of support to outside bodies on an annual basis to the appropriate Member Group and Cabinet Member, with interim reporting on an exception basis or where the sums involved are significant.

### **4. CHESHIRE EAST COUNCIL POLICIES**

- 4.1. The Council manages a number of grants schemes under this Policy. This policy is approved by the Cabinet Member for Finance and Communications on an annual basis. Individual discretionary grant schemes should also be reviewed annually and approved by Cabinet or the relevant Portfolio Holder as appropriate. Statutory Grant schemes will be operated in line with national requirements.
- 4.2 The Council has put in place a number of discretionary and statutory grant schemes which are listed in Appendix 1.

### **5. GRANT SCHEMES**

- 5.1 As a general principle, a new grant should not be launched unless there is a clearly identified need for a new scheme to operate in preference to any existing scheme. The Early Help Framework may be an appropriate vehicle in order to commission work effectively and in a timely manner.
- 5.2 Mapping work should be undertaken to understand if outcomes desired under the grant scheme can be delivered either by existing contracts or grants. In this way, the Local Authority can make best use of its finite resources.
- 5.3 Procurement should be informed of any new grant scheme so that they are better able to provide support.
- 5.4 Grant schemes should apply the principles of the Council's overall early help strategy (as detailed in the Council's Commissioning Framework) where appropriate. This means using funds to address need early, rather than to target people once health has declined. For instance, funding criteria might reflect this approach.

### **6. APPLICATION PROCESS**

- 6.1. Each scheme must have an accessible application form and guidance notes. Templates for the corporate grants application form are contained in the Grant Funding Protocol and must be adapted to meet your particular grant scheme.

- 6.2. Each service area which offers grants must create a Policy for each discretionary scheme which sets out when the deadline for applications are, how people must apply, any documents that must be sent in with the application form and when they are likely to hear the outcome of their application.
- 6.3. Scheme Policies should make it clear what the grant scheme can provide funding for along with examples of what cannot be funded under the scheme. It must also set out who can apply to the scheme and any criteria that the organisation must meet.

**7. DECISION MAKING PROCESS**

7.1. Each Scheme Policy must state when the grant applications will be assessed and who will make the decision.

7.2. The approval levels for grants, donations and contributions as per the Council’s Constitution are:

<b>Approval level</b>	<b>Amount</b>
Officers	Up to and including £50,000 (where grant is within approved grant policy)
Portfolio Holder	Between £50,000 and £100,000 (where grant is within approved grant policy)
Cabinet	All Grants of £100,000 or more.  All grants which do not fall within existing approved grant policy require Cabinet approval.

7.3. When putting in place a grant scheme consideration should be given to the Council’s powers to award grants and advice sought from Head of Legal Services.

7.4. Decision makers, when awarding specific grants, should ensure that they follow the application process and criteria which apply to the specific grant scheme and:

- take into account only those considerations which are relevant to the decision being made (the criteria that apply to the specific policy),
- follow the procedural requirements (the processes and procedures set out in the grant scheme and this policy)
- not be unreasonable (the decision is logical and rational).

7.5. Decisions should always be in writing and include reasons for the decision (an explanation about how the decision has been reached) which meets the principles set out above.

7.6. There is no overarching appeals process, individual grants schemes which do include a right to appeal will refer to this in their individual policies. Complaints about any aspect of the Council’s Grants process will be dealt with under the Council’s Corporate Complaints Procedure. A copy of the [Council’s Corporate Complaints, Compliments and Suggestions Policy](#) is available from the Council’s website.

**8. MONITORING AND RECORD KEEPING**

- 8.1. Following a successful application and in order to ensure that monies are used in an appropriate manner, as set out in each scheme Policy, a monitoring report will be required following completion of the project or activity that was grant funded. A corporate template for grant monitoring is contained in the Grant Funding Protocol and must be adapted to meet the particular grant scheme.
- 8.2. Services will request copies of invoices or receipts to show how the grant monies were spent.
- 8.3. The Council reserves the right to monitor the use of the grant and ask for evidence to support an application.
- 8.4. The organisation must allow reasonable access to premises/accounts upon request from the Council.
- 8.5. Organisations must retain records relating to the grant for an appropriate period (to be advised depending on the grant).
- 8.6. Each scheme Policy must state that if organisations do not supply satisfactory monitoring reports and supporting information in full and within the set time scale they may be asked to repay the grant funding to the Council. Failure to comply with the conditions of the grant may be taken into account when considering any further applications for grant funding made by the same organisation in the future. Where the scheme provides grants to individuals the policy sets out the scheme specific monitoring requirements.

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## Cheshire East Council Grant Schemes

Title	Description	Funding Amount
<b>Community Grant Scheme - <a href="#">Link</a></b>	The aim of the Community Grants Scheme is to support not for profit Organisations with start up grants and community activity which will improve the quality of life for local communities.	Up to £5,000
<b>Disabled Facilities Grant - <a href="#">Link</a></b>	If you or someone living in your property is disabled you may qualify for a disabled facilities grant towards the cost of providing adaptations and facilities to enable the disabled person to continue to live there.	Up to £50,000
<b>Disability Relocation Grant - <a href="#">Link</a></b>	A grant to help disabled people move to a more suitable property. Can be used to pay for professional movers or for transferring disability equipment.	Up to £2,000
<b>Affordable Warmth Grant - <a href="#">Link</a></b>	An Affordable Warmth Grant of up to £2,000 is available for low income homeowners and people who are vulnerable to cold.	Up to £2,000
<b>Macclesfield Shop Front Grant Scheme - <a href="#">Link</a></b>	Council funded decoration work for individual shop fronts, provided that the owners of the property funded any necessary building works. Phase 2 has been rolled out focussing on other areas.	£50,000 total funding available
<b>Healthy Pupils Capital Fund Grant - <a href="#">Link</a></b>	This fund is intended to improve children's and young people's physical and mental health. Allocations will be made through a bidding process under kitchens, dining facilities, changing rooms, and playground and sports facilities.	Up to £10,000
<b>Cheshire East Emergency AssistanCE - <a href="#">Link</a></b>	The scheme is designed to support vulnerable people facing immediate hardship, to prevent homelessness, and to keep families together. The scheme provides rent deposits (not letting fees or rent in advance), essential furniture and essential white goods (recycled where possible) and emergency food (through local food banks where possible). Unlike the former crisis loans and community care grants it does not provide cash.	Does not provide cash.
<b>New Homes Bonus - <a href="#">Link</a></b>	The framework for the New Homes Bonus Scheme is currently being developed. The scheme will see up to £2m distributed for local projects and community needs.	To be determined

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# Grant Funding Protocol

To accompany the Corporate Grants Policy  
in the operation of

Grants Schemes in  
Cheshire East Council

2018/19



*Working for a brighter future together*

## 1. Introduction

- The purpose of this Grant Funding Protocol is to give further guidance to officers on the factors to be taken into account in deciding whether to offer grant funding or to commission a contract for services. Further advice can be sought from Procurement and Legal Services.
- As part of the Council's Commissioning Framework, grant funding will be considered for specific purposes identified by the Council, where there is a clear case for funding to be provided by a grant rather than through the commissioning process and a clear benefit can be demonstrated.
- All council grant funding will be open and competitive and based on the needs and priorities set out in the Corporate Plan. In principle, we believe grant funding should not be used to support mainstream service running costs, as all the outcomes delivered by services will be quantifiable as part of the commissioning approach. Circumstances in which grant funding will still be required include:
- One-off pump-priming/seed-corn funding to encourage innovation or try something new, especially where there is an identified gap in current provision.
- Supporting smaller organisations to build skills and capacity for the future delivery of public services via the commissioning process.
- Small, flexible, one-off grants to encourage community cohesion, resilience and local action reducing social isolation and providing events and cultural opportunities.
- Targeted grants for specific purposes such as encouraging sustainable travel initiatives.
- A grant may be defined as "the payment of money to an organisation to support a particular project or purpose without firm entitlement to specific goods, works or services in return".
- Grants provide financial support in an area of work, designed and proposed by the recipient organisation which the local authority wishes to sponsor and is in line with the authority's objectives / commissioning framework.
- This Grant Funding Protocol has been developed to provide further guidance on grant funding and should be read in conjunction with paragraphs 6.29 to 6.33 of the Authority's Finance Procedure Rules. Please note that in accordance with the Constitution the making of grants which fall within existing approved grant policy up to £50,000 only is delegated to Officers. Grants between £50,000 and £100,000 shall be approved by the relevant Portfolio Holder and grants over £100,000 shall be approved by Cabinet.

## 2. Definitions

<b>Commissioning</b>	Commissioning in Cheshire East Council is achieving positive outcomes through the best use of resources, to meet the needs of citizens, communities and service users
<b>Commissioning Framework</b>	Sets out Cheshire East Council's approach to commissioning. This is our approach to achieving better out-comes for Cheshire East residents, businesses and visitors.
<b>CPU</b>	The Corporate Procurement Unit
<b>Contract for Services</b>	A contract for services is a legally binding agreement where one party promises to the other to do, (or not to do) certain acts in return for consideration, which is usually but not necessarily payment in the form of money. Usually a contract is entered into where you wish to have a high level of control to avoid the risk of failure to deliver and you wish to monitor the performance of the supplier or service provider in order to be able to address under-performance.
<b>Grant</b>	The payment of money to a person or an organisation to support a particular purpose or project, without firm entitlement to specific goods or services in return
<b>Procurement</b>	Process of acquiring goods, works or services from (usually) external providers or suppliers, and managing these through to the end of the contract
<b>Outcomes</b>	The result of our changes on residents, businesses and the wider community. Outcomes are what we want to achieve as a result of our actions
<b>Outputs</b>	The 'amount' of provision that is provided in the community. For example '12 weeks of cookery classes, 10 falls prevention classes or 6 gym sessions'.

## 3. Grant or Competitive Procurement

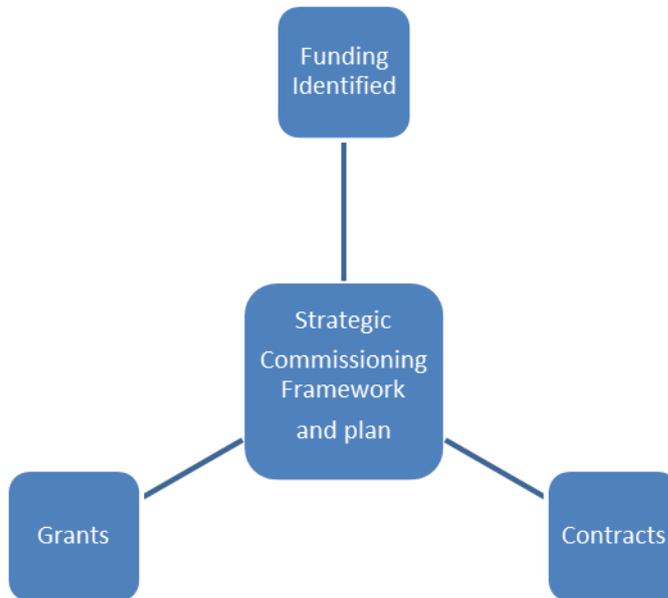
- When funding services provided by organisations, officers must consider the most appropriate means of securing the desired outcomes and decide which of the following applies:
  - a. Is the Authority making a contribution to an organisation to fund a specific project or activity?
  - b. Is the Authority investing in the voluntary, community and faith sector or a social enterprise to build capacity or deliver services?
  - c. Is the Authority in effect commissioning services from the organisation to enable the organisation to deliver services as part of the Authority's business?

- Funding which falls within (a) above will be most appropriately dealt with by way of a grant process in accordance with this Protocol.
- Funding that falls within (b) above will be either a grant or a competitive procurement process. Officers should seek further advice from CPU and Legal services.
- Funding that falls within (c) above will be most appropriately dealt with as a competitive procurement process.
- The table below outlines further the differences between a grant and a procurement of a contract for services.

Grant	Procurement
Grant funding is voluntarily made to further the activities of the grant recipient rather than to secure services (or goods).	Services delivered under a contract which, if the service provider were not delivering those services the Council would need to deliver itself or pay another body to deliver are likely to be services under contract and not grant funded.
Commitment by the grant recipient to ring fence funding for a particular purpose but there is no legally binding commitment from the grant recipient to provide a service. NB: Funding is usually provided upfront by the Council.	Legally binding commitment on the service provider to provide specified services to the Council. NB: The contract price is usually paid in arrears by the Council.
Grant to be refunded if not used for the specified purpose within a given period of time.	If services are not provided as agreed then the Council can claim for the sum already paid and for any additional loss suffered by the Council as set out in the services contract.
Funding criteria may set out how the money may be spent but it will not include a detailed specification or performance commitments. In effect the grant recipient does not have to spend the money, if they do it must be spent on the specified purpose only and if they don't it has to be returned to the Council.	A contract will contain a full specification detailing the services to be provided together with requirements relating to how the services are to be provided.
Should there be output/outcomes attached to the payment of the grant then a failure to reach/deliver the output/outcomes may result in further monies being withheld or clawed back.	Receipt of payment may be subject to the satisfactory completion of the services or achievement of targets and the Service Provider has a legally enforceable right to be paid for the works.
A grant will often involve a single payment.	Payment for the services is likely to involve multiple payments made over the duration of the contract (which may be a period of several months or years).
Grant recipients do not make a profit from the grant; the entirety of the grant will be dedicated to producing benefits.	Service providers are likely to expect to make a profit / surplus to reinvest from the payments made to them.
Grant recipients often benefit fairly directly	Apart from the profits earned on the contract

<p>as a result of the grant being made and the Council may not receive a benefit from that activity. E.g. a community group may apply to improve its community centre which would mostly benefit people in that particular area.</p>	<p>the benefits produced by the contracted service are not enjoyed by the service provider themselves. For example care services benefit elderly people not the companies that are paid to provide the care services.</p>
<p>The grant sum may only cover part of the project with the grant recipient receiving contributions from other source(s).</p>	<p>In the event that the delivery of the service costs more than the Contract Price then the Service Provider is likely to be liable for that shortfall.</p>
<p>It may be appropriate to invite bids for grant funding which should be submitted and assessed in accordance with the publicised criteria for the grant scheme.</p>	<p>Service contracts must be tendered in accordance with the Council's Finance and Contract Procedure Rules (which ensure compliance with all relevant public procurement legislation).</p>

**4. Policy for Grant Funding – link in to Commissioning Framework and any Policy documentation**



- The grants process enables the voluntary, community and faith sector (VCFS) and other organisations to access smaller amounts of funding to support their activities. Any funding amounts less than £25,000, are issued outside of The Chest (the North West’s local authority procurement portal, used to procure contracts). However, it is still important that grant programmes are used to achieve our corporate priorities, outlined in the Corporate Plan.

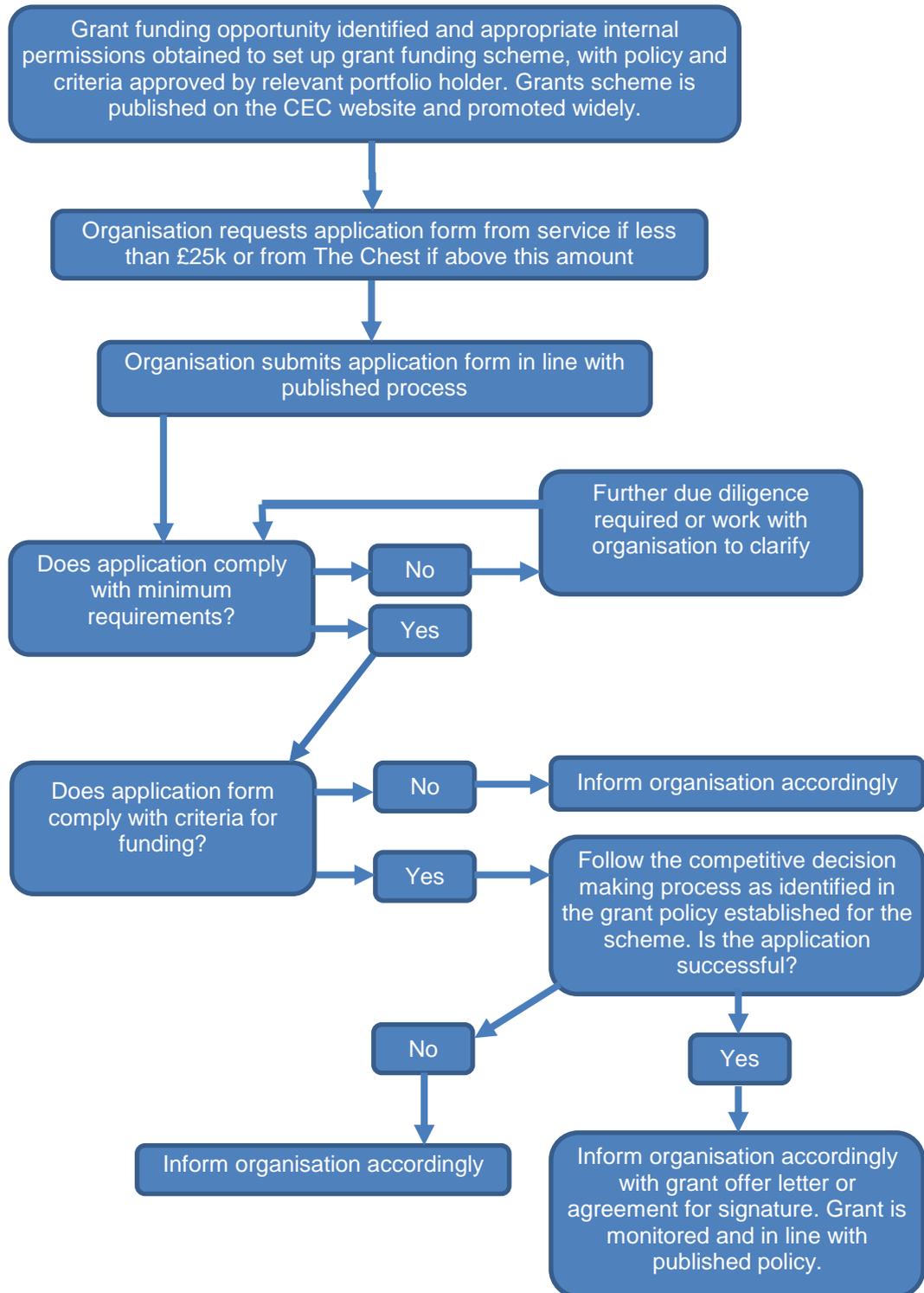
**5. Policy and Process**

- Each grant scheme must have a scheme that is approved by Cabinet or the relevant Portfolio Holder as appropriate, and should be reviewed annually. Once approved, the policy, along with supporting guidance which clearly outlines the process for applications and the decision making process, should be published on the Council’s website.

## 6. Transparent Advertising

- It is recommended that all opportunities to bid for funding are advertised as widely as possible and the Council's Communities Team can help with this. Officers may also want to consider use of The Chest where opportunities for funding are likely to be for £25,000 or above. Further advice can be sought from the Corporate Procurement Unit.

## 7. Application Process



## 8. Application Form

- Individual organisations will need to complete an application form (substantially based on the application form at Appendix 1) to apply for grant funding. The information given in the application form and any supporting documentation submitted will be assessed and a decision made as to whether the organisation is deemed eligible for grant funding, before it progresses into the competitive process. Consideration should be given to the requirement to submit policies on safeguarding, health and safety and compliance with equalities duties which should be tailored according to the project or purpose being funded.
- The application form should be rejected if it is incomplete or lacks the required supporting documentation stipulated in the checklist (see Appendix 1). Consider whether further due diligence relating to the organisation needs to be carried out or whether the organisation requires further assistance to complete the application form and re-submission.

## 9. Criteria

- Criteria against which the funding will be allocated to achieve the corporate outcomes, must be developed. The criteria must be fair and transparent to ensure that organisations are dealt with consistently and provided along with the application form when being advertised.

## 10. Conditions that can apply

- Conditions that can apply to grant funding must be kept to a minimum. The monitoring of performance to the extent of specifying service levels or KPIs would give rise to a Contract for Services.

## 11. Decision Making

- Each grant scheme needs a clear decision making process, which outlines how the competitive process will work. Officers should consider developing a scoring matrix, and an example is given in Appendix 2.

## 12. Monitoring Requirements

- Grant funding must be monitored, reviewed and assessed to ensure that the outcomes stated for the project in the application form or purpose for which the grant funding was allocated have been met. An example grant monitoring form is given in Appendix 6.
- Officers should consider the need for submission of Annual Accounts from the recipient organisation and access required for audit purposes.

## 13. Sample grant funding agreement

- Appendix 3 contains a sample grant funding letter for small grants (up to £5,000 in value) and Appendix 4 gives a sample grant agreement that should be entered into between the Authority and the recipient organisation for any applications for

funding of over £5,000. Advice should be sought from Legal Services if you wish to deviate from this form of agreement.

### **14. State Aid Considerations**

- State Aid is any advantage granted by public authorities through state resources on a selective basis to any organisation that could potentially distort competition and trade in the European Union. The definition of state aid is very broad because “an advantage” can take many forms, it is anything which an undertaking (an organisation engaged in economic activity) could not get on the open market. The Authority as a public authority is responsible for ensuring that its projects / grant funding is not in contravention of the rules. The rules can be complex and any aid illegally granted can be recovered from the recipient. Please always seek advice from the Legal team as to whether there are any state aid implications.

### **15. Sample State Aid de minimis letter**

- Appendix 5 contains a sample de minimis letter that should be sent out to the recipient organisation if the grant could potentially amount to state aid but is under the current de minimis levels of 200,000 Euros in any rolling three year period. Services should ensure that the declaration is signed and returned by the organisation.

## Appendix 1

## Sample Grants Application Form

## Grant Application Form

This application form should be completed in conjunction with the Guidance Notes
--

Please tick the type of grant you are applying for (one per application)	Max. Grant	Tick

### 1. Contact Details

Organisation name:	
Address:	
	Postcode:
Main contact for this application (name):	
Position in organisation:	
Contact address (if different from above):	
	Postcode:
Telephone No:	
Email:	
Website:	
Senior contact for this application (name):	
This must be your chair, secretary, treasurer or a senior member of your management committee and different from above.	
Contact address	
	Postcode:
Telephone No:	
Email:	
Position in organisation:	

### 2. Organisation Profile

How would you describe your organisation? Please tick all boxes that apply

Registered Charity       Voluntary Organisation       Community Group

Please supply your Registration Number

Company Limited by Guarantee       Not-for-Profit Organisation       Social Enterprise

Other       Please describe:

How long has your organisation been in existence?

What does your organisation do? (A summary of this information will be used on our website if your application is successful) Maximum 50 words

Does your organisation:

Own its own land/premises/facilities

Hire private land/premises/facilities

Hire Local Authority land/premises/facilities

Lease the land/premises/facilities  (please give details of lease expiry date/length of lease below)

How many people are involved in your organisation? (include your committee, staff and members in this figure)

Number of paid staff  Full Time  Part Time  Casual

Number of unpaid staff/volunteers  Full Time  Part Time  Casual

Number of members / participants  Total

**3. Previous Funding**

Has your organisation received a Grant or other funding from Cheshire East Council before?

Yes  No

If yes, please state what the grant was for, when it was awarded and how much was awarded.

Amount £                      Awarded in (date):                      Type of grant or funding:

How did you hear about the Grant Scheme?

**4. Your Project**

Start date of project:

Name of project: Maximum 10 words

Briefly describe what the grant you are requesting is required for and why it is needed: Maximum 150 words

If you receive a grant, describe what outcomes your project will achieve, what difference it will make to your organisation/area and how it will extend/develop community activity Maximum 150 words

How have you consulted your members and/or wider community to establish the community need for your project? Maximum 50 words.

How will you evaluate your project and its outcomes upon project completion? Maximum 50 words.

How will your project or service be sustained and provide a lasting benefit to the community after the grant funding has been used? Maximum 50 words

**5. Projected Expenditure**

Please estimate your total project costs and provide brief details. Use a separate sheet if necessary and provide quotes.

New build/refurbishment	£	
Furniture, fixtures/fittings ( <i>details</i> )	£	
Equipment purchase ( <i>details</i> )	£	
Equipment hire ( <i>details</i> )	£	
Premises/facility hire (please give breakdown by cost per week)	£	
Materials (please give details)	£	
Advertising/marketing/publicity	£	
Workshops/seminars/training	£	
Other ( <i>details</i> )	£	
<b>TOTAL COST:</b>	£	

## 6. Projected Income

Please specify match funding from other sources (external grants, own contribution etc). Cheshire East Council will take into account your ability to obtain funding from other sources and from your own existing funds when recommending an award. **We cannot guarantee to award the full amount requested.**

	Amount	Applied to (name) and expected to hear (date)	Confirmed? (✓)
<b>Total Project Cost</b>			
Own existing funds/fundraising			
Projected income from ticket sales etc.			
Town / Parish Council			
Sponsorship (Please specify)			
Donations (please specify)			
Grants i.e. Lottery, WREN etc (Please specify)			
Non-Cash or In-Kind contributions			
<b>Total projected income</b>			
<b>Amount requested from Cheshire East Council</b>			
<b>Balance Outstanding</b>			

If there is a balance outstanding or you are not awarded the full amount requested from Cheshire East Council please state how the shortfall will be covered or whether the project will be delayed:

If you receive all of your expected income which then exceeds your total project costs, or you make a profit, please state how this surplus will be spent:

Please provide a summary of your most recent accounts and whether the figures below are:

- A projection because the organisation has been running for less than 15 months
- Information from the organisation's latest accounts

Account Year Ending:

Total Income for the year                   £  
 Total expenditure for the year           £  
 Surplus or deficit                             £

Total savings or reserves at bank at year end                   £  
 (please state what reserves are held for)

Please state organisation's bank account name, sort code and account number:

If your organisation is VAT registered please supply your VAT number

## 7. Your Project Beneficiaries

This information is for data collection purposes only and will not be used to assess your application unless you unfairly restrict access to your organisation or activity.

Please tell us the total number of people you expect to access your activity or facility

Please tell us who will benefit from your project Maximum 150 words

Does your organisation restrict access on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation?  
 Yes  No   
 If yes, please give us more information about why you restrict access:

Please tell us which geographical area will benefit most from your project (town/village).

**8. Supporting Documentation**

Please tick if you have the following documents. You do not need to send these documents in with your application, apart from your Governing Document and Safeguarding Policies, but we may request copies at a later date.

Up to date Annual accounts	<input type="checkbox"/>	Safeguarding Policies	<input type="checkbox"/>
Copy of your Governing Document (signed)	<input type="checkbox"/>	Quotes/Estimates for equipment**	<input type="checkbox"/>
Planning Permission	<input type="checkbox"/>	Affiliation to a Governing Body**	<input type="checkbox"/>
Disclosure and Barring Service Checks	<input type="checkbox"/>	Equalities and Inclusion Policy	<input type="checkbox"/>

**9. Data Protection**

**Please ensure that you read this section before submitting your application.**  
 Part or all of the information you supply to us will be held on computer. This information will be used for the administration of grant applications and for statistical analysis. Copies of this information will be given, where necessary, to individuals we consult with when assessing applications and for monitoring grants. You have the right to view information we hold on you and to have any errors or inaccuracies corrected.  
 We would like to contact you from time-to-time to provide information relevant to you such as funding bulletins and our newsletter. The General Data Protection Regulation requires us to ask for consent to contact you by email. If you are happy for us to do this please tick this box  If you do not tick this box we will not include your details on our database.

**10. Declaration**

I hereby certify that to the best of my knowledge all the information contained within this application is correct and I confirm that I understand, agree and accept the terms and conditions of the grant as set out in the [*insert grants policy name*].

1 <sup>st</sup> Signature: Date:	Position in organisation:
2 <sup>nd</sup> Signature: Date:	Position in organisation:

**11. Submitting Your Application**

Before submitting your application you must tick all the boxes below to confirm that:

- You have answered all questions on the application form.
- You have included a signed copy of your Governing Document
- You have included copies of your Safeguarding Policies.
- You have included relevant quotes / estimates.
- You (the main contact named in section 1 of this application form) are authorised to apply for a grant from Cheshire East Council on behalf of your organisation.
- You understand that if you make any seriously misleading statements (whether deliberate or accidental) at any stage during the application process, or knowingly withhold any information, this could make your application invalid and you could be liable to repay the grant to the Council.
- If we make a conditional offer to your organisation you will supply all relevant documents or information within 20 working days and accept that we may withdraw the grant offer if this is not adhered to.
- You have read and are able to comply with the terms and conditions of the grant, which are the terms and conditions set out in the *[insert grants policy name]*, and further that you understand that any grant offer will be made subject to your confirming that you understand, agree and accept those terms and conditions.

**Application forms should be returned:**

By post: *[insert address to return application form to]*  
By email: *[insert email address]*

If you have any questions concerning your application please visit [www.cheshireeast.gov.uk/\\*\\*insert link](http://www.cheshireeast.gov.uk/**insert link) use the contact details above or phone *[insert contact name]*.

**Closing dates for receipt of applications are *[insert dates]***

You will be informed of the outcome of your application approximately 6 weeks after the closing date.

## Appendix 2

**Sample Grants Scoring Matrix – each scheme needs to develop a matrix – below is an example taken from the Council’s Early Help Community Grants Scheme.**

<b>Grants Decision Scoring Matrix</b>				
<b>Organisation Name:</b>				
	Matches Greatly	Matches Partly	Makes no difference	Negative impact
<b>Scoring Criteria</b> assessed against application form	3 points	2 points	1 point	0 points
Demonstrates how the project meets the criteria set out in the Policy				
Clearly identified outcomes of the project				
Consultation completed and community need clearly described				
Method of evaluation of the project outcomes is identified and clearly stated				
Demonstrates how the project or service will be sustained after the grant funding has been used and provide a lasting benefit to the community				
Have funding contributions from own funds or other funding sources (0% = 0 points, 1-25% = 1 point, 26-50% = 2 points, above 51% = 3 points)				
Number of previous successful grant applications within the last 5 years (above 5 = 0 points, 3-4 = 1 point, 1-2 = 2 points, none = 3 points)				
Total amount of previous successful grant applications within the last 5 years (over £12,000 = 0 points, £3,000 to £12,000 = 1 point, under £3,000 = 2 points, none = 3 points)				
Monitoring information submitted for previous grant award (fully completed and strong evaluation of project = 3 points, fully completed and weak evaluation of project= 2 points, = incomplete 1 point, not submitted = 0 points)				
	0	0	0	0

**Appendix 3**

**Sample grant funding letter (grants up to £5,000)**

Dear

**Grant fund – insert name of fund**

With regards to your recent Grant application, I am pleased to advise you that your application has been successful and you have been awarded £        towards your project.

This grant offer is made in accordance with and subject to the terms and conditions of the Policy for [insert relevant grant policy name], a copy of which is attached to this letter and forms part of the grant offer.

If you wish to accept the grant offer please sign and date two copies of this letter, keep a copy for your records and return a copy to the address above. Grant offers are only valid for a period of 6 months from the date of this letter for grants of £1,000 and under, which will be paid once the acceptance has been received and 12 months for those over £1,000, which will be paid upon project completion.

It is a condition of the grant that you provide a report and photographs within six months of the grant being awarded for grants of £1,000 and under and within 12 months for grants over £1,000. Please complete and return the monitoring form provided, together with copies of invoices/receipts for the total project amount on your application.

Name of authorised signatory ( <i>in capitals</i> )	
Position within Organisation:	
I understand, agree and accept the terms and conditions of the grant as set out in the Policy [insert relevant grant policy name].	
Signature:	
Date:	

Please do not hesitate to contact me if you have any queries.

Yours sincerely

Appendix 4

Sample grant funding agreement (grants over £5,000)

**Dated**

-----

**Grant Agreement**

**between**

**CHESHIRE EAST BOROUGH COUNCIL**

**And**

**XXXXX Organisation**

THIS AGREEMENT is dated .....

Parties

- (1) **CHESHIRE EAST BOROUGH COUNCIL**, whose principal address is at Westfields Middlewich Road Sandbach CW11 1HZ (**“Council”, “Us”, “We” or “Our”**).
- (2) [NAME OF RECIPIENT], [RELEVANT DETAILS OF LEGAL STRUCTURE] whose principal address is at [ADDRESS] (**“Recipient” or “You”**).

Background

- (A) We have agreed to pay the Grant to You to assist You in carrying out the Project.
- (B) This Agreement sets out the terms and conditions on which the Grant is made by Us to You.
- (C) These terms and conditions are intended to ensure that the Grant is used for the purpose for which it is awarded.

Schedule 1: The Project

The Grant has been awarded to You for the purposes detailed below: -

**Xxxx**  
Xxxxx

Schedule 2: Payment Schedule

Amount of Grant Payable	Date of Payment

This agreement is entered into and takes effect on the date stated at the beginning of it.

Signed For And On Behalf Of

**CHESHIRE EAST BOROUGH COUNCIL**

By an Authorised Signatory

.....

[Name of Authorised Signatory]

.....

**Signature of Authorised Signatory**

.....

[Name and position of Organisation Representative]

**AUTHORISED TO BIND THE ORGANISATION**

**Signature of Representative**

.....

[Name of position Organisation Representative]

**AUTHORISED TO BIND THE ORGANISATION**

**Signature of Representative**

.....

SCHEDULE 3: Agreed Terms

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1. Definitions

In this Agreement the following terms shall have the following meanings:

<b>Bribery Act:</b>	The Bribery Act 2010 and any subordinate legislation made under that Act from time to time together with any guidance or codes of practice issued by the relevant government department concerning the legislation.
<b>GDPR:</b>	means EU General Data Protection Regulation 2016/679;
<b>Governing Body:</b>	Your governing body including its directors or trustees.
<b>Grant:</b>	The sum of <b>£xxxxx</b> to be paid to You in accordance with this Agreement.
<b>Grant Period:</b>	the period for which the Grant is awarded starting on the Starting Date and ending on xxxxxxxx
<b>Intellectual Property Rights:</b>	all patents, copyrights and design rights (whether registered or not) and all applications for any of the foregoing and all rights of confidence and Know-How however arising for their full term and any renewals and extensions.
<b>Know-How :</b>	information, data, know-how or experience whether patentable or not and including but not limited to any technical and commercial information relating to research, design, development, manufacture, use or sale.
<b>Prohibited Act: means;</b>	<p>(a) offering, giving or agreeing to give to any servant of the Council any gift or consideration of any kind as an inducement or reward for:</p> <p style="padding-left: 40px;">(i) doing or not doing (or for having done or not having done) any act in relation to the obtaining or performance of this Agreement or any other contract with the Council; or</p> <p style="padding-left: 40px;">(ii) showing or not showing favour or disfavour to any person in relation to this Agreement or any other contract with the Council;</p> <p>(b) entering into this Agreement or any other contract with the Council where a commission has been paid or has been agreed to be paid by You or on its behalf, or to its knowledge, unless before the relevant contract is entered into particulars of any such commission and of the terms and conditions of any such contract for the payment thereof have been disclosed in writing to the Council;</p> <p>(c) committing any offence:</p> <p style="padding-left: 40px;">(i) under the Bribery Act;</p> <p style="padding-left: 40px;">(ii) under legislation creating offences in respect of fraudulent acts;</p> <p>or</p> <p style="padding-left: 40px;">(iii) at common law in respect of fraudulent acts in relation to this Agreement or any other contract with the Council; or</p> <p>(d) defrauding or attempting to defraud or conspiring to defraud the Council.</p>
<b>Project:</b>	the project described in Schedule 1.
<b>Project Manager:</b>	the individual who has been nominated to represent You for the purposes of this Agreement.
<b>Start Date:</b>	[insert date]

## 2. Purpose of Grant

- 2.1 You shall use the Grant only for the delivery of the Project and in accordance with the terms and conditions set out in this Agreement. The Grant shall not be used for any other purpose without Our prior written agreement.
- 2.2 You shall not make any significant change to the Project without Our prior written agreement.
- 2.3 Where You intend to apply to a third party for other funding for the Project, You will notify Us in advance of Your intention to do so and, where such funding is obtained, You will provide Us with details of the amount and purpose of that funding.

## 3. Payment of Grant

- 3.1 Subject to clause 0, We shall pay the Grant to You in accordance with **Error! Reference source not found.**, subject to the necessary funds being available when payment falls due.
- 3.2 The amount of the Grant shall not be increased in the event of any overspend by You in the delivery of the Project.
- 3.3 The Grant shall be paid into a separate bank account in Your name which must be an ordinary business bank account. All cheques from the bank account must be signed by at least two of Your individual representatives.
- 3.4 You shall promptly repay to Us any money incorrectly paid to You either as a result of an administrative error or otherwise. This includes (without limitation) situations where either an incorrect sum of money has been paid or where Grant monies have been paid in error before all conditions attaching to the Grant have been complied with by You.

## 4. Use of Grant

- 4.1 The Grant shall be used by You for the delivery of the Project in accordance with the agreed budget set out in **Error! Reference source not found.**
- 4.2 You shall not use the Grant to:
  - (a) make any payment to members of Your Governing Body;
  - (b) purchase buildings or land; or
  - (c) pay for any expenditure commitments You entered into before the Start Date, unless this has been approved in writing by Us.
- 4.4 Should any part of the Grant remain unspent at the end of the Grant Period, You shall ensure that any unspent monies are returned to Us or, if agreed in writing by Us, You shall be entitled to retain the unspent monies to use for charitable purposes as agreed.
- 4.5 Any liabilities arising at the end of the Project including any redundancy liabilities for staff employed by You to deliver the Project must be managed and paid for by You using the Grant or Your other resources. There will be no additional funding available from Us for this purpose.

## 5. Accounts and Records

- 5.1 The Grant shall be shown in Your accounts as a restricted fund and shall not be included under general funds.
- 5.2 You shall keep separate, accurate and up-to-date accounts and records of the receipt and expenditure of the Grant monies received by You.
- 5.3 You shall keep all invoices, receipts, and accounts and any other relevant documents relating to the expenditure of the Grant for a period of at least six years following receipt of any Grant monies to which they relate. We shall have the right to review, at Our

reasonable request, Your accounts and records that relate to the expenditure of the Grant and shall have the right to take copies of such accounts and records.

- 5.4 You shall provide Us with a copy of Your annual accounts in respect of each year in which the Grant is paid.
- 5.5 You shall comply and facilitate Our compliance with all statutory requirements as regards accounts, audit or examination of accounts, annual reports and annual returns.

## **6. Monitoring and Reporting**

- 6.1 You shall closely monitor the delivery and success of the Project throughout the Grant Period to ensure that the aims and objectives of the Project are being met and that this Agreement is being adhered to. Annual payment of the Grant may be dependant on satisfactory monitoring of the Project.
- 6.2 You shall on request provide Us with such further information, explanations and documents as We may reasonably require in order to establish that the Grant has been used properly in accordance with this Agreement.
- 6.3 You shall permit any person authorised by Us such reasonable access to Your employees, agents, premises, facilities and records, for the purpose of discussing, monitoring and evaluating Your fulfilment of the conditions of this Agreement.
- 6.4 You shall provide Us with a final report on completion of the Grant Period which shall confirm whether the Project has been successfully and properly completed.

## **7. Acknowledgment and Publicity**

- 7.1 You shall acknowledge the Grant in Your annual report and accounts, including an acknowledgement of Us as the source of the Grant.
- 7.2 You shall not publish any material referring to the Project or Us without Our prior written agreement. You shall acknowledge the support of the Council in any materials that refer to the Project and in any written or spoken public presentations about the Project.

## **[8. Optional clause – Intellectual Property Rights]**

- 8.1 The parties agree that all rights, title and interest in or to any information, data, reports, documents, procedures, forecasts, technology, Know-How and any other Intellectual Property Rights whatsoever owned by either You or Us before the Start Date or developed by either party during the Grant Period, shall remain the property of that party.
- 8.2 Where We have provided You with any of Our Intellectual Property Rights for use in connection with the Project (including without limitation Our name and logo) You shall, on termination of this Agreement, cease to use such Intellectual Property Rights immediately and either return or destroy such Intellectual Property Rights as requested by Us. ]

## **8 [or renumber from here if 8 above used]. Confidentiality**

- 8.1 Subject to clause 0 (Freedom of Information), each party shall during the term of this Agreement and thereafter keep secret and confidential all business, technical or commercial information disclosed to it as a result of the Agreement and shall not disclose the same to any person save to the extent necessary to perform its obligations in accordance with the terms of this Agreement or save as expressly authorised in writing by the other party.
- 8.2 The obligation of confidentiality contained in this clause shall not apply or shall cease to apply to any Intellectual Property Rights, Know-How or other business, technical or commercial information which:

- (a) at the time of its disclosure by the disclosing party is already in the public domain or which subsequently enters the public domain other than by breach of the terms of this Agreement by the receiving party;
- (b) is already known to the receiving party as evidenced by written records at the time of its disclosure by the disclosing party and was not otherwise acquired by the receiving party from the disclosing party under any obligations of confidence; or
- (c) is at any time after the date of this Agreement acquired by the receiving party from a third party having the right to disclose the same to the receiving party without breach of the obligations owed by that party to the disclosing party.

**9. Freedom of Information**

- 9.1 You acknowledge that We are subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004, and shall assist and co-operate with Us to enable Us to comply with these information disclosure requirements.
- 9.2 You shall:
  - (a) transfer the request for information to Us as soon as practicable after receipt and in any event within two Working Days of receiving a request for information;
  - (b) provide Us with a copy of all information in its possession or power in the form that We require within five working days (or such other period as We may specify) of Us requesting that information; and
  - (c) provide all necessary assistance as reasonably requested by Us to enable Us to respond to a request for information within the time for compliance set out in section 10 of the FOIA or regulation 5 of the Environmental Information Regulations 2004.
- 9.3 We shall be responsible for determining in Our absolute discretion whether the information:
  - (a) is exempt from disclosure in accordance with the provisions of the FOIA or the Environmental Information Regulations 2004;
  - (b) is to be disclosed in response to a request for information, and in no event shall You respond directly to a request for information unless expressly authorised to do so by Us.
- 9.4 You acknowledge that We may, acting in accordance with the Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part 1 of FOIA (issued under section 45 of the FOIA, November 2004), be obliged under the FOIA or the Environmental Information Regulations 2004 to disclose information:
  - (a) without consulting You; or
  - (b) following consultation with You and having taken Your views into account, provided always that where clause 0 applies We shall, in accordance with any recommendations of the Code, take reasonable steps, where appropriate, to give You advanced notice, or failing that, to draw the disclosure to Your attention after any such disclosure.
- 9.5 You shall ensure that all information produced in the course of the Agreement or relating to the Agreement is retained for disclosure and shall permit Us to inspect such records as requested from time to time.

**10. Data Protection**

You shall (and shall procure that any of Your staff involved in connection with the activities under the Agreement shall) comply with any notification requirements under the Data Protection Act 1998 (DPA) and both Parties will duly observe all their obligations under the DPA and from 25<sup>th</sup> May 2018 any obligations arising under the GDPR, which arise in connection with the Agreement. [Consider whether specific data processing occurs / data sharing arrangements need to be put in place and seek advice from Legal services]

## 11. Withholding, Suspending and Repayment of Grant

- 11.1 Our intention is that the Grant will be paid to You in full. However, without prejudice to Our other rights and remedies, We may at Our discretion withhold or suspend payment of the Grant and/or require repayment of all or part of the Grant if:
- (a) You use the Grant for purposes other than those for which they have been awarded;
  - (b) We consider that You have not made satisfactory progress with the delivery of the Project;
  - (c) You are, in Our reasonable opinion, delivering the Project in a negligent manner;
  - (d) You obtain duplicate funding from a third party for the Project;
  - (e) You obtain funding from a third party which, in Our reasonable opinion, undertakes activities that are likely to bring the reputation of the Project or the Council into disrepute;
  - (f) You provide Us with any materially misleading or inaccurate information;
  - (g) You commit or committed a Prohibited Act;
  - (h) any member of Your governing body, employee or volunteer has (a) acted dishonestly or negligently at any time and directly or indirectly to the detriment of the Project or (b) taken any actions which, in Our reasonable opinion, brings or is likely to bring the Council's name or reputation into disrepute;
  - (i) You cease to operate for any reason, or You pass a resolution (or any court of competent jurisdiction makes an order) that You are to be wound up or dissolved (other than for the purpose of a bona fide and solvent reconstruction or amalgamation);
  - (j) You become insolvent, or You are declared bankrupt, or placed into receivership, administration or liquidation, or a petition has been presented for Your winding up, or You enter into any arrangement or composition for the benefit of Your creditors, or You are unable to pay Your debts as they fall due; or
  - (k) You fail to comply with any of the terms and conditions set out in this Agreement and fail to rectify any such failure within 30 days of receiving written notice detailing the failure.
- 11.2 Should You be subject to financial or other difficulties which are capable of having a material impact on the effective delivery of the Project or compliance with this Agreement You will notify Us as soon as possible so that, if possible, and without creating any legal obligation, We will have an opportunity to provide assistance in resolving the problem or to take action to protect the Council and the Grant monies.

## 12. Anti-Discrimination

- 12.1 You shall not unlawfully discriminate within the meaning and scope of any law, enactment, order, or regulation relating to discrimination (whether in race, gender, religion, disability, sexual orientation, age or otherwise) in employment.
- 12.2 You shall take all reasonable steps to secure the observance of clause 0 by all Your servants, employees or agents and all suppliers and sub-contractors engaged on the Project.

### 13. Human Rights

- 13.1 You shall (and use Your reasonable endeavours to procure that Your staff shall) at all times comply with the provisions of the Human Rights Act 1998 in the performance of this Agreement as if You were a public body (as defined in the Human Rights Act 1998).
- 13.2 You shall undertake, or refrain from undertaking, such acts as We request so as to enable Us to comply with Our obligations under the Human Rights Act 1998.

### 14. Safeguarding

- 14.1 You will ensure that any person employed by You has, where required, been subject to a valid disclosure check through the Disclosure and Barring Service.
- 14.2 You will ensure that you have and implement robust up-to-date policies and procedures in place for avoiding and responding to actual or suspected physical, sexual, racial, psychological, financial or other discriminatory abuse and acts of neglect or omission. Such policies and procedures are to be reviewed at least annually and produced to the Council on request.
- 14.3 You will comply with any safeguarding policies issued by the Council including the by the Local Safeguarding Boards, details of which are on the following websites: [www.cheshireeastlscb.org.uk](http://www.cheshireeastlscb.org.uk); [www.stopadultabuse.org.uk](http://www.stopadultabuse.org.uk).

### 15. Limitation of Liability and Insurance

- 15.1 We accept no liability for any consequences, whether direct or indirect, that may come about from You running the Project, the use of the Grant or from withdrawal of the Grant. You shall indemnify and hold Us harmless, Our employees, agents, officers or sub-contractors with respect to all claims, demands, actions, costs, expenses, losses, damages and all other liabilities arising from or incurred by reason of the actions and/or omissions of You in relation to the Project, the non-fulfilment of Your obligations under this Agreement or Your obligations to third parties.
- 15.2 Subject to clause 15.1, Our liability under this Agreement is limited to the payment of the Grant.
- 15.3 You shall effect and maintain with a reputable insurance company a policy or policies in respect of all risks which may be incurred by You, arising out of Your performance of the Agreement, including death or personal injury, loss of or damage to property or any other loss (the **Required Insurances**).
- 15.4 The Required Insurances referred to above include (but are not limited to):
  - (a) public liability insurance with a limit of indemnity of not less than five million pounds (£5,000,000) in relation to any one claim or series of claims arising from the Service; and
  - (b) employer's liability insurance with a limit of indemnity of not less than five million pounds (£5,000,000) in relation to any one claim or series of claims arising from the Service.

You shall (on request) supply to Us such information as We may reasonably require relating to the insurance policies and evidence that the relevant premiums have been paid.

### 16. Warranties

- 16.1 You warrant, undertake and agree that:

- (a) You have all the necessary resources and expertise to deliver the Project (assuming due receipt of the Grant);
- (b) You have not committed, nor shall You commit, any Prohibited Act;
- (c) all financial and other information which has been disclosed by You to Us is to the best of Your knowledge and belief, true and accurate;
- (d) You are not subject to any contractual or other restriction imposed which may prevent or materially impede You from meeting Your obligations in connection with the Grant;
- (e) You have and shall keep in place adequate procedures for dealing with any conflicts of interest;
- (f) You have and shall keep in place systems to deal with the prevention of fraud and/or administrative malfunction;
- (g) all financial and other information You have disclosed to Us is to the best of Your knowledge and belief, true and accurate;

**17. Duration**

Except where otherwise specified, the terms of this Agreement shall apply from the date of this Agreement until the anniversary of expiry of the Grant Period or for so long as any Grant monies remain unspent by You, whichever is longer.

**18. Termination**

We may terminate this Agreement and any Grant payments on giving You three months written notice should We be required to do so by financial restraints, or for any other reason.

**19. Dispute Resolution**

- 19.1 In the event of any complaint or dispute (which does not relate to Our right to withhold funds or terminate) arising between Us in relation to this Agreement the matter should first be referred for resolution to the Project Manager or any other individual nominated by Us from time to time.
- 19.2 Should the complaint or dispute remain unresolved within 14 days of the matter first being referred to the Project Manager or other nominated individual, as the case may be, either party may refer the matter to Our Principal Manager, Partnerships and Communities and Your Chair with an instruction to attempt to resolve the dispute by agreement within 28 days, or such other period as may be mutually agreed by Us and You.
- 19.3 In the absence of agreement under clause 0, the parties may seek to resolve the matter through mediation under the CEDR Model Mediation Procedure (or such other appropriate dispute resolution model as is agreed by both parties). Unless otherwise agreed, the parties shall bear the costs and expenses of the mediation equally.

**20. General**

- 20.1 You may not, without Our prior written consent, assign, transfer, sub-contract, or in any other way make over to any third party the benefit and/or the burden of this Agreement or, except as contemplated as part of the Project, transfer or pay to any other person any part of the Grant.
- 20.2 No failure or delay by either party to exercise any right or remedy under this Agreement shall be construed as a waiver of any other right or remedy.

- 20.3 All notices and other communications in relation to this Agreement shall be in writing and shall be deemed to have been duly given if personally delivered, e-mailed, or mailed (first class postage prepaid) to the address of the relevant party, as referred to above or otherwise notified in writing. If personally delivered or if e-mailed all such communications shall be deemed to have been given when received (except that if received on a non-working day or after 5.00 pm on any working day they shall be deemed received on the next working day) and if mailed all such communications shall be deemed to have been given and received on the second working day following such mailing
- 20.4 This Agreement shall not create any partnership or joint venture between Us, nor any relationship of principal and agent, nor authorise any party to make or enter into any commitments for or on behalf of the other party.
- 20.5 Where You are not a company nor an incorporated entity with a distinct legal personality of Your own, the individuals who enter into and sign this Agreement on your behalf shall be jointly and severally liable for Your obligations and liabilities arising under this Agreement.
- 20.6 This Agreement does not and is not intended to confer any contractual benefit on any person pursuant to the terms of the Contracts (Rights of Third Parties) Act 1999.
- 20.7 This Agreement shall be governed by and construed in accordance with the law of England and the parties irrevocably submit to the exclusive jurisdiction of the English courts.

## Appendix 5

### Sample De minimis letter : Eligibility to receive De minimis aid.

This letter can be used to determine the value of any De Minimis aid previously received by a beneficiary, in order to ascertain whether there is scope to give (further) De minimis aid.

Dear

[SCHEME TITLE (IF APPLICABLE)] STATE AID: DE MINIMIS AID

In order to minimise distortion of competition the European Commission sets limits on how much assistance can be given without its prior approval to organisations operating in a competitive market. This letter sets out what is needed to ensure compliance with those limits. You should note carefully the requirements and the obligations. If you have any queries please discuss them with the aid administrator.

Under EC Regulation 1407/2013 (De Minimis Aid Regulation) as published in the Official Journal of the European Union 24 December 2013<sup>42</sup>, the support provided is a De minimis aid. There is a ceiling of €200,000 for all De minimis aid provided to any one organisation over a three fiscal year period (i.e. your current fiscal year and previous two fiscal years). Any De minimis aid provided to you under this scheme will be relevant if you wish to apply, or have applied, for any other De minimis aid. The value of the aid under this scheme is (or estimated to be by calculating the gross grant equivalent). You will need to declare this amount to any other aid awarding body who requests information from you on how much De minimis aid you have received.

For the purposes of the De minimis regulation, you must retain this letter for 10 years from the date on which the aid is granted and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this letter longer than 10 years)

Please advise us now of any other De minimis aid which your enterprise and any enterprises linked to it may have received during your current and previous two fiscal years, as we need to check that our support added to that previously received, will not exceed the threshold of €200,000 over the last 3 fiscal years. De Minimis Aid includes not only grant but also assistance such as free or subsidised consultancy services, marketing advice etc. If you are in any doubt about whether previous assistance received classes as De minimis assistance please include it.

Please sign the attached statement confirming your eligibility for support.

Statement of De minimis aid received

I confirm that (I/ name of organisation) have received the following De minimis aid during the previous 3 fiscal years (i.e. current fiscal year and the previous two fiscal years):

Body providing the assistance/aid	Value of assistance (calculating the Gross Grant Equivalent)	Date of assistance

DECLARATION:

Company.....  
Client Name .....  
Signature .....  
Date .....

I acknowledge that if I fail to meet the Eligibility Requirements, I/we shall become liable to pay the full price that would otherwise be payable in respect of the grant/ services received.

Yours Sincerely,

**Appendix 6  
Sample Grant Monitoring Form**

<b>1. Contact Details</b>			
Organisation name:			
Address:			
Tel. No:		Email:	

<b>2. Grant Information</b>			
Grant Reference Number:		Date grant was awarded:	
Total project cost:	£	Amount Awarded:	£

<b>3. Budget</b>			
Has the grant been spent in line with your original application?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Please detail any changes to the grant expenditure:			
Has there been an underspend on the grant?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If so, how much? £                      and what is the reason for the underspend?			
Receipt Amount:£		Original or copies of your receipts / invoices must be included	
Please list both income and expenditure for your event with corresponding receipts below:			
Income		Expenditure	
	£		£
	£		£
	£		£
	£		£
	£		£
	£		£
	£		£
	£		£

Did you make a profit from the project?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, how will this be used?	

<b>4. Project Information</b>			
When did the project / event take place?		How many people benefitted from your project?	
To what extent do you feel your project achieved its aims and objectives:			
Not at all <input type="checkbox"/> Partly <input type="checkbox"/> Mainly <input type="checkbox"/> Fully <input type="checkbox"/>			
How well have the outcomes set out in your original application been met? List your top three outcomes with a brief explanation below. Outcomes can be defined as “the result of our changes on residents, businesses and the wider community.” Outcomes are what you achieved as a result of your actions.			
Have you considered using images, infographics, video clips etc to demonstrate the benefits.			
Did you encounter any problems delivering your project and what lessons have you learned from this?			

**5. Promotion**

Please send an electronic photograph of your project. Is this attached? Yes  No

Do you give permission for these photographs to be used on the Council's web site and in newsletters?  
(Please ensure that you seek permission for anybody photographed). Yes  No

How was the grant funding from Cheshire East Council acknowledged? (i.e. on your website, event programme, tickets, etc)

**6. Feedback**

What is your experience of using the Grant Scheme? Are there any comments or suggestions for improvements that you would like to make?

How did you apply? Online  Email  Post

Did you encounter any problems in submitting your application?

Do you feel that you understood the process? Yes  No

Please rate the following elements:

	Excellent	Good	OK	Poor
Completing the application form				
Relevance of guidelines				
Length of the process from submitting an application to receiving notification				
Evaluation requirements				
Advice given from the Grants Team (if applicable)				

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## **Cabinet**

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**Date of Meeting:** 10 July 2018

**Report Title:** Early Help and Community Grants Scheme

**Portfolio Holder:** Cllr Liz Wardlaw, Health

**Senior Officer:** Mark Palethorpe, Executive Director - People

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### **1. Report Summary**

- 1.1. The Council's Community Grants Scheme has been refreshed and renamed the 'Early Help and Community Grants Scheme'. In order to provide legal guidance for the operation of the grants scheme the Policy for the Allocation of Early Help and Community Grants Scheme requires approval from Cabinet each financial year.

### **2. Recommendations**

- 2.1. That Cabinet approve the draft 'Early Help and Community Grants' scheme (Appendix 1).
- 2.2. That Cabinet delegate authority to the Executive Director for People to make decisions on grant applications for funding from the 'Early Help and Community Grants Scheme'.

### **3. Reasons for Recommendations**

- 3.1. The Policy for the Allocation of Early Help and Community Grants 2018/19 requires adoption to allow the continuation of the community grants scheme throughout the financial year of 2018/19.
- 3.2. Approval for the Policy is annual as the budget for the scheme is agreed annually.
- 3.3. Early Help and Community Grant applications are considered at quarterly intervals with recommendations considered by the Executive Director for People. As the March Community Grants round did not take place, due to the review of the Council's Commissioning Plan, the first round for 2018/19 will occur in July 2018.

#### 4. Other Options Considered

4.1. No other alternatives have been considered.

#### 5. Background

- 5.1. The Integrated Commissioning Team has developed an Early Help Framework to offer a single mechanism for relevant commissioning activity for early help services. The Early Help Framework Specification and the Early Help and Community Grants Policy together form the Council's strategic vision for early help and prevention, thus orientating them to reduce or delay the need for people to access statutory health or social care services. This is because their needs will have been addressed 'upstream', before their health deteriorates.
- 5.2. Cheshire East Council has operated a long-standing Community Grants Scheme since 2009. The aim of this scheme was to support the voluntary, community and faith sector with small scale projects, events and activities that improve the quality of life for local communities. This scheme operated under the Policy for the Allocation of Community Grants, and grants awarded met the Council's Corporate Outcomes.
- 5.3. The current scheme has been refreshed and renamed the Early Help and Community Grants Scheme. Grants will be awarded under the Policy for the allocation of Early Help and Community Grants. This will result in local people being helped to 'live well and for longer', with resilience built so that residents are empowered to recognise and address their own health and wellbeing needs. This includes making the most of assets within communities.
- 5.4. The Community Grants Scheme previously had three categories:
- 5.4.1. **Events** that are classed as one-off annual events which benefit whole communities and include these communities in the organisation and planning of events up to a maximum of £1,000
  - 5.4.2. **Activities** which contribute to the development and wellbeing of the community and are ongoing throughout the year up to a maximum of £1,000
  - 5.4.3. **Facilities** building used for community purposes, open spaces, sports and play areas etc up to a maximum of £5,000

The Community Grants budget is £200k for 2018/19. As this funding is finite it is important to focus grant funding on activities where clearly defined

outcomes can be achieved. This means the events and facilities categories have been removed and replaced with a start up grants and community activity category with a maximum grant award of £5,000.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. The Council has the power to award grants to organisations using its general power of competence in section 1 of the Localism Act 2011. In exercising the power the Council must satisfy its public law duties. In essence this means that in making the decision the Council must have taken into account only relevant considerations, followed procedural requirements, acted for proper motives and not acted unreasonably. A grant policy is a clear statement of the criteria that the Council is applying and is essential if the Council is to defend any challenge to its decision making process. An overarching Corporate Grants Policy provides a consistent basis upon which policies are created and reviewed regularly.

6.1.2. The Policy for the Allocation of Early Help and Community Grants 2018/19 deals with the allocation of grants which are awarded to defined organisations following an application process and against set criteria. There are conditions requiring that organisations report back to the Council upon expenditure of the grant and to enable further appropriate conditions to be imposed. The decision making process is delegated to the Executive Director for People in accordance with the financial limits set out in the Corporate Grants Policy.

6.1.3. Grant funding to organisations based on the application of the Council's Early Help and Community Grants policy satisfies the Council's public law duties. A competitive grants process is an open, transparent and fair means to afford all eligible organisations the opportunity to compete for and obtain grant funding from the Council. It is a means to distribute limited resources amongst such organisations and to support and encourage the introduction of new community initiatives.

### **6.2. Finance Implications**

6.2.1. The options have no overall financial impact to the council as total Cheshire East budgets will remain the same, grants awarded in any year will only be awarded up to the budgeted amount. The base budget for the Early Help and Community Grants in 2018/19 is £200k.

**6.3. Equality Implications**

6.3.1. An Equality Impact Assessment will be completed.

**6.4. Human Resources Implications**

6.4.1. The Early Help and Community Grants Scheme will be managed through existing resources within the Communities Team.

**6.5. Risk Management Implications**

6.5.1. The risk of not agreeing an approach to provide funding opportunities to the voluntary, community and faith sector is that some organisations may be unable to continue to undertake activities which the Council would wish to see in place and which support the Council's aims and objectives, resulting in a loss of community benefit.

6.5.2. As the March community grants round was not held, whilst the scheme was reviewed, some organisations have missed the opportunity to apply for funding for their activity as retrospective applications cannot be granted. Therefore there will only be 3 rounds for 2018/19 and the scheme may be underspent.

**6.6. Rural Communities Implications**

6.6.1. There are no negative implications on the rural community as the Council's Early Help and Community Grants scheme is open to anybody to apply, as long as they meet the schemes criteria.

**6.7. Implications for Children & Young People**

6.7.1. Moving towards an outcome focussed approach gives greater opportunity for organisations to meet the needs of children and young people.

**6.8. Public Health Implications**

6.8.1. The Early Help and Community Grants scheme gives a positive health outcome as people are coming together in community groups and meeting other, like-minded, community members, which reduces social isolation.

**7. Ward Members Affected**

7.1. All wards and members.

## 8. Consultation & Engagement

- 8.1. Engagement took place with the voluntary, community and faith sector during the development of the Early Help Framework.

## 9. Contact Information

- 9.1. Any questions relating to this report should be directed to the following officer:

Name: Nichola Glover-Edge

Job Title: Director of Commissioning

Email: [nichola.glover-edge@cheshireeast.gov.uk](mailto:nichola.glover-edge@cheshireeast.gov.uk)

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POLICY FOR THE  
ALLOCATION OF  
EARLY HELP AND COMMUNITY GRANTS  
SCHEME

2018/19

May 2018



*Working for a brighter future together*

## 1. BACKGROUND

- 1.1. Cheshire East Council operates a Community Grants Scheme, recently renamed the Early Help and Community Grants Scheme, within the boundaries of Cheshire East as we believe that a vibrant voluntary, community and faith sector is vital to our communities. Small grants awarded to the voluntary, community and faith sector (VCFS) can generate a significant amount of community activity and positive impact. This Policy addresses the governance arrangements, procedures and monitoring process to facilitate the scheme.
- 1.2. The Early Help and Community Grants scheme is key to the delivery of our Connected Communities Strategy which aims to have connected communities across Cheshire East, where people and community organisations are embedded within local networks, providing mutual help and support.
- 1.3. The Early Help and Community Grants scheme aligns to the Council's Commissioning Framework – People live well for longer which has been developed to achieve improved outcomes for local people. This means anticipating and responding to health and wellbeing needs as early as possible to ensure that local people are helped to 'live well and for longer' building resilience, so that people are empowered to recognise and address their own health and wellbeing needs and to make the most of assets within communities (such as by connecting people with local groups / voluntary services), which is a core part of this approach.
- 1.4. The aim of the Early Help and Community Grants Scheme is to support organisations (which for the purposes of this Policy shall include voluntary and community groups, registered charities or other not for profit organisations) with small scale projects that will improve the quality of life for local communities. Grants will be awarded which meet the Council's Corporate Outcomes:
  - Outcome 1 – Our local communities are strong and supportive
  - Outcome 2 – Cheshire East has a strong and resilient economy
  - Outcome 3 – People have the life skills and education they need in order to thrive
  - Outcome 4 – Cheshire East is a green and sustainable place
  - Outcome 5 – People live well and for longer
- 1.5. Funding will only be provided where organisations can demonstrate that a defined impact will be made through their project or activity and that clear outcomes can be achieved.
- 1.6. When using the term grants in this Policy it refers to the giving of a fixed amount of Council funds to organisations through an application and assessment process which takes place 4 times each financial year.

## 2. LEGAL AND BUDGETARY FRAMEWORK

- 2.1. The Executive Director - People has responsibility for Early Help and Community Grants and has delegated authority to approve applications for grants from local Organisations to assist in developing community based activities and projects.
- 2.2. The Early Help and Community Grants budget is fixed each year and so there is a limited amount of money from which to pay grants under this policy.
- 2.3. All grant decisions will be made based on the set of principles, set out in this Policy, and within the agreed budget approved by Council each year. The budget for the grants is managed carefully and flexibly to ensure that the Council has money available throughout the year. As far as possible the Council tries to ensure that no one is disadvantaged due to the time of year they apply.

- 2.4. Given the fixed budget and the Council's aim to benefit as many organisations as possible, the Council cannot guarantee to fund the maximum amount applied for; therefore organisations must ensure that they have procedures in place to cover the balance of funding required. The Council will not pay a grant unless the organisation can demonstrate that the balance of the funding is available.
- 2.5. The Executive Director for People will be responsible for setting aside a proportion of the available budget for promotion and publicity purposes, as required.

### 3. APPLICATION PROCESS

- 3.1. The Early Help and Community Grants Scheme operates within set criteria, agreed by the Executive Director for People and relevant Council Officers in line with the Council's Corporate Outcomes:

#### How to apply

- 3.2. Applications for Early Help and Community Grants must be made using the Council's current Early Help and Community Grant application form and associated guidance notes that are available online on the Council's website and as a paper version on request.
- 3.3. The application form must be completed in full. Incomplete application forms will not be considered and will be returned to the applicant, which could cause a delay or deferral of the application. A copy of the organisations up-to-date signed Governing Document and Safeguarding Policies must be sent with the application form. If this is not received the application will be deferred to the next round of evaluation and may result in the application being declined. Supporting documentation (listed under section 12 of the application form) may also be requested prior to the application being fully considered. Failure to supply all required documentation will result in the application being treated as incomplete.
- 3.4. An organisation can only apply for one project per application and one application per financial year can be submitted.
- 3.5. The closing dates for receipt and acceptance of complete applications are the last Friday of March, June, September and December each year.
- 3.6. Grants cannot be paid retrospectively therefore any work commenced prior to acceptance of the grant offer will not be eligible for funding.
- 3.7. All successful applicants will be required to complete a post grant monitoring report as per section 5.0 of this Policy.

#### What can be funded

- 3.8. Grants up to the following amounts are available to support and strengthen organisations who are looking to improve or enhance community life and offer wider opportunities to local people within Cheshire East, which in turn improves individuals health and wellbeing. See examples below:

##### 3.8.1. ***Start up grants and community activity – up to a maximum award of £5,000***

Community activity comes in many different guises and contributes to people's health and wellbeing. It can reduce social isolation through bringing people together to participate in an activity or develop their personal skills such as learning how to use the internet or a new sport. The Council wishes to support the continuation of community activity and the formation of new community groups to support the needs of local communities and will fund running costs for new

organisations and those which have been running for less than 6 months. There are also benefits to the members of the VCFS organisation such as volunteering, which often requires members to be trained in order to further support their communities. Examples of things we are looking to fund are:

- Equipment, materials or specialist kit to help the organisation develop;
- Volunteer training courses such as food hygiene, health and safety, first aid, sports coaching;
- Specialist coaching or teaching sessions from outside organisations;
- Contributions towards running costs, excluding salaries, for organisations that have been established for less than 6 months only;
- Publicity / advertising / promotions / establishing a new website.

Outcome	Proposed areas for bids
<p><b>Outcome 1:</b> Our local communities are strong and supportive</p>	<ul style="list-style-type: none"> <li>• Safer Cheshire projects to promote and develop community safety</li> <li>• Supportive and inclusive communities</li> <li>• Projects to develop community cohesion</li> <li>• Projects that help communities play an active role in delivering good support and social networks and that help people to be better placed to help themselves and each other – including a better use of digital technology.</li> </ul>
<p><b>Outcome2:</b> Cheshire East has a strong &amp; resilient economy</p>	<ul style="list-style-type: none"> <li>• Projects that support economic growth</li> <li>• Projects that support under-represented groups and vulnerable groups in arts/culture/heritage/leisure activities</li> <li>• Emotional and mental wellbeing support through a range of diverse activities which could include creative arts.</li> </ul>
<p><b>Outcome 3:</b> People have the life skills and education they need in order to thrive</p>	<ul style="list-style-type: none"> <li>• Projects that engage children and young people with the culture and history of the Borough and help them develop the skills and knowledge to become better citizens and reduce the frequency of anti-social or disruptive behaviours</li> <li>• Targeted services for youth</li> <li>• Summer play schemes</li> <li>• Projects that support children and young people to get the best start in life</li> <li>• Projects that create the conditions for children and young people to develop skills and acquire knowledge to lead successful adult lives with a particular focus on 16-24 year olds who are not in education, employment or training.</li> </ul>
<p><b>Outcome 4:</b> Cheshire East is a green &amp; sustainable place</p>	<ul style="list-style-type: none"> <li>• Community based improvement schemes e.g outdoor gym equipment, public open space, recreation and improvement</li> <li>• Projects that promote recycling and waste minimisation</li> <li>• Projects that protect and enhance the natural and built environment so that the Borough is clean and green.</li> </ul>
<p><b>Outcome 5:</b> People Live well for Longer</p>	<ul style="list-style-type: none"> <li>• Projects to support communities</li> <li>• Support to help people to be independent and lead active lives, especially older people and people with disabilities and complex needs</li> <li>• Projects that promote health and health outcomes</li> <li>• Projects that reduce inequalities</li> <li>• Projects that support dementia friendly communities</li> <li>• Projects to reduce loneliness and isolation</li> </ul>

	<ul style="list-style-type: none"> <li>• Projects that support improved mental health and wellbeing and recovery</li> <li>• Supporting people in changing behaviour (such as to become more physically active).</li> </ul>
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### 3.9. What cannot be funded

- 3.9.1. Organisations which hold substantial free reserves, including local branches of national or regional organisations which hold free reserves that could be utilised;
- 3.9.2. Applications from Town and Parish Councils or departments within Cheshire East Council;
- 3.9.3. Work which has already taken place before acceptance of the grant offer;
- 3.9.4. Individuals;
- 3.9.5. Activities that are for the sole relief or benefit of animals;
- 3.9.6. General appeals, sponsorship or fundraising for your own organisation or others;
- 3.9.7. Activities of a mainly political or religious nature;
- 3.9.8. Assistance with providing transport;
- 3.9.9. Vehicle purchase;
- 3.9.10. Meals and refreshments;
- 3.9.11. Accommodation;
- 3.9.12. Outings or day trips;
- 3.9.13. Projects taking place abroad;
- 3.9.14. Travel expenses;
- 3.9.15. Projects from schools or colleges that do not take place outside of normal school hours or in the holidays and do not include a wide proportion of the community who do not attend that establishment;
- 3.9.16. Events which do not involve members of the local community participating;
- 3.9.17. Repair costs where deterioration is due to neglect;
- 3.9.18. Loan against loss or debt;
- 3.9.19. Running Costs i.e utilities, insurance, room hire, telephone, broadband, website hosting etc (unless this is for a new organisation, which has been established for less than 6 months);
- 3.9.20. Salaries and/or volunteer expenses;
- 3.9.21. Paying someone to write your application or applications to other grant funders;
- 3.9.22. Land purchase;
- 3.9.23. Items that are purchased on behalf of another organisation;
- 3.9.24. Disabled facilities where there is no proven need for the work to be carried out or where upgrading is required for an existing facility to meet the statutory requirements of the DDA;
- 3.9.25. Organisations which are not based in Cheshire East, unless they can demonstrate significant community benefits within Cheshire East.

### 3.10. Who can apply

To qualify for a grant organisations must meet the criteria listed below:

- 3.10.1. Operate within the Cheshire East area;
- 3.10.2. Provide value for money;
- 3.10.3. Be a voluntary or community organisation, registered charity or other not for profit organisation;
- 3.10.4. Have a set of audited accounts, or as a minimum an organisation bank statement, and are able to provide such information as the Council reasonably requires in order to satisfy the Council as to the organisations financial position and its need for the assistance requested;
- 3.10.5. Have a management committee with an up-to-date Governing Document which must be signed by at least two members of the committee who are unrelated to each other;

- 3.10.6. Have appropriate safeguarding policies relevant to their organisation, which must include a requirement that staff / volunteers are cleared with the Disclosure and Barring Service where appropriate;
- 3.10.7. Have a bank or building society account in the name of the organisation applying with at least two signatories who are unrelated to each other;
- 3.10.8. Complete the current application form in full, providing all required information;
- 3.10.9. Have not already received a community grant within the current financial year.

## 3.11. Criteria for Funding

3.11.1. Priority will be given to organisations and projects that build community resilience, such as:

- Community-led and managed activities;
- Increasing volunteering;
- Helping people to help themselves and support each other;
- Reducing reliance and demand on mainstream services;
- Improving the mental health and wellbeing of residents;
- Engaging local people through community groups and their social networks;
- Contributing primarily to outcomes 1, 3 or 5 as per section 1.4 of this Policy.

3.11.2. Priority will also be given to organisations which are based in Cheshire East, have funding contributions from their own funds and/or funding support from other bodies. Organisations applying for the first time will be given additional priority, as long as all other conditions are satisfied.

3.11.3. There is a limited budget available in the Early Help and Community Grants budget. The funding is intended to benefit as many organisations as possible over time, provide one-off funding for projects and to support new initiatives by new organisations. It is not intended that Early Help and Community Grants will provide repeat funding or that organisations become reliant on this grant funding as a regular source of income. With this in mind, when assessing applications the number of grants previously awarded and total amount of funding previously granted will be taken into consideration.

## 3.12. General Conditions

- 3.12.1. Grants are classed as one-off and should not be seen as repeat funding;
- 3.12.2. Annual applications from the same organisation for the same purpose will not be considered;
- 3.12.3. Grants of £1,000 and under are valid for a period of 6 months from the date of the offer letter and will be paid in advance. A report and invoices or receipts must be forwarded to the Grants Officer within 6 months of the date of offer letter;
- 3.12.4. Grants over £1,000 are valid for a period of 12 months from the date of the offer letter and will be paid upon completion of the project. A report and invoices or receipts must be forwarded to the Grants Officer within 12 months of the date of offer letter to allow the grant to be paid;
- 3.12.5. If an organisations financial position means that they are unable to begin the project without payment of the grant first they may be entitled to request payment prior to the project commencing. Monitoring information will still need to be submitted 12 months after the date of the offer letter;
- 3.12.6. Organisations who are in receipt of other funding from the Council may apply to this grant scheme if the grant is required for a one-off project which is considered additional to the service already funded;
- 3.12.7. Any profits from projects must be used to further develop the organisation or for any future projects and not used to support other organisations;

- 3.12.8. If the project involves work on land or a building, including refurbishment, the applicant must own the freehold of the land or building, or hold a lease that cannot be brought to an end by the landlord for at least 5 years;
- 3.12.9. If planning permission is required this must be in place before the grant application is made. The Council may ask for confirmation that planning permission is not required, or that it is required and has been granted. Grant applications without planning permission in place will be considered if the application is for a feasibility study or architects fees in order to establish the viability of the project;
- 3.12.10. Organisations must be committed to and have policies on equalities and inclusion and in delivering the services or activity the organisation must not unlawfully discriminate, directly or indirectly against any of the nine protected characteristics which are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The organisation can direct some or all of its activities at specific groups where the intention is to address discrimination or disadvantage;
- 3.12.11. Organisations must be able to participate in a monitoring process and provide monitoring information to evidence how the grant money has been spent and adherence to the conditions of the grant. This must include receipts or invoices and a written report of the project, plus photographs, on completion;
- 3.12.12. Organisations must acknowledge the support of Cheshire East Council in press releases, publicity and advertising etc. Electronic copies of the Council's logo will be sent with grant offers;
- 3.12.13. The organisation will allow Cheshire East Council to use details of the grant award, together with any relevant photographs supplied, in newsletters and on the Council's website;
- 3.12.14. Expenditure must not be incurred on the project prior to the grant decision being given. In these circumstances the Council will withdraw the grant offer/rescind the grant decision;
- 3.12.15. Organisations must notify the Council of any changes in circumstances which affect their financial position throughout the period in which the grant monies are being used;
- 3.12.16. The grant must only be used for the purposes specifically stated in the application form, should it be spent in any other way, without written approval from the Council, the Organisation may be asked to return some or all of the monies paid;
- 3.12.17. If the project is cancelled or only partially achieved, or if the organisation is wound up, any unused grant money must be returned to the Council;
- 3.12.18. All conditions under which the grant has been awarded, including any Special Conditions, must be met. Failure to do so could result in the Organisation being asked to repay the grant monies to the Council.

#### 4. DECISION MAKING PROCESS

- 4.1. The Community Grant applications will be considered at quarterly intervals as set out at section 3.5.
- 4.2. Having assessed all applications a Recommendations Report is prepared for consideration and approval by the Executive Director for People.
- 4.3. Organisations will be notified to inform them of whether they have been successful or not within 6 weeks after the closing date for each round of applications.
- 4.4. Complaints about any aspect of the Community Grant process will be dealt with under the Council's Corporate Complaints Procedure. A copy of the [Council's Corporate Complaints, Compliments and Suggestions Policy](#) is available from the Council's website.

## 5. MONITORING AND RECORD KEEPING

- 5.1. Following a successful application and in order to ensure that monies are used in an appropriate manner, as set out in this Policy, a monitoring report will be required following project completion. This report shall include, but shall not be limited to, how many people benefitted from the project, if a profit was made and how it was used, how the grant money was used and what difference the project made to the organisation and/or local people.
- 5.2. For Grants of £1,000 and under a report, invoices or receipts and photographs must be forwarded to the Council within 6 months of the date of offer letter.
- 5.3. For Grants over £1,000 a report, invoices or receipts and photographs must be forwarded to the Council within 12 months of the date of offer letter to allow the grant to be paid.
- 5.4. Invoices or receipts dated prior to the date of the offer letter will not be accepted or reimbursed as per section 3.9.3 of this Policy.
- 5.5. The Council reserves the right to monitor the use of the grant and ask for evidence to support an application.
- 5.6. The organisation must allow reasonable access to premises/accounts upon request from the Council.
- 5.7. Organisations must retain records relating to the grant for an appropriate period (to be advised depending on the grant).
- 5.8. If organisations do not supply satisfactory monitoring reports and supporting information in full and within the set time scale they may be asked to repay the grant funding to the Council. Failure to comply with the conditions of this grant may be taken into account when considering any further applications for grant funding made by the same organisation in the future.

## Cabinet

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**Date of Meeting:** 10 July 2018

**Report Title:** Better Care Fund Year-end Report 2017/18

**Portfolio Holder:** Cllr. Janet Clowes (Adults Social Care and Integration)

**Senior Officer:** Linda Couchman, Interim Director of Adult Social Care and Health

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### 1. Report Summary

1.1. The following is the year-end report for the Better Care Fund. The Better Care Fund provides a mechanism for joint health and social care planning and commissioning, bringing together ring-fenced budgets from Clinical Commissioning Group allocations, the Disabled Facilities Grant and funding paid directly to local government for adult social care services – the Improved Better Care Fund.

1.2. The year-end report covers the performance of the BCF in Cheshire East over 2017/18. In appraising the performance of the BCF in 2017/18 there are a number of considerations which are detailed below.

### 2. Recommendations

2. Cabinet note that:

2.1. The Better Care Fund in Cheshire East is making a significant difference to people's lives as evidenced by the highlights of scheme performance in section 5.9.

2.2. Notable improvements to Delayed Transfers of Care have taken place during the course of 2017/18.

2.3. At the same time the Better Care Fund plan covers a two year period 2017/19 and in 2018/19 there remains much to do as noted in next steps 5.23. The next steps include concluding the evaluation process, confirming schemes for 2018/19, the completion of number of self-assessments to better understand progress against 7 day working, integration and High Impact Care.

### 3. Reasons for Recommendations

3.1. In appraising the performance of BCF in 2017/18 Cabinet should note the following information:

- Vision, aims and objectives of BCF in Cheshire East (Appendix one)

- The aims of individual schemes (Appendix two)
- What will be different as a result of the 2017/18 BCF plan? As noted in 'Delivering the Better Care Fund in Cheshire East 2017-19'
- How individual schemes performed and what they achieved (Appendix three)
- How the plan performed against national metrics and Q4 performance (Appendix four)
- The evaluation process that has taken place to date and the results of that evaluation (Appendix five and six)
- The financial income and expenditure of the plan
- The next steps for the BCF in 2018-19

3.2. The governance of the BCF through S75 agreements states that the progress against the delivery of plans will be shared and monitored by the Better Care Fund Governance Board and will also be provided to the Cheshire East Health and Wellbeing Board as required. This end of year report forms part of the monitoring arrangements for the Better Care Fund.

#### **4. Other Options Considered**

4.1. N/A

#### **5. Background**

5.1. The Better Care Fund provides a mechanism for joint health and social care planning and commissioning, bringing together ring-fenced budgets from Clinical Commissioning Group allocations, the Disabled Facilities Grant and funding paid directly to local government for adult social care services – the Improved Better Care Fund. The Spring Budget 2017 announced an additional £2 billion to support adult social care in England. This money is included in the Improved Better Care Fund grant to local authorities and will be included in local Better Care Fund pooled funding and plans.

5.2. Local Better Care Fund plans are subject to national conditions and guidance. Local plans are monitored through NHS England and there are strict timelines regarding submission of plans for both regional and national assurance of plans to take place.

5.3. National Conditions for 2017-19:

5.4. In 2017-19, NHS England required that Better Care Fund plans demonstrated how the area will meet the following national conditions:

- Plans to be jointly agreed
- NHS contribution to adult social care is maintained in line with inflation
- Agreement to invest in NHS commissioned out-of-hospital services, which may include 7 day services and adult social care

- Managing Transfers of Care (*Delayed Transfers of Care*)

5.5. Detailed Implementation Plans were developed as part of the ‘*Delivering the Better Care Fund in Cheshire East 2017-19*,’ which was fully assured by NHS England on 21<sup>st</sup> December 2017. The progress against the delivery of these plans will be shared and monitored by the Better Care Fund Governance Board and will also be presented to the Cheshire East Health and Wellbeing Board on a quarterly basis.

5.6. In appraising the performance of BCF in 2017/18 the following information:

- Vision, aims and objectives of BCF in Cheshire East (Appendix one)
- The aims of individual schemes (Appendix two)
- What will be different as a result of the 2017/18 BCF plan? As noted in ‘*Delivering the Better Care Fund in Cheshire East 2017-19*’
- How individual schemes performed and what they achieved (Appendix three)
- How the plan performed against national metrics and Q4 performance (Appendix four)
- The evaluation process that has taken place to date and the results of that evaluation (Appendix five and six)
- The financial income and expenditure of the plan
- The next steps for the BCF in 2018-19

**5.7. What will be different as a result of the 2017/18 BCF plan?**

5.8. As part of ‘*Delivering the Better Care Fund in Cheshire East 2017-19*’ an articulation of what should be expected by the end of 2017/18 was produced, this along with a statement of progress is described in the table below:

By the end of 2017/18	Progress in 2017/18
<p>Reablement services in Cheshire East will have become fully integrated to address both physical and emotional needs; the aim will be to provide more balanced provision including both proactive and responsive services for people with physical and/or mental health needs and thus an improved outcome for those in Cheshire East. This will be evidenced by an improved reablement score under National Metric 3.</p>	<p>There are currently different commissioning expectations and specifications (including some that are out of date) for each element of the Reablement service. Significant service changes have also been made in-year, which has diverted existing capacity from Community Support Reablement.</p> <p>Across Reablement, there is a single provider, one management structure, a shared electronic rostering system (Staffplan), a shared recording system (Liquid Logic), one centralised referral hub, one assessment system and a</p>

	<p>single recruitment and training programme. There are examples of joint case working and a flexible staffing system, where staff members move between teams to offer cover, to jointly manage complex cases and to respond to, and manage, increased demand.</p> <p>Service users with dual, or multiple, needs have a single care plan and a primary worker who co-works, or links, with staff from across the other elements of the reablement service to deliver a single holistic package of care.</p> <p>There is one manager for Mental Health and Dementia Reablement in each of the two teams, which ensures the services are operationally integrated where appropriate.</p>
<p>Carers' services will be integrated, providing a single solution for support, which supports wellbeing, de-escalates crisis and maintains quality of life for both the person caring and the person being cared for. This will be evidenced under an improved score under National Metric 3.</p>	<p>Carers services have been integrated through the introduction of the integrated carers hub which is due to go live in April 2018. This service replaces the current carers breaks provision with the Carers Living Well Fund.</p>
<p>Falls services will become streamlined across health and social care with a move towards joint commissioning arrangements and utilise assistive technology, in addition a Cheshire-wide project to widen use of assistive technology to support people in their own homes will be in progress. This will be evidenced by an improvement in National Metric 2.</p>	<p>Work is still underway to ensure falls services are streamlined across health and social care moving towards joint commissioning arrangements. In addition to this consideration will be given to the joint commissioning of assistive technology with CCG partners.</p>
<p>iBCF schemes provide increased capacity and capability in the community; this is evidenced by meeting the DTOC trajectory in a sustained way in addition to a reduction in those requiring residential and nursing home care</p>	<p>All but one of the iBCF schemes were implemented, the schemes have contributed to increased capacity and capability in the community and have contributed to improved performance in Q3 meeting the trajectory for DTOC</p>

<p>particularly directly from acute care.</p>	<p>performance.</p> <p>In the plans for January 2018 the total delayed days was projected as being 1,057, the actual was 897 so we are 160 days better than the target, equating to about 5.2 beds per day above target. Compared to projected target, the total for January was 34.1 beds per day, the actual was 28.9. Compared to the previous month the figure of 897 total days represents an increase of 81 days (9.9%).</p> <p>Since April 2017 the total number of delayed days is 12,393 (monthly average 1,239), days attributable to health 8,205 (monthly average 821) and days attributable to social care 4,156 (monthly average 416).</p>
<p>Improved use of data and evaluation locally will mean that the Better Care Fund planning will respond to trends much faster than previous, providing a much faster and evidence-based planning process.</p>	<p>The national metrics are reported on a monthly basis through the BCF Governance group. Work is underway to share partners KPI's as identified through the national CQC visits carried out as part of the local systems reviews. A programme enabler action will be to establish a position statement for information governance and to progress this where possible.</p>

**5.9. How individual schemes performed and what they achieved**

A breakdown of scheme progress is shown in Appendix three, highlights from 2017/18 include:

- The pilot of a care sourcing team, sourcing 995 packages of care.
- Implementation of Care Package retention of 7 days scheme, utilising this on 413 occasions.
- Rapid return home scheme went operational
- Care Home Support fully went operational
- Funding in place to support discharge models which included having a locality manager and practice manager in post as well as having social workers available on weekends covering both Leighton and Macclesfield hospitals.
- A pilot scheme to test referrals to reablement from the acute setting over weekends was established.
- The establishment of a Rapid Return Home (Overnight) Service

- Clinical support to care Care Home Support
- Flexible non-acute bed capacity/Discharge to Assess Beds commissioned
- Increased support for community Matrons case-managing High Risk patients.
- Commenced Fair cost of care pricing review and consultation for Accommodation with Care.
- Completed market engagement on carers services and people with complex needs
- Specification for Care at Home and Accommodation with care completed.
- Live Well CE established, the site generated 16,000 page views per week and 5,700 individual user sessions.
- Management of steady increase to telecare usage from 1,926 monthly users in January 2016 to 2,531 monthly users in December 2017.
- Confirmed Carers wellbeing budgets for 872 people.
- 318 disabled people enabled to live independently through Disabled Facilities Grants.
- Service specifications in place for Support at Home Service – (British Red Cross to provide practical and emotional support at home over 7 days). Following this services were established.
- Community Support Reablement - the total number of hours provided is 2,140 hours per week across the North and South Teams
- 3175 safeguarding concerns were raised.

#### 5.10. **How the plan performed against national metrics**

- 5.11. The BCF policy framework establishes the national metrics for measuring progress of integration through the BCF. Information on all four metrics is collected nationally. In summary these are:
- a. Non-elective admissions (General and Acute);
  - b. Admissions to residential and care homes
  - c. Effectiveness of reablement; and
  - d. Delayed transfers of care;

#### 5.12. **Non-elective admissions (General and Acute)**

The plan for 2017/18 was 39,768; whilst Q4 data is not yet available the forecast outturn is 41,775 which is 2,007 above the forecast

#### 5.13. **Admissions to residential and care homes**

The plan for 2017/18 was 717 admissions to residential and nursing homes 65+ per 100,000 populations, the cumulative rate position in Q3 was 557; data for the Q4 position is not yet available.

#### 5.14. **Effectiveness of reablement**

The plan for 2017/18 was 88.4% in respect of the service user being at home 91 days after discharge to reablement/rehabilitation. The Q3 position

states that 72.3% of service users were at home 91 days after discharge to reablement/rehabilitation. The data for Q4 is not yet available.

**5.15. Delayed transfers of care**

The plan for 2017/18 was 43 Delayed transfers of care from hospital per day, the Q3 position is 26 in December 2017. Data for Q4 is not yet available.

Partners worked together to develop schemes which would contribute towards unnecessary admission to hospital and care homes reducing Delayed Transfers of Care to meet national and locally agreed targets. The locally agreed targets were 3.5% by November 2017 for South Cheshire CCG and 5.2% for Eastern Cheshire CCG by March 31 2018. A number of the selected co-produced schemes were aligned to support the achievement of the High Impact Model.

5.16. Targets for reducing 'delayed transfers of care' (DToCs) were introduced this year by the Department of Health and Department for Communities and Local Government to encourage the NHS and local government to work better together to reduce the number of people remaining in hospital because of health-related delays or social-care related delays.

5.17. Each month, local authorities receive their ranking regarding health and social care partner working together to reduce DToCs. Cheshire East hospital patients are among the least likely in to be delayed being allowed home, according to national figures and we remain in the top quartile. This highlights how health staff and our care teams are working effectively together to improve outcomes for in-patients and freeing up vital beds for those awaiting hospital care.

5.18. A fuller overview of performance is show in Appendix four, the data in Appendix four is split by organisation and includes data definitions.

**5.19. The evaluation process that has taken place to date and the results of that evaluation**

5.19.1. The BCF plan includes some 16 schemes; of these 7 are lbcf schemes. As part of the evaluation process scheme leads were asked to complete an evaluation of their scheme using a scoring sheet which is shown in appendix six. Evaluation commenced in March 2018 and is due to conclude by April 2018. Scheme leads were asked to identify how the scheme had performed against 6 domains: BCF aims, BCF metrics, High Impact Change model, Quality and effectiveness, Risk and Cost effectiveness. Each domain contained a number of lines of further enquiry. The scheme lead for each line of enquiry was asked to score the performance of the scheme between 1-5. Schemes could score up to 125.

5.19.2. Following on from the completion of the evaluation score sheet, scheme leads were asked to complete a presentation to the BCF Governance Group. The presentation included an overview of the score sheet, patient stories around how the scheme had changed the lives of its users, commissioner/operational recommendation, a SWOT analysis, implications of not extending the scheme along with partner views if applicable.

5.19.3. Appendix six gives a breakdown of scheme scores which ranged from 38 up to 110. All evaluation scores are due to be completed by the end of April 2018.

## **5.20. The financial income and expenditure of the plan**

5.21. The total BCF budget in 2017/18 was £24.93 million. The total expenditure for the year was £24.82 million resulting in an underspend of £0.11m. This underspend of £110k will be carried forward for reinvestment in 2018/19.

5.22. The table below shows the final outturn for 2017/18. This demonstrates the size of the fund and the fact this has met the conditions with regard to the total funds pooled as required by central government. After accounting for any individual scheme variances (both over and underspends) in line with the agreed Section 75 agreements, the final bottom line position is an underspend of £1104k. Cheshire East Council has carried forward this underspend into 2018/19 and the deployment of these funds will be agreed with all BCF partners following the methodology set out in Schedule 3 of the S75 agreements that govern the operation of the Pooled Fund.

5.23. In broad terms this means bolstering existing provision, funding an additional scheme that will contribute towards the aims of the BCF, funding a planned procurement where this is a commitment in the following year and in the event of all these options having been exhausted, return of funds to the Partner who provided them.

2017/18 Better Care Fund	Total BCF	Total variance
Assistive technology	743,000	138,581
Early Discharge Schemes	243,000	18,079
Combined Re-ablement	4,401,000	(243,832)
Social Care Act	390,000	0
Programme Enablers	226,522	(34,380)
Home First - East	8,378,000	0
Home First - South	7,427,000	0
Carers Assessment and Support	319,000	0
Carers Live Well Fund	376,000	11,050
Discharge to Assess initiatives – East	260,000	0
Discharge to Assess Initiatives - South	240,000	0
Disabled Facilities Grant	1,931,000	0
<b>TOTAL</b>	<b>24,934,522</b>	<b>(110,502)</b>

#### 5.24. The next steps for the BCF in 2018-19

- Conclude scheme evaluation process for 2017/18
- Confirm final income and expenditure for the BCF for 2017/18
- Confirm Q4 data against performance measures.
- Confirm the schemes which will be continuing in 2018/19.
- The Improved Better Care Fund plan (IBCF) for 2018/19 will be shared with partners for agreement and approval.
- System leadership event to refine view of integration
- 7 day working self-assessment
- High Impact Care self-assessment
- Developing Cheshire East approach to integration scorecard
- Imbedding learning from the local systems reviews which have been carried out by CQC
- Independent review of schemes conducted for (2018/19)

## 6. Implications of the Recommendations

### 6.1. Legal Implications

6.1.1. This is in line with the Care Act 2014, and The Better Care Fund Policy Guidance and the Local Government Act 2003 for adult social care.

6.1.2. The Better Care Fund Governance Group continues to have oversight and responsibility for reviewing the delivery of the agreement. Under Section 75 of the National Health Service Act 2006, NHS bodies may enter into arrangements with local authorities in relation to NHS functions and the health functions of local authorities.

6.1.3. S141 of the Care Act 2014 provides for the Better Care Fund Pooled Funds to be held under and governed by an overarching s75 National Health Service Act 2006 Partnership Agreement.

**6.2. Finance Implications**

6.2.1. Financial implications stated in the body of the report.

**6.3. Policy Implications**

6.3.1. The ageing population in Cheshire East and associated pressures on the home care market is central to the planning behind the iBCF schemes and core Better Care Fund schemes which have been developed for Cheshire East Better Care Fund.

**6.4. Equality Implications**

6.4.1. As the leaders for our local health and social care economy, all BCF partners in Cheshire East are conversant and compliant with the Equality Act 2010.

**6.5. Human Resources Implications**

6.5.1. Any impact for Cheshire East employees will be as a result of the need for greater integration in care delivery and commissioning in terms of restructures or changes to job roles. These will be dealt in accordance with the Councils policy and procedures. This could be due to a number of factors- seven day working policy, change in terms and conditions, geographical location of staff. Any identified implication will have a full impact assessment completed and assurance that all employment legislation is adhered to.

**6.6. Risk Management Implications**

6.6.1. Risk of the consequence of failing to achieve proposed changes in activity levels and a plan to mitigate these with respect to the BCF in 2018-19.

**6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

## **6.8. Implications for Children & Young People**

6.8.1. Some children and young people are classed as carers, and it is important that these individuals are recognised and supported through the existing better care fund.

## **6.9. Public Health Implications**

6.9.1. The Better Care Fund has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.

6.9.2. Reducing the demand for health and care services, by enabling people to enjoy a healthy and active life within their communities, is a key priority for the NHS and social care system

6.9.3. The Better Care Fund has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.

6.9.4. Health and care that supports better health and wellbeing for all, and a closing of health inequalities.

## **7. Ward Members Affected**

7.1. The implications are borough wide.

## **8. Consultation & Engagement**

8.1. Consultation and engagement with CCG partners through the BCF Governance Group has taken place and will continue to take place.

## **9. Access to Information**

9.1. 2017-19 Integration and Better Care Fund Policy Framework (DoH, DCLG 2017)

9.2. Delivering the Better Care Fund in Cheshire East 2017-19

9.3. Integration and Better Care Fund planning requirements for 2017-19

**10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

Name: Alex Jones

Job Title: BCF Programme manager

Email: [Alex.t.jones@cheshireeast.gov.uk](mailto:Alex.t.jones@cheshireeast.gov.uk)

## Appendix one – BCF vision, aims and objectives

Our vision:

The Cheshire East vision is to achieve the “Delivery of a fully integrated health and social care commissioning function by 2020 supporting the delivery of Accountable Care across Cheshire”.

- Centre all care around the empowered individual, their goals, communities and carers
- Have shared decision-making and supported self-care, family and community care as integral components to all care
- Teams built around a person’s needs and journeys, jointly accountable for outcomes and joint responsibility for continually improving care
- Focus its attention on health promotion, pro-active models of care and population level accountability and outcomes
- Continue to tackle health inequalities, the wider causes of ill-health and need for social care support e.g. poverty, isolation, housing problems and debt
- Have a strong clinically led primary care and community care system offering a comprehensive modern model of integrated care at scale
- Be delivering fully integrated and co-ordinated care, 7 days a week, close to home with a focus on the frail elderly and those with complex care needs

Our aims:

- System re-design of care – co-produced with our public and our workforce
- Strengthened and renewed primary care
- Shared information systems across health and social care so that people will only ever have to tell their ‘story’ once
- New contracting approaches that facilitate costs being moved from the acute sector to the community and that promote collaborations across multiple providers
- Joint commissioning utilising the Better Care Fund and other approaches
- A range of new roles to support models of care across traditional providers in the public, private and voluntary sector

Our Objectives:-

- Improve health outcomes and the wellbeing of local people.
- The recipients of care services and the staff providing them have a positive experience of care.
- Care is person centred and effectively coordinated.
- Services are commissioned and delivered in the most effective and efficient way.
- People are empowered to take responsibility for their own health and wellbeing.
- People spend the appropriate time in hospital with prompt and planned discharge into well organised community care when needed.
- Carers are valued and supported
- Staff working together, with the person at the centre, to proactively manage long term physical and mental health conditions.
- Expansion of ‘out of hospital’ offer
- Accountable care

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## Appendix two – BCF scheme aims

Scheme name	Aims
1. Care home assessments at the weekend (iBCF)	<ul style="list-style-type: none"> <li>Work has been undertaken with the care home sector to ensure that any individual who is fit for discharge over the weekend period can be assessed and returned to their care home. This will form part of our contracts with care homes. This meets the requirements of the 'High Impact Change Model' for managing Transfers of Care in particular seven day working and reducing the pressure on the NHS.</li> </ul>
2. Care Package retention of 7 days	<ul style="list-style-type: none"> <li>Cheshire East Council have an agreement with extra care housing schemes and Dom care providers to pay a retainer to the care provider in order to keep the care provision open whilst the individual is absent for a period of time, e.g., in hospital. The retainer ensures that individual's existing care provider is kept available for a period of up to 7 days to resume the existing care package when the person is fit or ready to return home. If the person is in hospital this should facilitate a timelier/appropriate discharge.</li> </ul>
3. Innovation and Transformation Fund	<ul style="list-style-type: none"> <li>In order to support the 'Caring Together' and 'Connecting Care' transformation plans. Cheshire East Council will create a fund that the NHS and partners can access to support initiatives that promote the move towards integrated working (community teams) to achieve better outcomes for the residents of Cheshire East.</li> <li>NHS Eastern Cheshire CCG - This forms part of the work to implement assessment and care outside of hospital as appropriate. There is the need for a range of options and discharge destinations to ensure that wherever possible people are supported to remain at, or return to, their usual place of residence - 'Home First'. The elements of the Winter Plan for 2017/18 are: <ul style="list-style-type: none"> <li>Flexible capacity to match different needs of patients reviewed throughout winter</li> <li>Implement the Caring Together model through the 'Home First Winter Plan' developments</li> <li>Integrate and connect care and services wherever possible based on a person-centred journey</li> <li>Co-production - through a joint commissioner/ provider 'action group' to implement and manage</li> <li>Identify, manage and escalate risks e.g. a lack of beds/staffing capacity to implement initiatives</li> <li>Support Care Homes to ensure their sustainability</li> </ul> </li> </ul> <p>The additional/enhanced interventions we will deliver are targeted towards:</p> <ul style="list-style-type: none"> <li>People currently living independently who experience a sudden change in their needs</li> <li>People who are already in receipt of existing care in response to an escalation of their needs</li> <li>Frequent callers/attenders (A&amp;E, GP Practices, NWAS, Social Care)</li> </ul> <p>iBCF funded Home First Winter Plan Services delivering these aims:</p> <ul style="list-style-type: none"> <li>Rapid Return Home (Overnight) Service</li> <li>Care Home Support</li> <li>Flexible non-acute bed capacity/Discharge to Assess Beds</li> <li>Increased support for community Matrons case-managing High Risk patients.</li> </ul> <p>NHS South Cheshire CCG Schemes</p> <ul style="list-style-type: none"> <li>Increased Rapid Care Support</li> <li>Clinical Support to care Homes</li> </ul>

	<ul style="list-style-type: none"> <li>Dedicated Support for D2A Implementation</li> </ul>
4. Funding for additional social care staff to support Discharge to Assess initiatives (iBCF)	<ul style="list-style-type: none"> <li>Funding of additional staff to support the local transformation programmes Caring Together and Connecting Care in implementing a 'Discharge to Assess' model. This builds on the existing initiative with Eastern Cheshire where funding is being targeted at continuing to provide a team manager, social worker and occupational therapist, plus the roll out across Mid-Cheshire.</li> </ul>
5. Increasing capacity in the Care Sourcing and Social Work Team over Bank Holidays and weekends (iBCF)	<ul style="list-style-type: none"> <li>This is to ensure patient flow and assisting in reducing the pressure on the NHS can be maintained over a seven day period.</li> </ul>
6. Sustain the capacity, capability and quality within the social care market place (iBCF)	<ul style="list-style-type: none"> <li>In order to sustain and stabilise both the domiciliary care markets and care home markets. This means transforming the care and support offer to ensure Cheshire East has greater capacity and an improved range of services. Local partners will jointly commission the new offer and include: Discharge to Assess beds, step up/step down beds, more specialist provision for complex needs and care at home services that promote quality of care under the system beds programme.</li> </ul>
7. The use of Live Well online information and advice resource (iBCF)	<ul style="list-style-type: none"> <li>Cheshire East Council has embarked on a programme to deliver a new online resource to the public: Live Well Cheshire East. Both Clinical Commissioning Groups have expressed a desire to utilise this platform and expand the offer to create a community infrastructure that maps all existing assets for use of professional staff alongside members of the public</li> </ul>
8. Assistive Technology	<ul style="list-style-type: none"> <li>Reduce the demand on health and social care services over the longer term by ensuring access to assistive technology and telecare solutions to people with eligible needs to maintain independence in a community setting.</li> <li>Increase the independence of people living with long term conditions and complex care</li> <li>Support for carers to maintain their caring role.</li> <li>Improved access to the right service at the right time is the overall aim of this scheme.</li> </ul>
9. Carers Breaks / Integrated Carers Hub	<ul style="list-style-type: none"> <li>The aim of the scheme is during 2017/18 to replace the current carers breaks provision with the Carers Living Well Fund.</li> </ul>
10. Disabled Facilities Grants	<ul style="list-style-type: none"> <li>The Disabled Facilities Grant (DFG) contributes to preventing non-elective admissions and DTOC in Cheshire East through the provision of adaptations that enable independence at home, and reduce falls and the risk of injury to disabled people and their carers. It is anticipated that 800 people will benefit from adaptations to their home over the period of the BCF plan.</li> </ul>
11. Home First (NHS Eastern Cheshire CCG)	<ol style="list-style-type: none"> <li>Proactive care: <ul style="list-style-type: none"> <li>Risk stratification of the population is enabling services to be targeted to the people who need them most. It identifies the top 20% of the population who are most at risk of experiencing poor health and empower them to live more independently. We are currently targeting top 5% and working towards 20%.</li> <li>These people will receive a single assessment focused on their lifestyle, goals and care needs using a joint assessment across</li> </ul> </li> </ol>

	<p>health and social care</p> <ul style="list-style-type: none"> <li>• For those most at risk, a care co-ordinator will be identified from within an integrated community team</li> <li>• A care plan will be created jointly with the person to include goals, required interventions, provider details, and information on who to contact in case of change or crisis. For less complex needs, this may simply be a crisis plan</li> <li>• Services are being put in place to empower the person and their carers and meet their needs. The integrated community team and care co-ordinator (as appropriate) will then undertake case management to empower the person to follow the care plan and make sure that care takes place</li> <li>• Specialists will provide support in the community for professional care staff and patients</li> <li>• Education and training will be delivered across all care settings and involve the whole workforce in a rolling evidence-based training and mentoring programme.</li> <li>• Services already in place supporting this which are included in BCF: Nursing Home MDT staff (Dietician and Speech and Language Therapist); NIMO medicines support; Community Matrons case-managing highest risk and frail patients; Telehealth</li> </ul> <p>2. Rapid Response in Crisis and Management of the Patient Journey</p> <ul style="list-style-type: none"> <li>• Comprehensive assessment on attendance at A&amp;E or Admission to Acute Assessment Unit (Frailty Service) . Turn patients around prior to admission and if not possible, minimise inpatient stay (Home First). Link to existing care plans via Cheshire Care Record and live access to Primary, Community and Social Care records as appropriate.</li> <li>• Schemes to enable rapid return home via increased nursing and therapy support to A&amp;E and outreach into community.</li> <li>• Schemes to enable rapid return home by providing transport and “settling back home”.</li> <li>• Comprehensive bed-based service for patients able to be discharged from acute setting or requiring temporary step-up of care.</li> <li>• Community intermediate care to enable recovery at home.</li> <li>• In-hours GP visiting service for End of Life patients enabling timely access and increasing number of deaths in preferred place.</li> <li>• Services already in place supporting this which are included in BCF: Intermediate Care Beds and community service; additional evening staffing in A&amp;E; Therapy support at front end; Transport home from A&amp;E at night; Acute Visiting Service (3 GP teams).</li> </ul>
12. Home First (NHS South Cheshire CCG)	<ul style="list-style-type: none"> <li>• Develop system wide service review to enable rapid timely access to urgent care across Central Cheshire that will bring together existing service providers together to shift the balance from acute bed based services to community step up and home based health and social care to support improved patient outcomes and experience.</li> <li>• Review existing models of intermediate care and social care reablement that create system wide efficiencies through single assessment and increase capacity to support more people closer to home and reduce duplication of assessments with demonstrable improved outcomes in relation to reduce the length of stay in acute care and emergency department attendances that also demonstrate value for money.</li> <li>• Explore and identify opportunities to work in collaboration with the wider health and social care economy, such as voluntary sector, pharmacy services and primary care to create more of an emphasis on enablement and self-empowerment to meet health and social care needs.</li> <li>• Scope the potential financial impact on reducing emergency admissions as part of the redesign, with greater emphasis on medical responsibility being maintained in primary care, with support from specialist services.</li> <li>• Streamline the assessment process of patients that supports safe transfer of care and improves patient experience, utilising a comprehensive geriatric assessment to outline future management plans and reduce the risk of readmission or long term care</li> </ul>

	<p>placement. There is a need to quantify potential impact on readmission rates and CHC reduction costs based on national data if possible</p> <ul style="list-style-type: none"> <li>• Target a reduction in delays in transfers of health and social care with the development of the trusted assessor framework.</li> <li>• Develop a discharge to assess model that improves timely discharge from acute care of frail older people to their normal place of residence as soon as the acute treatment is complete with an assessment that have agreed personalised goals agreed in conjunction with the person and carers.</li> <li>• Improve utilisation of commissioned community bed stock to meet patient need rather than service need.</li> </ul>
13. Support at Home Service – (British Red Cross to provide practical and emotional support at home over 7 days) NHS Eastern Cheshire CCG	<ul style="list-style-type: none"> <li>• The aim of the service is to provide short-term (up to 2-weeks) support over 7 days for individuals who are at risk of being admitted to hospital and for people who are being discharged from hospital in the Cheshire East area.</li> <li>• This support should provide practical and emotional support for individuals to help them to regain their confidence, maintain their confidence and avoid any future crisis, with a focus on enabling a person to become confident in self-management, or know how to access support and information, if required, to help them keep well.</li> </ul>
14. Programme Enablers	<ul style="list-style-type: none"> <li>• To provide enabling support to the Better Care Fund programme, through programme management and other support, as required</li> <li>• To develop and maintain adherence to governance arrangements including the s75 agreement and commissioning capacity</li> <li>• The delivery of the Better Care Fund relies on joint commissioning plans already developed across the Cheshire East Health and Social Care economy. it is recognised that additional capacity is required in the interim in the following key roles: <ul style="list-style-type: none"> <li>• Programme management</li> <li>• Governance and finance support to develop S75 agreements; cost schemes and cost benefit analysis</li> <li>• Financial support</li> <li>• Additional commissioning capacity might be required to develop business cases and to assist with the procurement of alternative services.</li> </ul> </li> </ul>
15. Reablement Services	<ul style="list-style-type: none"> <li>• The current service has three specialist elements delivered across two teams (North and South):</li> <li>• Community Support Reablement (CQC-registered) - provides a time-limited intervention supporting adults with physical, mental health, learning disabilities, dementia and frailty, from the age of 18 to end of life, offering personal care and daily living skills to achieve maximum independence, or to complete an assessment of ongoing needs.</li> <li>• Dementia Reablement - provides up to 12-weeks of personalised, post-diagnostic support for people living with dementia and their carers. The service is focused on prevention and early intervention following a diagnosis of dementia.</li> <li>• Mental Health Reablement - supports adults age 18 and over with a range of mental health issues and associated physical health and social care needs, focusing on coping strategies, self-help, promoting social inclusion and goal-orientated plans.</li> </ul>
16. Care Act	<ul style="list-style-type: none"> <li>• Ensure compliance with Care Act 2014 responsibilities.</li> <li>• Provider Quality Reports (BCF Social Care Act Allocation)</li> <li>• Safeguarding Adults Boards</li> <li>• Maintaining minimum care eligibility thresholds</li> <li>• Continuity of care for people moving into areas</li> </ul>

	<ul style="list-style-type: none"><li>• Assessment of Social Care in prisons</li><li>• Disregard for armed forces Guaranteed Minimum Income</li><li>• Training social care staff in Social Care Act</li></ul>
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### Appendix three – Scheme progress made to date

Scheme name	Scheme progress/highlights
1. Care home assessments at the weekend (IBCF)	<ul style="list-style-type: none"> <li>• Business case produced</li> <li>• Partner meeting to discuss business case</li> <li>• Discussions have taken place with providers via provider forums regarding this scheme and what the current blockages are to enabling existing residents to return back to their care home over the weekend.</li> <li>• Providers stated that the discharge process has been better recently, providers Also been getting better notice from hospital before discharge.</li> <li>• Providers weren't opposed to facilitating discharges at a weekend but stated that often hospital weren't able to provide the necessary paperwork or equipment needed to ensure a safe discharge, i.e. assessments; care plans have not been updated.</li> <li>• Providers not confident that they can trust the information being sent over is correct which is why they insist on caring out their own reassessments before the resident can return to the care home.</li> <li>• Discussed using a Trusted Assessor role, providers not against this model but concerns that the hospitals need to ensure this role is done correctly so they can trust the information being provided</li> </ul>
2. Care Package retention of 7 days	<p>LHT</p> <ul style="list-style-type: none"> <li>• Number of admissions = 170</li> <li>• Under 7 days = 78</li> <li>• Under 14 days = 70 (Discharged between of 7-13 days = 32)</li> <li>• 14 days and over = 98</li> </ul> <p>MDGH</p> <ul style="list-style-type: none"> <li>• Number of admissions = 198</li> <li>• Under 7 days = 38</li> <li>• Under 14 days = 101 (Discharged between 7-13 days = 23)</li> <li>• 14 days and over = 92</li> </ul> <p>OTHER (i.e. any other hospital listed or admissions where no hospital is listed)</p> <ul style="list-style-type: none"> <li>• Number of admissions = 45</li> <li>• Under 7 days = 7</li> <li>• Under 14 days = 12 (Discharged between of 7-13 days = 5)</li> <li>• 14 days and over = 32</li> </ul>
3. Innovation and Transformation Fund	<ul style="list-style-type: none"> <li>• 'Soft' procurement for additional bed capacity from January 2018 set in train.</li> <li>• Rapid return home scheme operational</li> <li>• Care Home Support fully operational</li> </ul>
4. Funding for	<ul style="list-style-type: none"> <li>• Locality Manager in post</li> </ul>

<p>additional social care staff to support Discharge to Assess initiatives (iBCF)</p>	<ul style="list-style-type: none"> <li>• Practice Manager for hospital team in post</li> <li>• Weekends covered in February from existing staff group in both hospitals</li> <li>• Weekend referrals to reablement pilot commenced</li> <li>• Completion of MADE event with health colleagues &amp; supported by NHSE</li> </ul>
<p>5. Increasing capacity in the Care Sourcing and Social Work Team over Bank Holidays and weekends (iBCF)</p>	<ul style="list-style-type: none"> <li>• Rota of volunteers from IDT &amp; Intermediate Care team completed for December 2017 including Christmas and New Year period</li> <li>• Basis for weekend working agreed &amp; shared with team</li> <li>• Information shared with health partners</li> </ul> <p>The Care Sourcing team has proven its value over the previous twelve months and has achieved the following:-</p> <ul style="list-style-type: none"> <li>• Increased productivity for front line social care staff due to them not having to spend time sourcing packages of care.</li> <li>• Has full oversight of the market place and the issues, blockages and capacity issues which are fed into the commissioners.</li> <li>• Held the contract price wherever possible when sourcing care.</li> <li>• Reduced care package costs as worked with the Local Area Co-Ordinators to find alternatives to traditional care services.</li> <li>• Has integrated and collaborated well with partners working within the Smart Teams, Community Mental Health Team (CHMT) and the Hospital integrated Health and Social Care team.</li> <li>• Facilitated prompt hospital discharges. Community and third sector links.</li> <li>• Developed the relationship between the Council and providers.</li> </ul> <p>Packages sourced:</p> <ul style="list-style-type: none"> <li>• January 2017 – 85</li> <li>• February 2017 – 74</li> <li>• March 2017 – 95</li> <li>• April 2017 – 82</li> <li>• May 2017 – 98</li> <li>• June 2017 – 77</li> <li>• July 2017 – 69</li> <li>• August 2017 – 56</li> <li>• September 2017 – 96</li> <li>• October 2017 – 59</li> <li>• November 2017 – 68</li> <li>• December 2017 – 41</li> <li>• January 2018 – 55</li> </ul>

	Total: 955
6. Sustain the capacity, capability and quality within the social care market place (iBCF)	<ul style="list-style-type: none"> <li>• Commenced Fair cost of care pricing review and consultation</li> <li>• Paper written on hard to serve areas and working up a pilot to try and improve capacity in these areas</li> <li>• Quality team putting a lot of input into a number of failing homes to ensure we can maintain admissions</li> <li>• Commenced market engagement on carers services and people with complex needs</li> <li>• Focused the care sourcing team on DTOCS</li> <li>• Joint approach to Preventing Lyme Green Nursing home from urgent closure</li> <li>• Commissioning of accommodation of care and care at home progressing well</li> <li>• Specification and advert for D2A beds for East CCG completed</li> <li>• Work has taken place with CCG colleagues around a number of joint posts.</li> <li>• Notice was received for Weston Park closure.</li> <li>• The Care fees review is coming to a closure</li> <li>• The final draft specification for care at home and accommodation with care.</li> </ul>
7. The use of Live Well online information and advice resource (iBCF)	<ul style="list-style-type: none"> <li>• Live Well CE currently has approximately 16,000 page views per week and 5,700 individual user sessions (session = a single user interaction). (In Sep 2017 the figures were approximately 10,000 pages views / 3,000 sessions). Since May 2017 to date there have been 48,000 new unique users to Live Well CE. In the same period there have been 140,000 user sessions.</li> </ul> <p>In November 2017 to January 2018:</p> <ul style="list-style-type: none"> <li>• 76% of traffic was on the CEC website and 24% on the OCC Marketplace.</li> <li>• 60% of source traffic to LWCE is from Google searches and a total of 67% of all traffic is now from all organic searches (Google/Bing/Yahoo etc).</li> <li>• Users are viewing 2.5 Pages per session on average.</li> </ul> <p>In this quarter, compare to the last:</p> <ul style="list-style-type: none"> <li>• Direct traffic has increased by 37%.</li> <li>• Page views have increased by 37%.</li> <li>• Social media traffic has increased by 182%.</li> </ul>
8. Assistive Technology	<ul style="list-style-type: none"> <li>• Meeting held with Community Equipment Service Partners where agreement took place that this service would be considered as part of a wider review of our offer to residents.</li> <li>• Ongoing research taking place as part of general review of the offer the service provides</li> <li>• Contract meeting to be held with Peaks and Plains to get their perspective on service provision</li> <li>• Initial data compiled on AT usage</li> <li>• Discussion with Peaks and Plains on service provision</li> <li>• New Manager appointed to support AT review</li> <li>• Falls prevention group held with CCGs which will also consider elements of AT</li> <li>• Review continuing of AT service</li> <li>• Core project group to consider current AT situation + review</li> <li>• Terms of reference agreed for core falls prevention group. Membership of wider group compiled. Audit completed by CCGs/LA of falls</li> </ul>

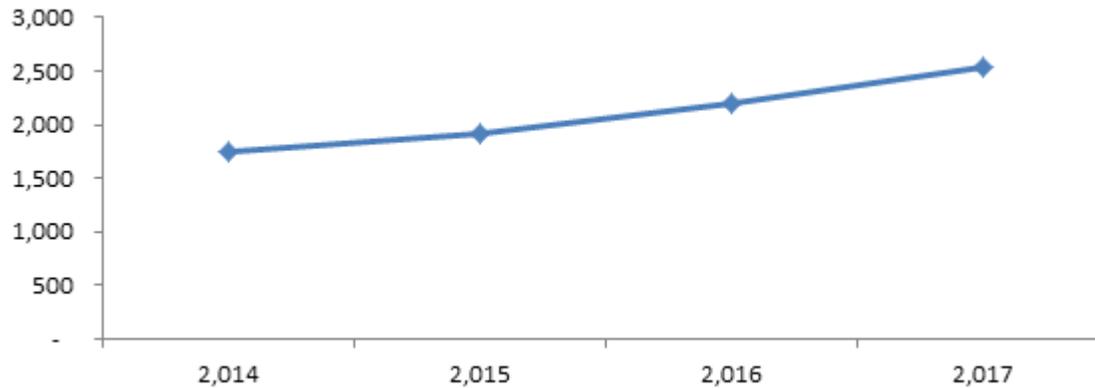
- provision at moment. Recommendations from falls group to feed into AT Strategy.
- Review continuing of AT service. Needs assessment once complete to be followed by AT Strategy.

Table 2: Telecare Usage over time

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
2014				3 1,50	0 1,52	4 1,55	0 1,59	1 1,63	4 1,64	2 1,65	7 1,70	9 1,74
2015	1,756	3 1,74	7 1,81	7 1,83	2 1,86	2 1,86	1 1,88	9 1,91	2 1,91	6 1,93	9 1,92	5 1,92
2016	6 1,92	7 1,92	7 1,91	9 1,92	0 1,94	4 1,99		2 2,03	1 2,06	5 2,10	1 2,16	3 2,19
2017	8 2,22	9 2,25	7 2,05	6 2,30	5 2,13	4 2,38	7 2,40	6 2,40	6 2,46	4 2,59	1 2,53	1 2,53

There has been a general trend of increased telecare usage over time although numbers have increased relatively steadily. This is illustrated in the graph below which show numbers of telecare users in December each year.

Graph 1: Telecare Take Up



9. Carers Breaks /

- Total number of carers wellbeing budgets confirmed for this period = 872

Integrated Carers Hub	<p>Carers Living Well statistics Nov 2017 to March 2018 inclusive:-</p> <ul style="list-style-type: none"> <li>• Total spend East CCG: £152,250</li> <li>• Total Budgets completed East CCG: 364 qty</li> <li>• Total spend South CCG : £233,000</li> <li>• Total Budgets South CCG: 508 qty</li> <li>• Total Spend to date= £385,250.</li> </ul>
10. Disabled Facilities Grants	<ul style="list-style-type: none"> <li>• 318 disabled people enabled to live independently in 2017-18</li> <li>• Grants ranged from £836 to £30,000 – average of £4,384 per grant</li> </ul>
11. Home First (NHS Eastern Cheshire CCG)	<ul style="list-style-type: none"> <li>• Short term action group established on behalf of the operational resilience group to agree and implement the initiatives to support the Home First Winter plan – key commissioners and operational leads from across Eastern Cheshire</li> <li>• At the Transforming Older People’s Service Steering Group on Monday 27 November 2017 it was agreed that a joint commissioner and provider meeting would be established. The focus of this meeting is to bring together the CEC and CCG commissioners and provider organisations to: <ul style="list-style-type: none"> <li>• Review the transformation work underway;</li> <li>• Identify any gaps in delivery (based on the Fusion48 final report); and</li> <li>• Reduce duplication across Eastern Cheshire.</li> </ul> </li> <li>• The joint commissioner and provider meeting has been planned for Monday 18 December 2017. The Short Term Action Group members have been invited to this meeting.</li> </ul>
12. Home First (NHS South Cheshire CCG)	<ul style="list-style-type: none"> <li>• Redesign of Community Matron role and function complete. New role and pathway agreed by CCICP Partnership Board.</li> <li>• Review of Complex Case Practitioner and Care Facilitator roles complete</li> <li>• Alignment of community services staff to Care Communities complete.</li> <li>• Care Communities senior management structure complete. All vacancies appointed</li> <li>• Roll out of Advanced Community Practitioner complete. Community Matrons in all areas now working as Advanced Community Practitioners, delivering the rapid response pathway</li> <li>• Vision for frailty developed, based on national framework. Test site for community frailty pathway live</li> <li>• Rockwood Score being recorded by Advanced Community Practitioner, Complex Care Practitioners and as part of the Social Care assessment</li> <li>• Work commenced to combine the function of Intermediate Care therapy and community therapy into one coordinated rehab service /function, to support patients both within intermediate bed based services and at home</li> <li>• Falls Rapid Response pilot live. The ‘Green Car’ is operational 7 days a week, with AHPs from community rehab involved as part of the rapid response</li> <li>• Intermediate care accepting forms 1 &amp; 2 to support discharge to assess pathway</li> <li>• "Community redesign</li> <li>• Redesign of Community Matron role and function complete. New role and pathway agreed by CCICP Partnership Board.</li> </ul>

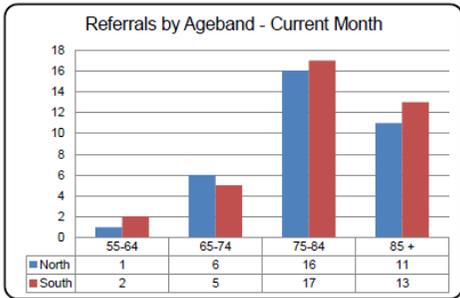
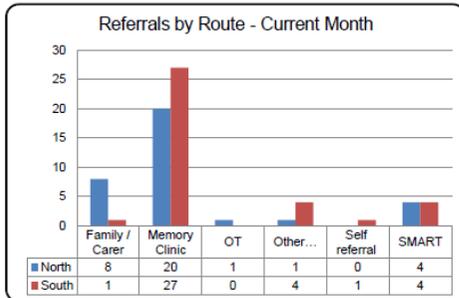
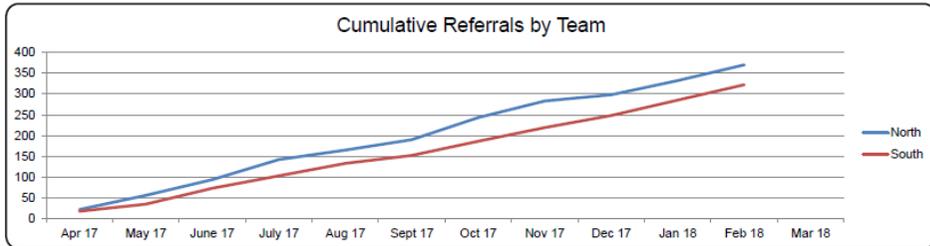
	<ul style="list-style-type: none"> <li>• Review of Complex Case Practitioner and Care Facilitator roles complete</li> <li>• Alignment of community services staff to Care Communities complete.</li> <li>• Care Communities senior management structure complete. All vacancies appointed</li> <li>• Roll out of Advanced Community Practitioner complete. Community Matrons in all areas now working as Advanced Community Practitioners, delivering the rapid response pathway</li> <li>• Vision for frailty developed, based on national framework. Test site for community frailty pathway live</li> <li>• Rockwood Score being recorded by Advanced Community Practitioner, Complex Care Practitioners and as part of the Social Care assessment</li> <li>• Work commenced to combine the function of Intermediate Care therapy and community therapy into one coordinated rehab service /function, to support patients both within intermediate bed based services and at home</li> <li>• Falls Rapid Response pilot live. The 'Green Car' is operational 7 days a week, with AHPs from community rehab involved as part of the rapid response</li> <li>• Intermediate care accepting forms 1 &amp; 2 to support discharge to assess pathway</li> <li>• Hone first steering group in place</li> <li>• Community Matrons covering the care communities</li> <li>• Initial scoping of intermediate care completed</li> <li>• MSK triage commenced 1/2/18</li> <li>• OOHrs and primary care streaming now linked more closely with CCICP</li> </ul>
<p>13. Support at Home Service – (British Red Cross to provide practical and emotional support at home over 7 days) NHS Eastern Cheshire CCG</p>	<ul style="list-style-type: none"> <li>• Service Specification developed</li> <li>• Service specification agreed with the Red Cross.</li> <li>• Demand and capacity modelling has been completed with the Red Cross.</li> <li>• Additional models for Winter Resilience have been shared.</li> <li>• Service Specification agreed by CCG representatives and The British Red Cross</li> <li>• Service Specification developed</li> <li>• Agreement regarding revised specification now in place. Previous activity 272 people per year.</li> <li>• Agreement to establish data capture for the revised specification in place.</li> </ul>
<p>14. Programme Enablers</p>	<ul style="list-style-type: none"> <li>• Q2 LGA monitoring is completed and was submitted on the 20th of October 2017</li> <li>• Implement recommendations</li> <li>• Cabinet report</li> </ul>

- IBCF Cabinet report
- End of year report for HWB
- Finalise s75

15. Reablement Services

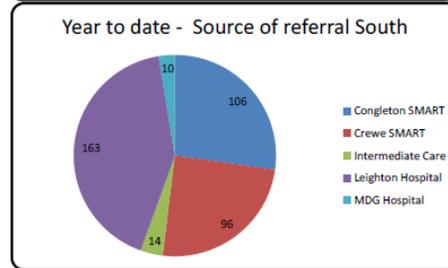
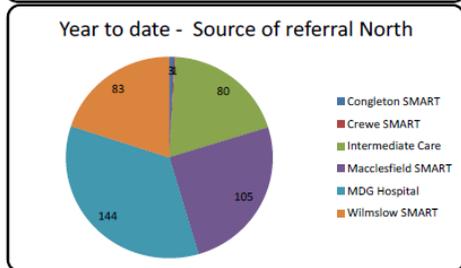
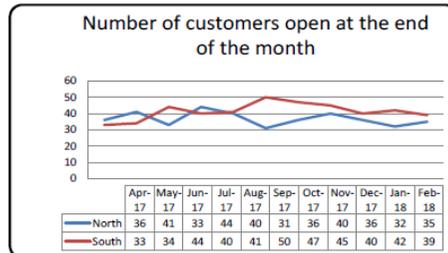
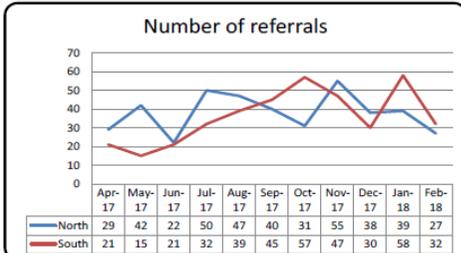
- Weekly meetings now operational to take forward reablement redesign
- Proposals, based on best practice from Norfolk and Wolverhampton underpinned by NICE guidelines are being brought together as part of a Business Case that will be taken to Cabinet and CCG Governing Body's.
- The Business Case will focus on a model which brings together reablement with intermediate care, and will involve a number of partners namely, Cheshire East Council, NHS South Cheshire CCG, NHS Eastern Cheshire CCG, East Cheshire Trust, CCICP, Macclesfield District General Hospital and Mid-Cheshire Hospitals Foundation trust.
- High level paper has now been drafted which has been shared with all operational partners (CCGs and acute trusts).

**Dementia Reablement**



Between April 16 and February 17 640 referrals were received for the DRS, this has increased in the period April 17 to February 18 to 692. The largest source for referrals in February 2017 was the memory clinic and this remains the same in 2018. People in the 75-84 age group were the most frequently referred in February 2017 and this is the same in February 2018.

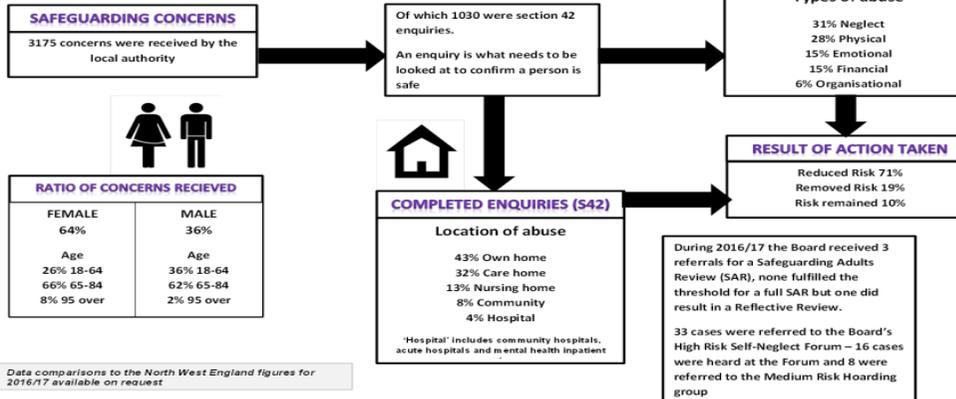
### Domiciliary Care/ Community Support Reablement



Across the 2 teams in February 2017 43 referrals were received, this has increased to 57 for February 2018. At the end of February 2017 69 customers were open to Reablement and this slightly higher with 74 in February 2018. At this point last year Intermediate Care was the largest referral source for the North, MDG Hospital is the biggest referral source this year. The largest referral source for the South was the Crewe SMART team, so far this year Leighton Hospital is the largest referral source.

### 16. Care Act

#### Performance and activity Information 2016-17



**Appendix four – Cheshire East Better Care Fund Year End Position (2017/18)\* Cheshire East & Q4 performance**

Outcome description	Baseline 2016/17	2017/18 Plan	2017/18 Performance				Outturn	Variance from Plan
			Q1	Q2	Q3	Q4		
Non-elective admissions	<b>40,199</b>	<b>39,768</b>	<b>10,218</b>	<b>9,993</b>	<b>10,663</b>	<b>10,901 (forecast)</b>	<b>41,775 (forecast)</b>	<b>+ 2,007 (forecast)</b>
Delayed transfers of care from hospital per day	<b>58</b> (Mar 2017)	<b>43</b> (Mar 2018)	<b>47</b> (Jun 2017)	<b>42</b> (Sep 2017)	<b>26</b> (Dec 2017)	<b>Data not yet available</b>	<b>Data not yet available</b>	
Injuries due to falls, persons 65+								
People who feel supported managing long term conditions								
Admissions to residential and nursing homes 65+	<b>610</b>	<b>616</b>	<b>Cumulative Admissions: 188</b> (Q1 - 188)	<b>Cumulative Admissions: 355</b> (Q2 - 167)	<b>Cumulative Admissions: 479</b> (Q3 - 124)	<b>Data not yet available</b>	<b>Data not yet available</b>	
Admissions to residential and nursing homes 65+ per 100,000 population	<b>723</b>	<b>717</b>	<b>Cumulative Rate: 219</b>	<b>Cumulative Rate: 413</b>	<b>Cumulative Rate: 557</b>	<b>Data not yet available</b>	<b>Data not yet available</b>	
Effectiveness of reablement (at home 91 days after discharge to reablement / rehabilitation **)	<b>82.3%</b>	<b>88.4%</b>	<b>82.0%</b>	<b>77.0%</b>	<b>72.3%</b>	<b>Data not yet available</b>	<b>Data not yet available</b>	

\* These are provisional figures and may change as final data returns are compiled. The population figure used to calculate the 2017/18 rate is based on ONS population projections.

\*\* The figures up to Quarter 3 only include Intermediate Care and do not include reablement due to data not being available. Quarter 4 data, which is the period used for the BCF and national Adult Social Care Outcomes Framework (ASCOF) measure, will include the reablement element.

**Cheshire East Better Care Fund Year End Position (2017/18)\***

**Eastern Cheshire CCG**

Outcome description	Baseline 2016/17	2017/18 Plan	2017/18 Performance				Outturn	Variance from Plan
			Q1	Q2	Q3	Q4		
Non-elective admissions	<b>17,602</b>	-	<b>4,480</b>	<b>4,297</b>	<b>4,604</b>	Data not yet available	Data not yet available	-
Injuries due to falls, persons 65+								
People who feel supported managing long term conditions								
Admissions to residential and nursing homes 65+	<b>292</b>	-	<b>Cumulative Admissions: 115</b> (Q1 - 115)	<b>Cumulative Admissions: 187</b> (Q2 – 72)	<b>Cumulative Admissions: 248</b> (Q3 – 61)	Data not yet available	Data not yet available	-
Admissions to residential and nursing homes 65+ per 100,000 population	<b>622</b>	-	<b>Cumulative Rate: 240</b>	<b>Cumulative Rate: 391</b>	<b>Cumulative Rate: 518</b>	Data not yet available	Data not yet available	-

\* These are provisional figures and may change as final data returns are compiled. The population figure used to calculate the 2017/18 rate is based on ONS population projections.

## Cheshire East Better Care Fund Year End Position (2017/18)\*

### South Cheshire CCG

Outcome description	Baseline 2016/17	2017/18 Plan	2017/18 Performance				Outturn	Variance from Plan
			Q1	Q2	Q3	Q4		
Non-elective admissions	22,597	-	5,738	5,696	6,059	Data not yet available	Data not yet available	-
Injuries due to falls, persons 65+								
People who feel supported managing long term conditions								
Admissions to residential and nursing homes 65+	318	-	Cumulative Admissions: 73 (Q1 - 73)	Cumulative Admissions: 168 (Q2 – 95)	Cumulative Admissions: 231 (Q3 – 63)	Data not yet available	Data not yet available	-
Admissions to residential and nursing homes 65+ per 100,000 population	851	-	Cumulative Rate: 192	Cumulative Rate: 442	Cumulative Rate: 607	Data not yet available	Data not yet available	-

\* These are provisional figures and may change as final data returns are compiled. The population figure used to calculate the 2017/18 rate is based on ONS population projections.

### Data descriptions

#### Non-elective admissions

- Description: Total number of specific acute (replaces General & Acute) non-elective spells per 100,000 population.
- Data definition: A Non-Elective Admission is one that has not been arranged in advance. Specific Acute Non-Elective Admissions may be an emergency admission or a transfer from a Hospital Bed in another Health Care Provider other than in an emergency.

- Rationale: Effective prevention and risk management of vulnerable people through effective, integrated Out-of-Hospital services will improve outcomes for people with care needs and reduce costs by avoiding preventable acute interventions and keeping people in non-acute settings.
- Outcome sought: A reduction in the number of unplanned acute admissions to hospital.

#### **Delayed transfers of care from hospital per day**

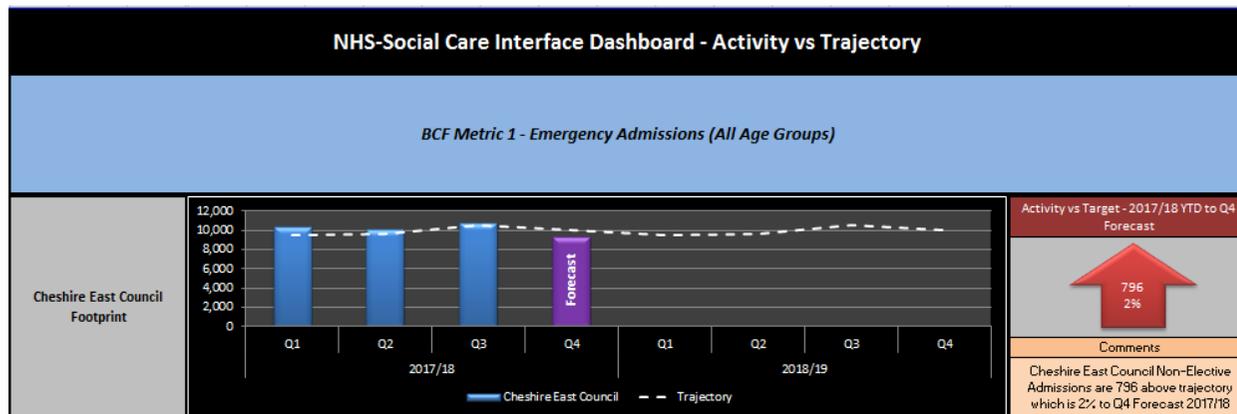
- Description: Delayed transfers of care from hospital per 100,000 population
- Data definition: Total number of DToCs (delayed days) per 100,000 population (attributable to either NHS, social care or both)\*
  - A DToC occurs when a patient is ready for transfer from a hospital bed, but is still occupying such a bed.
  - A patient is ready for transfer when:
    - a clinical decision has been made that the patient is ready for transfer AND
    - a multi-disciplinary team decision has been made that the patient is ready for transfer AND
    - the patient is safe to discharge/transfer.
- Rationale: This is an important marker of the effective joint working of local partners, and is a measure of the effectiveness of the interface between health and social care services. Minimising delayed transfers of care (DToCs) and enabling people to live independently at home is one of the desired outcomes of social care. The DToC metric reflects the system wide rate of delayed transfers and activity to address it will involve efforts within and outside of the BCF.
- Outcome sought: Effective joint working of hospital services (acute, mental health and non-acute) and community-based care in facilitating timely and appropriate transfer from all hospitals for all adults.

#### **Admissions to residential and nursing homes 65+**

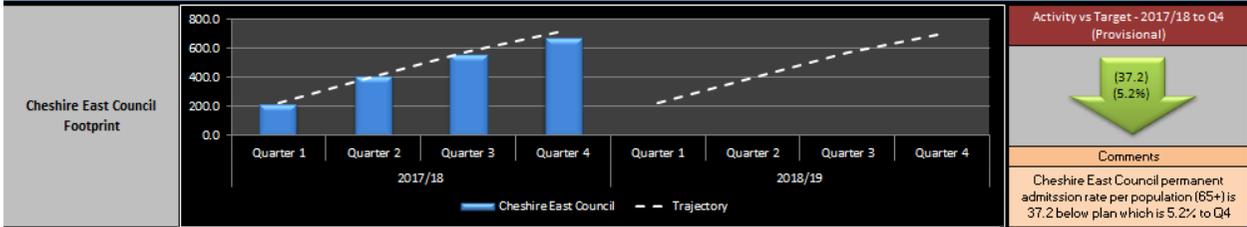
- Description: Long-term support needs of older people (aged 65 and over) met by admission to residential and nursing care homes, per 100,000 population
- Data definition: Annual rate of older people whose long-term support needs are best met by admission to residential and nursing care homes.
- Rationale: Avoiding permanent placements in residential and nursing care homes is a good measure of delaying dependency, and the inclusion of this measure in the framework supports local health and social care services to work together to reduce avoidable admissions. Research suggests that, where possible, people prefer to stay in their own home rather than move into residential care. However, it is acknowledged that for some client groups that admission to residential or nursing care homes can represent an improvement in their situation.
- Outcome sought: Reducing inappropriate admissions of older people (65+) in to residential care

#### **Effectiveness of reablement (at home 91 days after discharge to reablement / rehabilitation)**

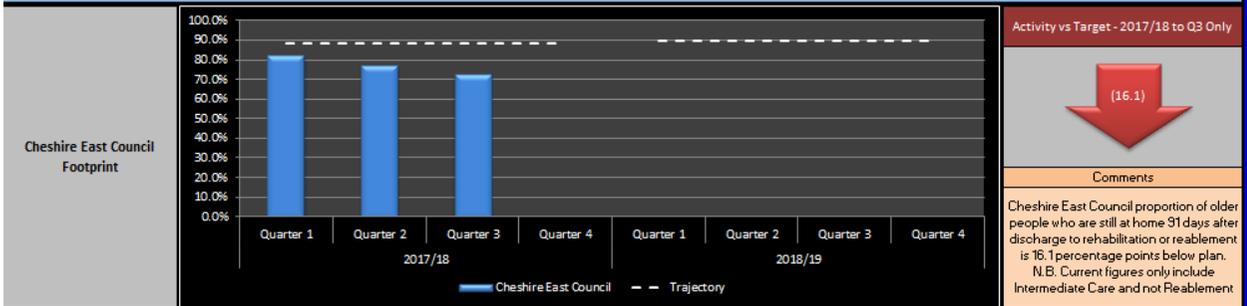
- Description: Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services
- Data definition: The proportion of older people aged 65 and over discharged from hospital to their own home or to a residential or nursing care home or extra care housing for rehabilitation, with a clear intention that they will move on/back to their own home (including a place in extra care housing or an adult placement scheme setting), who are at home or in extra care housing or an adult placement scheme setting 91 days after the date of their discharge from hospital.
- Rationale: Improving the effectiveness of these services is a good measure of delaying dependency, and the inclusion of this measure in the scheme supports local health and social care services to work together to reduce avoidable admissions. Ensuring that the rate at which these services are offered is also maintained or increased also supports this goal.
- Outcome sought: Increase in effectiveness of these services whilst ensuring that those offered service does not decrease



**BCF Metric 2 - Long-term support needs of older people (aged 65 and over) met by admission to residential and nursing care homes (per 100,000)**



**BCF Metric 3 - Proportion of older people (65 and over) who are still at home 91 days after discharge**



BCF Metric 4 - DTOCs

Delayed transfers of care - DTOCs per day

Entity	Chart	Activity vs Target - 2017/18 (Apr - Feb only)	Comments
Cheshire East Council Footprint		<p>(30) (9.4%)</p>	<p>Cheshire East Council DTOC's Per day are 30 below trajectory which is 9.4% for year to date 2017/18</p>
ECT		<p>(18) (12.1%)</p>	<p>ECT DTOC's Per day are 18 below trajectory which is 12.1% for year to date 2017/18</p>
MCHFT		<p>(50) (31.3%)</p>	<p>MCHFT DTOC's Per day are 50 below trajectory which is 31.3% for year to date 2017/18</p>

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## Appendix five – overview of the evaluation conducted

2018 BCF SCHEME EVALUATION CRITERIA - SCORE SHEET

		SCHEME LEAD(S):					Your Score	Add notes for the rationale behind your score
Score	Factor	1	2	3	4	5		
1.1	Health and social care integration by 2020	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
1.2	Focus on Prevention and Recovery	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
<b>Sub-total</b>							<b>0</b>	
2.1	Preventing or reducing non-elective admissions (NELs)	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
2.2	Long Term Admissions to Care Homes	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
2.3	Effectiveness of Reablement	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
2.4	Reducing Delayed Transfers Of Care	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
<b>Sub-total</b>							<b>0</b>	
3.1	Early discharge planning	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.2	Systems to monitor patient flow	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.3	Multidisciplinary/multi-agency discharge teams	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.4	Home First / Discharge to Access	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.5	Seven Day Service	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.6	Trusted Assessors	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.7	Focus on choice	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
3.8	Enhancing health in Care Homes	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
<b>Sub-total</b>							<b>0</b>	
4.1	<b>Strength of Evidence:</b> What is the strongest evidence that the proposed service / intervention has a positive effect?	Lower evidence, e.g.	Some evidence that service	Modest evidence, e.g.	Significant evidence, e.g. at	Major evidence, e.g. More		
4.2	<b>Quality of Life:</b> E.g. disability reduction, independence, pain reduction, improving social relationships	No improvement or not	Some improvement	Moderate improvement, e.g.	Significant improvement	Compelling life changing		
4.3	<b>Access and Equity:</b> Enables more equitable access to health care and/or reduces health inequalities	No effect or not applicable	Some effect	Moderate effect	Significant effect	Major effect		
4.4	<b>Prevention:</b> the proposal significantly reduces ill health and/or need for further health and care services	No contribution or not	Some contribution	Moderate contribution	Significant contribution	Major contribution to		
<b>Sub-total</b>							<b>0</b>	
5.1	<b>Risk of not achieving target:</b> e.g. national requirements or joint "must do's"	Minimum contribution	Some contribution to	Moderate contribution to	Significant contribution to	Major contribution to		
5.2	<b>Financial risk:</b> what is the risk if the project does not go ahead?	Minimum risk and impact if	Some risk and impact if	Moderate risk and impact if	Significant risk and impact if	Major risk and impact if		
5.3	<b>Political / reputational risk:</b> what is the risk if the project does not go ahead?	Minimum risk and impact if	Some risk and impact if	Moderate risk and impact if	Significant risk and impact if	Major risk and impact if		
5.4	<b>Clinical risk:</b> what is the risk if the project does not go ahead?	Minimum risk and impact if	Some risk and impact if	Moderate risk and impact if	Significant risk and impact if	Major risk and impact if		
5.5	<b>Impact on other services:</b> What is the impact on other services or providers if the service goes ahead?	Major negative impact on	Some negative impact on	No impact on other service	Some positive impact on	Service gap identified. Will		
<b>Sub-total</b>							<b>0</b>	
6.1	No savings or unknown	£0-£50,000	>£50,000-150,000	>£150,000-£500,000	>£500,000	>£500,000		
6.2	No financial return on investment	>3 years	Between 1 and 3 years	Between 6 months and 1 year	Less than 6 months	Less than 6 months		
<b>Sub-total</b>							<b>0</b>	
<b>TOTAL</b>							<b>0</b>	

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## Appendix six – scheme evaluation scores

	Health and social care integration by 2020	Focus on Prevention and Recovery	Preventing or reducing non-elective admissions (NELs)	Long Term Admissions to Care Homes	Effectiveness of Reablement	Reducing Delayed Transfers Of Care	Early discharge planning	Systems to monitor patient flow	Multidisciplinary/multi-agency discharge teams	Home First/ Discharge to Access	Seven Day Service	Trusted Assessors	Focus on choice	Enhancing health in Care Homes	Strength of Evidence: What is the strongest evidence that the proposed service / intervention has a	Quality of Life: E.g. disability reduction, independence, pain reduction, improving social relations	Access and Equity: Enables more equitable access to health care and/or reduces health inequalities	Prevention: the proposal significantly reduces ill health and/or need for further health and care services	Risk of not achieving target: e.g. national requirements or joint "must do's"	Financial risk: what is the risk if the project does not go ahead?	Political / reputational risk: what is the risk if the project does not go ahead?	Clinical risk: what is the risk if the project does not go ahead?	Impact on other services: What is the impact on other services or providers if the service goes ahead?	No savings or unknown	No financial return on investment	Total score						
1. Care Home assessments at the weekend (IBCF)																																
2. Care package retention of 7 days (IBCF)	4	3	7	4	3	4	4	15	5	5	5	5	4	5	2	35	4	4	3	4	15	4	4	4	4	4	20	2	2	4	96	
3. Innovation and transformation fund (IBCF)																																
4. Funding of additional social care staff to support D2A	4	4	8	3	3	3	5	14	5	4	5	5	2	2	4	1	28	5	4	4	4	17	5	5	5	5	4	24	1	2	3	94
5. Increasing capacity in Care Sourcing Team and Social	3	2	5	2	2	1	3	8	2	2	3	3	4	2	2	1	19	2	1	3	2	8	3	2	3	2	2	12	1	1	2	54
6. Sustain the capacity, capability and quality within	0	0	0	5	1	1	5	12	5	1	1	1	5	5	5	5	28	2	2	2	2	8	3	5	5	5	5	23	5	5	10	81
7. The use of Live Well online information and advice	3	5	10	2	2	3	2	30	1	1	3	2	4	2	5	1	40	3	2	5	1	10	4	5	5	1	5	20	1	5	10	110
8. Assistive Technology	5	3	10	3	3	4	4	30	4	4	4	4	4	5	3	4	40	3	4	4	4	10	3	3	3	3	4	16	2	2	10	76
9. Integrated Carers Hub	3	3	6	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	1	2	2	3	8	3	2	4	4	3	16	3	5	8	38	
10. Disabled Facilities Grants	1	5	6	4	2	2	2	10	1	1	1	1	1	1	3	1	10	4	5	4	4	17	5	5	5	2	5	22	5	4	9	74
11. Home First (NHS Eastern Cheshire CCG)																																
12. Home First (NHS South Cheshire CCG)	4	4	8	4	4	4	4	16	4	3	4	5	3	2	4	3	28	4	4	4	4	16	5	5	5	5	5	25	4	3	7	100
13. Hospital Discharge (East and South Cheshire)	5	5	10	5	4	4	5	18	4	4	4	5	5	2	4	3	31	4	4	4	4	16	5	5	5	5	5	25	3	4	7	107
14. Programme Enablers																																
15. Reablement Services																																
16. Care Act	5	5	10	2	4	3	3	12	2	2	2	2	2	5	5	23	5	4	4	5	18	5	5	5	5	5	25	1	1	2	90	

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## Cabinet

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**Date of Meeting:** 10 July 2018

**Report Title:** New Domestic Abuse Commission 2019 - 22

**Portfolio Holder:** Cllr Jos Saunders - Children and Families,  
Cllr Janet Clowes - Adult Social Care and Integration

**Senior Officer:** Mark Palethorpe - Acting Executive Director - People

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### 1. Report Summary

- 1.1 The Council commissioned a whole family domestic abuse service from 1 April 2016 to 31 March 2019, providing interventions for children, those who harm and those who are harmed. The three year initial term of this contract will end on 31 March 2019 and this report recommends a re-commissioning for the service rather than taking the option to extend, as this will allow the Council greater flexibility to change the delivery model to meet need.
- 1.2 Local people have been safer as a result of this commission but learning from contract management, consultation with a wide range of stakeholders and changes in local and sub regional provision indicate that re-commissioning is required to achieve best value for the Council and best support for its citizens to live free from abuse and its effects. The commissioning of whole family domestic abuse services has a positive impact on the safety, health and wellbeing of our adults and children, and supports our local communities to be strong and supportive. The procurement process will ensure that the Council continues to deliver efficiency and effectiveness through its commissioning activity. This specialist commission works within the context of other services with a focus on Domestic Abuse and in partnership with other agencies.

### 2. Recommendations

- 2.1. To seek Cabinet approval to commence procurement of a whole family domestic abuse service.
- 2.2. To authorise the Executive Director – People, to award the whole family domestic abuse contract.

### 3. Reasons for Recommendations

3.1. The whole family domestic abuse commission is integral to the delivery of the Cheshire East Domestic and Sexual Abuse Strategy. The strategy recognises that domestic abuse is a cross cutting issue which requires preventive and early intervention strategies across our Council and partnership workforce that work together with dedicated expert provision from the specialist sector.

The model of specialist service we require is therefore one which:

- Supports the prevention agenda through participation and delivery of campaigning and awareness work in schools and communities
- Offers information and consultation to community and professionals to identify and support adults and children at the earliest stages of need
- Delivers bespoke interventions to adults and children where the resources of community and professionals working in universal services are no longer appropriate
- Provides the range of services needed for immediate and longer term physical safety and emotional wellbeing (refuge, legal clinics, peer support, recovery programmes)
- Addresses the heart of the problem through engaging those who harm in accountability and change

This Strategy is bringing about change as we see a reduction in new high risk cases together with an increase in earlier recognition and support to families, not least to those who harm.

3.2 The Cheshire East Domestic and Sexual Abuse Partnership (CEDSAP) have delivered savings of some 8% in the last three years and have worked with partners at sub regional level to ensure that citizens of Cheshire East benefit from collaboration in attracting further funding for enhanced services, including an innovative provision for our most complex victims who often make repeat demands across all agencies. The Council, through CEDSAP, will continue to ensure best use of resources and close contract monitoring to ensure this critical service delivers good quality and innovative approaches to its work.

3.3 Through consultation with professionals and co-production with families the single model of delivery will be captured and in particular the siting of any specialist service to children and young people will be considered. Essentially the pervasiveness of domestic abuse is such that a relatively limited resource

can only ever reach a small number of those affected. This means that a greater percentage of children and young people may benefit more from equipping Children's Services and Schools staff to respond more fully as part of the work they are already undertaking and providing direct support to the most complex and high risk cases only. We have evidence that co-locating staff in Council teams has very positive benefits for delivering a more integrated service to the whole family, as well as building sustained change and confidence in the wider workforce to intervene effectively.

#### **4. Other Options Considered**

4.1. The current commission has been effective in delivering the adult elements of the service, (refer paragraph 5.4), however we now require a different approach to delivering the children's offer (paragraph 5.5). It is therefore appropriate that we use the learning from the last 3 years and sharpen our whole family offer of support where domestic abuse is an issue to ensure that it is meeting the local need.

4.2. The main alternative to Commissioning would be provision within the Council. Reasons for not pursuing this route are:

- Providers in the voluntary sector have demonstrated their greater flexibility to attract additional funding to benefit service users and maximise Council spend
- Service users value the clear independence of voluntary sector providers
- The Council and other partners benefit from the strong and independent voice of the community formed by the voluntary sector provider (service users and staff) in review and development of their own provision
- This will enable Cheshire East to take advantage of shared commissioning opportunities across the wider sub regional footprint, where this was in the interests of Cheshire East residents.

4.3. It is also possible that a decision could be made not to fund or to significantly reduce funding for these services. This would be counter to the Council's core values and objectives in the following ways:

- People in need would be without a key service that enables them to be safe in their homes and families
- People in need would present more frequently to other Council and partner services as their health, wellbeing, employment, housing are negatively impacted

- Council and partner services would be without recourse to the advice and collaboration that enables them to perform their existing roles

It is a reflection of the Council's understanding of the far reaching impact that Domestic abuse has, and the demand it creates for services, including those of partner agencies, like the police and health services, that the Council have supported a whole family approach to tackling this issue.

4.4. The Council's officers and services are fully involved in the development of sub regional projects which enhance local delivery and recognise the advantages these bring. As this sub regional work grows there may interest in and capacity to commission some service elements at a Cheshire level and the Council would work with partners to realise any benefits this would afford. Current contract arrangements across the region are not aligned, so this is not a viable option at present. However the delivery plan would ensure sufficient 'flex' over the period of the commission to enable joint working where this was in the interests of the population of Cheshire East and brought quality for best value. This has been demonstrated previously for example with a joint campaign across the four Cheshire local authorities and key stakeholders.

## 5. Background

5.1. In 2016 the Council procured a new whole family domestic abuse commission. This service provides a key element of the partnership response to the issue in the Borough. The partnership model includes:

- A 24/7 single point of access to information, consultation and referral for communities and professionals. This provision, **Cheshire East Domestic Abuse Hub**, is sited with the Council's Integrated Front Door. The Hub receives all referrals and takes next steps to engage the most appropriate service. The Hub also acts as a helpline to victims and, less frequently, to those who harm
- High risk referrals are sent immediately to the Council based **IDVA service** to engage victims in planning for their and their children's safety and engage partners in providing the range of interventions required to address their needs. Multi-Agency Risk Assessment Conferencing (MARAC) is a key mechanism for co-ordinating high risk victim interventions
- Lower risk referrals or those with a specified need that is within the remit of the **Commission** (refuge, adult and children's change and recovery programmes, clinics, peer support) are routed to **Cheshire East Domestic Abuse Service (CEDAS)** for appropriate support. There are

bases in Macclesfield and Crewe but the service is delivered on an outreach basis across the Borough. CEDAS is currently delivered through a partnership of Barnardo's and Cheshire Without Abuse

5.2. This model is considered by service users, providers and partners to be highly effective in affording speedy and easy access to tailored support that is delivered in partnership with public and other voluntary sector services. There has been a steady decline of some 17% in high risk MARAC referrals over the last three years combined with a parallel increase of self and early help referrals to the Hub. In some cases information, advice and liaison with existing service providers is sufficient to provide early intervention and prevent further harm. In other cases a referral to commissioned services is necessary to bring about lasting change

5.3. The model of single point of access and routing to high risk Council or lower risk commissioned services is funded in the following way:

Council based IDVA provision costs some £400k and is 25% partnership funded by CCGs, Police and the Police and Crime Commissioner;

Commissioned Services are entirely Council funded at a level of £600k with significant added value from providers in the form of peer mentors, volunteers and receipt of voluntary sector grants;

Additional funding for enhanced interventions has been secured through sub regional working.

5.4. There is a strong evidence base over the first two years of the contract of the effectiveness of service delivery and innovative work with adults, including with those who harm. This includes:

- Outcomes data showing victims are safer
- Increased referrals to change programmes for men who harm who do not meet the criteria for Probation or the Community Rehabilitation Company (CRC)
- Bespoke interventions for women who harm and who are often also victims (22 for 2017-18)
- Well established peer support groups and mentoring programmes to reduce isolation and ensure victims' voices shape service development
- Increased partnership working with Adults Services colleagues to ensure citizens benefit from the resources of statutory and specialist services
- Enabling people with complex needs to secure accommodation for the longer term

The evidence of effectiveness in relation to children and young people has been more variable, which has evidenced the need for us to review the most effective model for delivery in the new commission. The benefit of this going forward has been that we have been able to review what has worked and where weaknesses have been evident ie:

- Speed of response to referrals
- Managerial oversight of decision making
- The extent to which children's voices inform their journey and wider service development
- A reactive focus to individual demand rather than a proactive focus on developing confidence, tools and skills in partner agencies
- Insufficient developmental work on the growing issues of child to parent abuse and teen relationship abuse

5.5 Demand for services for children and young people has been almost twice that anticipated as domestic abuse continues to be a factor in some 40-50% of cases which come to the attention of Children's Services, including those on a child protection plan. While the Supplier is working together with commissioners to improve response to this level of need we think there may be a better model of delivery involving placing our dedicated specialist support in the teams already delivering targeted support across the range of issues impacting on children. Staff would implement a tiered response providing consultation, training, tools and delivering direct family work for the most complex and high risk cases. Any changes to the model of delivery will be considered and tested through consultation with professionals and co-production with families ahead of the invitation to tender and the service specification will clearly set out the Council's requirements going forward for an effective and sustainable service. Both Commissioning Clinical Groups and the wider partnership will lead the co-production and procurement of the service.

5.6 The indicative procurement timeline for this re-commission is as follows:

Market engagement / consultation – late June / early July 2018

Tender issue date – 3/9/18

Submission deadline – 4/10/18

Tender evaluated – w/c 8/10/18

Negotiations – if required – 22/10/18

Final bids deadline – 2/11/18

Final bids evaluated – 5/11/18

Intention to award – 12/11/18

Final Award letter – 23/11/18 (following standstill)

Contract preparation & signing – December 2018

Mobilisation – January- March 2019

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. The procurement process will need to be undertaken in accordance with the Public Contracts Regulations 2015 and the Council's own Contract Procedure Rules. Legal Services will continue to support the commission of new services. .

### **6.2. Finance Implications**

6.2.1. The proposed term of the contract for whole family domestic abuse is six years (four years plus the option to extend for two years) at a maximum cost of £600,000 pa ie £3.6m over six years. The Children's and Families base budget contains £600,000pa after a 8% reduction over the last two years for the whole family domestic abuse service.

6.2.2. It is recognised that this is a time of pressure for Council budgets and savings of 8% have already been made within the current envelope. However effective provision of domestic abuse prevention, early intervention, risk management and recovery services saves money. This includes the estimated £1m incurred in relation to a domestic homicide, the significant cost of taking children into care where behaviour change has not been possible, interventions by Adult and Children's Social Care as well as earlier help services to manage risk and need, demand on housing services and financial support to those whose employment has been impacted. The provision of a whole family domestic abuse service that reduces harm and builds resilience, will also generate savings to the public purse in the form of reductions in demand to police and health services

### **6.3. Equality Implications**

6.3.1. All public sector authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. An Equality Impact Assessment will be carried out and the Council will need to take into account the needs of persons with protected characteristics as set out in equalities legislation during the course of the commissioning process.

#### **6.4. Human Resources Implications**

6.4.1. There are no human resources implications for the Council. If there is a change in supplier then it will be for the outgoing and incoming suppliers to work through any TUPE implications.

#### **6.5. Risk Management Implications**

The key risks related to commissioning are:

- Failure to deliver services which protect life
- Failure to use Council resources in the most effective way
- Reputational damage to the Council as commissioner and contract manager should a serious incident occur

These risks are managed through the Cheshire East Domestic and Sexual Abuse Partnership (CEDSAP) Board risk register

#### **6.6. Rural Communities Implications**

6.6.1. It is important that providers promote service provision to people who experience isolation whether that is geographic or social. Domestic abuse is an isolating experience and it is important that barriers to provision are identified and surmounted in order to increase safety and recovery for additionally vulnerable people. This includes improved use of technology, working through local communities and networks

#### **6.7. Implications for Children & Young People**

6.7.1. There are direct, significant and lasting implications for children and young people. Children's safety, health and wellbeing are damaged by domestic abuse at the time of their exposure. Adverse Childhood Experiences (ACE) research shows the implications for future life chances, including mental health, substance misuse and chronic illness. It is critical that the Council provides and funds the right combination of services that enable adults and children to experience lasting change. Options for achieving this goal are included in this report.

#### **6.8. Public Health Implications**

6.8.1. Domestic abuse is a public health issue in relation to its scale and impact across communities as well as interdependencies with key public health commissioning responsibilities such as substance misuse, mental ill health, health visiting etc. The effectiveness of this commission and the strategy within which it sits has a direct impact on Public Health work and vice versa.

## 7. Ward Members Affected

- 7.1. All wards are affected. There is some correlation between areas of social deprivation and police reporting of domestic abuse but families across the whole demographic and geographic range are affected. Although evidence remains strong that women are disproportionately impacted domestic abuse damages the health, wellbeing and life chances of families across our Borough.

## 8. Consultation & Engagement

- 8.1. This work is driven by both ongoing consultation and specific engagement about this commissioning cycle.
- 8.2. Stakeholder involvement in shaping service delivery is a strong feature of our partnership work to address domestic abuse. Our Strategy 2017-20 was produced by the Cheshire East Domestic and Sexual Abuse Board following widespread consultation and sets out the broader landscape and key priorities within which provision sits. Service users are formally consulted every quarter prior to Board meetings about their experience of service delivery by specialist and public services and their voices are captured in regularly monitoring and Authority wide events.
- 8.3. Our plans in respect of this proposal are:
- Hold dedicated meetings with all service user groups – adults who harm and who are harmed, children and young people – to understand what works well and should continue, what is problematic and what needs to change
  - Engage children and young people through the Council's participation team about need and accessibility in particular
  - Use Domestic Abuse and other Partnership Board members (Local Safeguarding Adults and Children's Boards, Safer Cheshire East Partnership) as senior sector leads to elicit professional views through a discussion paper and survey
  - Visit key teams who work in partnership with the specialist sector to check that our intentions build on and develop robust multi-agency intervention
  - We will also hold a market engagement event to ensure potential bidders are informed and able to offer early reflection on the scope of our commission

## 9. Access to Information

9.1. Cheshire East Domestic and Sexual Abuse Strategy link:

<https://www.cheshireeast.gov.uk/livewell/staying-safe/domestic-abuse-and-sexual-violence/cheshire-east-domestic-abuse-and-sexual-violence-partnership.aspx>

9.2. Equality Impact Assessment will be published.

## 10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

Name: Dave Leadbetter

Job Title: Head of Children's Commissioning

Email: [dave.leadbetter@cheshireeast.gov.uk](mailto:dave.leadbetter@cheshireeast.gov.uk)

## Cabinet Report

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**Date of Meeting:** 10 July 2018

**Report Title:** Re-Commissioning of Assistive Technology Services

**Portfolio Holder:** Cllr Janet Clowes, Adult Social Care and Integration

**Senior Officer:** Mark Palethorpe, Acting Executive Director of People

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### 1. Report Summary

- 1.1. Assistive Technology is an important means by which people can be supported to live independently in their own homes at reduced cost in lieu of traditional care support (such as care at home). It also has the potential to serve a preventative function; reducing risk in escalation in social care need, for instance by the extra safeguards it provides for individuals (e.g. through devices such as falls detectors). As such, this report sets out recommendations for recommissioning this valuable support.

The commissioning question we have posed is:

***“How can we make the most of the opportunity that Assistive Technology provides to achieve greater independence and choice for people with care needs, whilst ensuring that it offers value for money and is enabling in its approach?”***

### 2. Recommendation/s

- 2.1 That Cabinet approves the procurement of the Assistive Technology services
- 2.2 Cabinet delegates authority to the Executive Director of People to award contracts to the supplier(s) of Assistive Technology services

### 3. Reasons for Recommendation/s

- 3.1. There is positive evidence that Assistive Technology can play an important role in addressing the care needs of individuals at reduced cost in place of traditional care (such as care at home). This re-commission would ensure that appropriate equipment is supplied where it can help to deliver the social care assessed outcomes that people want (such as greater independence). It would also seek to use technology as part of a preventative approach where evidence supports this. In this way, resources would be concentrated on those where need is greatest. See Appendix A for background.
- 3.2 Cheshire East Council currently has a long-standing arrangement with a

provider for its Assistive Technology service. However, this situation is an impediment to effective contract management in the medium-term.

#### **4. Other Options Considered**

- 4.1. Do nothing: however this would mean that the Council would be unable to support peoples' care using Assistive Technology and would therefore be unable to meet its statutory obligations under the Care Act.
- 4.2 The option of conducting a procurement in conjunction with community equipment was also considered. However, this review has not yet been completed and any recommendations would need to be agreed by Clinical Commissioning Group Partners. As such, there are issues with timescale. But it would also mean a reduced pool of providers able to deliver both services effectively, and difficulties in disentangling services if delivery was poor in one area.

#### **5. Background**

- 5.1. As a Borough (along with other areas across the country), we face the dual challenges of reduced financial resources, and growing demand for social care services as a result of the ageing population. This is illustrated by the forecast that by 2020, there will be 8% more people aged over 65 (in comparison to 2017) who are unable to manage at least one activity on their own.
- 5.2 Assistive Technology can address some of this need at reduced cost compared with traditional care packages (such as care at home), by supporting independence including people staying in their own homes for longer, whilst providing improved choice and control. For instance, falls detectors can help safeguard individuals more likely to fall due to frailty. This support can also provide reassurance for carers who have the knowledge that the cared for can access timely help.
- 5.3 In addition to this, it also has the potential to reduce risk of escalation in social care support required. For instance, in the case of someone who wanders with dementia, a GPS tracking device can help to safeguard them and enable to continue to live independently at home rather than in residential care.
- 5.4 The potential of Assistive Technology has been nationally recognised in a number of key reports. For instance, the report 'Ready for Ageing' from the Lords Select Committee on Public Service and Demographic Change highlights its potential to manage demand. Whilst the white paper 'Caring for our Future: Reforming care and Support (Department of Health 2012)' suggests its role in supporting people to exercise greater control over their health and wellbeing. It also addresses the preventative duty established under the Care Act 2014.

- 5.5 Assistive Technology is cited in the Council's commissioning plan 'People Live Well for Longer'. This describes the imperative to focus on early help and prevention, helping avoid problems developing; and to put in place new, more cost effective approach to delivering adult social care. This will thereby reduce demand and release resources for those who most need them. It also directly meets Outcome 5 of the Council's corporate objectives, helping 'people live well and for longer'.
- 5.6 Cheshire East Council currently has 2,725 people receiving Assistive Technology through its contracted service. These numbers have grown from 1,520 in May 2014 (an increase of 79%). These individuals have received this service through the social care assessment process. Of these 2,372 are in receipt of the Lifeline emergency alarm service. These numbers have grown over time as there was a deliberate ambition to increase the numbers of individuals making use of Assistive Technology due to the potential benefits both for these individuals and financially for the Council.
- 5.7 Assistive Technology equipment encompasses simple devices to prevent a bath or bathroom sink from flooding, to automated support like motion activated lights, to alarms and alerts to protect wellbeing such as falls detectors or door contact sensors (which detect when a vulnerable person has left their property). It is an ever changing industry with new solutions appearing each month, each offering new possibilities for addressing care needs.
- 5.8 The Council has five Assistive Technology workers based in social care teams responsible for conducting assessments with those who might benefit from Assistive Technology. In addition to this, (currently as a trial) any social care assessor in the south of the Borough can directly refer an individual for Assistive Technology. Referrals go directly to Peaks and Plains who are responsible for installing, maintaining and withdrawing equipment. They also provide a response service to telecare alerts.
- 5.9 The Council has had a long term contract with Peaks and Plains for Assistive Technology. However, a new solution which addresses the outcomes of people in receipt of social care and maximises the opportunities offered by advances in technology is now required. Using an open tendering process, this would result in a provider(s) being awarded a contract for an initial 3 year period, with extensions possible for a further two years. We are currently reviewing the idea of splitting the commission into three separate contracts: deployment, maintenance and removal of assistive technology, a response service, and carers emergency cards (see Appendix A for further details).
- 5.10 Re-commissioning would allow the Council to work in partnership with a provider, to promote the advantages of assistive technology to the general population and to allow them to self-refer. It would also seek to identify

individuals with greater precision through the social care assessment process, who could have the outcomes they identify as important to them addressed through technology. As part of this work, engagement will take place with users to understand their needs in greater depth.

- 5.11 A further objective will be to ensure fast deployment of Assistive Technology where this is needed. This will include on discharge from hospital, or transition from intermediate care. This will speed discharge processes and reduce risk of re-admission.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. Any re-procurement of these services will need to be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. Ongoing legal support will be given to ensure the Council meets requirements in this regard.

### **6.2. Finance Implications**

- 6.2.1 The total Gross expenditure on assistive technology for 2017/18 was £1,161,751. This was funded through the Better Care Fund (BCF) and Client Contributions.

Through the re-commissioning a reduction in this budget is expected and any change will be subject to partners agreement through the better care governance group, if BCF funding is not agreed then the recommissioned service would need to be funded from the wider Adults budgets.

### **6.3. Equality Implications**

- 6.3.1 An initial Equality Impact Assessment has been drafted this will be refined during the course of this project.

### **6.4. Human Resource Implications**

- 6.4.1 It is likely that TUPE would apply for staff from the existing provider.

### **6.5. Risk Management Implications**

- 6.5.1 Ensuring that re-commissioning (including service re-design, re-procurement, and award) is delivered to time, within the agreed financial envelope and delivers a high quality provider of assistive technology services that serve to enable users to maximise their independence

- 6.5.2 If a service is not procured, it would mean that we would be unable to

support people with care needs with Assistive Technology, and as such would not meet our statutory obligations under the Care Act.

## 6.6. Rural Communities Implications

6.6.1 Assistive Technology can safeguard and support vulnerable people in rural locations

## 6.7. Implications for Children & Young People

6.7.1 There are no immediate implications for children and young people. Although future work is to take place to explore the benefits of Assistive Technology work targeting young people.

## 6.8. Public Health Implications

6.8.1 Assistive Technology can be an important element of a solution to address the health and wellbeing needs of people in receipt of social care. In addition to this, it offers the opportunity for carers and the public to obtain greater reassurance through knowing that they would be alerted through technology if there was an issue with the individual.

## 7. Ward Members Affected

7.1. All Wards

## 8. Consultation & Engagement

8.1. A consultation will take place to engage those in receipt of Assistive Technology. Engagement would also take place with the market.

## 9. Access to Information

9.1. The following documents have been key to project development:

- Joint Strategic Needs Assessment
- People Live Well for Longer Commissioning Plan
- Cheshire East Council Corporate Plan

## 10. Contact Information

10.1. Any questions relating to this report should be directed to the following officer:

Name: Nichola Glover-Edge  
Job Title: Director of Commissioning  
Email: [nichola.glover-edge@cheshireeast.gov.uk](mailto:nichola.glover-edge@cheshireeast.gov.uk)

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## APPENDIX A

**ASSISTIVE TECHNOLOGY – SUMMARY REPORT  
26 MAY 2018****1.0 Introduction**

The purpose of this report is to set out the recommendations and evidence base for the delivery of Assistive Technology and Telecare to people with care needs within Cheshire East. This is necessary both due to a need to put new contract arrangements in place for this service, but also to maximise the opportunities that Assistive Technology provides. This includes giving people with care needs increased choice and control over their support, whilst also enabling them to live independently. There are also benefits for carers in terms of reassurance and reduced risk of carer breakdown.

**2.0 Assistive Technology - Definitions**

The World Health Organisation have defined Assistive Technology as “any device or system that allows individuals to perform tasks that they would otherwise be unable to do or increases the ease and safety with which tasks can be performed.” (World Health Organisation)<sup>1</sup>. This differs from telecare, which is generally used to refer to sensors or alarms used to signal when someone is in distress and needs assistance. This can either happen with the user’s prompting by pressing a pendant alarm or automatically for instance, via a falls sensor.

Note: for the purposes of this report Assistive Technology will be used to describe all technology which assists an individual with their care or health needs. Telecare is considered a sub-set of this.

**3.0 Strategic Context**

The Cheshire East Council Corporate Plan (2016-2020)<sup>2</sup> consists of 6 priority outcomes. The most pertinent of these in relation to Assistive Technology is Outcome 5 ‘People Live Well and For Longer’. Although Outcome 1 ‘our local communities are strong and supportive’ also has some pertinence (as a support structure is required for Assistive Technology to operate effectively).

The Cheshire Commissioning Plan<sup>3</sup> describes how we as a developing, commissioning council intend to shape services in Cheshire East from 2017-20. Of particular relevance in the plan includes: focussing on early help and prevention to help avoid problems developing; putting in place new, more cost effective approach to delivering adult social care; reducing demand and releasing resources for those who most need them.

The Social Care Outcomes Framework for 2018/19 includes the following relevant domains; enhancing quality of life for people with care and support needs; delaying and reducing the need for care and support; ensuring that people have a positive experience of care and

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<sup>1</sup> A Glossary of Terms For Community Health Care And Services For Older Persons”, 2004

<sup>2</sup> The Cheshire East Council Corporate Plan (2016-2020)

<https://moderngov.cheshireeast.gov.uk/documents/s45997/CEC%20Corporate%20Plan%202016%20d.pdf>

<sup>3</sup> <https://moderngov.cheshireeast.gov.uk/documents/s56340/Appendix%20PEOPLE%20LIVE%20WELL%20FOR%20LONGER%20-%20V5%20-8.5.17%202.pdf>

support; safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm.

Under the Care Act 2014, social workers hold responsibility for understanding what is available locally for service users to meet their needs and outcomes. This includes the usage of Assistive Technology.

**4.0 Ethics**

Assistive Technology (and particularly telecare) has the potential to threaten individual users’ privacy, autonomy and control particularly for people with cognitive impairments including dementia. This means commissioners must ensure that people who are self-funders or personal budget holders have access to relevant information so they can decide what type of assistive technology service would best suit their needs.

The Social Care Institute for Excellence identify that the ethical issues exist at two particular stages:

- Pre-installation phase: The principal ethical concern here is that services should be tailored to the individual and that when considering appropriate assistive technology the risks of the person coming to harm should be balanced against their right to autonomy.
- Post-installation phase: The main ethical concern during the post-installation phase is that assistive technology information should be collected for a positive purpose and with the consent of the person concerned. The risks of invading individual privacy should be balanced against independence. Assistive technology should not isolate people socially, and the allocation of funding for assistive technology should be fair and just.

Any deployment or strategy for use of assistive technology must take these factors into account.

**5.0 Referrals**

Table 1: below summarises the kit that can be requested through the current referral process from social care teams.

Table 1: Kit Available Currently

<ul style="list-style-type: none"> <li>▪ Lifeline unit</li> <li>▪ Bed sensor*</li> <li>▪ Smoke detector</li> <li>▪ Passive Infrared Sensor movement detector - detects changes in infra-red heat when an intruder walks into the protected area,</li> <li>▪ Personal alarm wrist</li> <li>▪ Chair sensor</li> <li>▪ Temperature extremes</li> <li>▪ Universal sensor</li> <li>▪ Personal alarm neck (pendant)</li> <li>▪ X10 appliance module for table lamp</li> <li>▪ Carbon Dioxide detector (property with gas only)</li> <li>▪ Telecare medication dispenser -</li> </ul>	<ul style="list-style-type: none"> <li>▪ Standalone medication dispenser</li> <li>▪ Care Assist Pager - a portable device that provides carers with a means to receive instant alerts from a range of telecare sensors. With a typical range of up to 200m. Means individuals and their informal carers do not have to be connected to a 24 hour monitoring centre service.</li> <li>▪ Gas detector plug-in</li> <li>▪ Bogus Caller alert</li> <li>▪ Falls detector WRIST</li> <li>▪ Enuresis detector (bedwetting detector)</li> <li>▪ Flood detector</li> </ul>
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<ul style="list-style-type: none"> <li>▪ linked to lifeline</li> <li>▪ Exit sensor</li> <li>▪ Auto ceiling light</li> <li>▪ Gas detector mains/ hard-wired</li> </ul>	<ul style="list-style-type: none"> <li>▪ Key Safe</li> <li>▪ Falls detector multi -clip/pendant</li> <li>▪ Radio pull cord</li> <li>▪ Epilepsy monitor</li> <li>▪ Timed voice prompts</li> </ul>
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## 6.0 Equipment in the Marketplace

The Assistive Technology market is constantly changing with more and more sophisticated devices becoming available over time. At the same time, costs of equipment are also reducing as once advanced technology becomes more commonplace. The list below gives some examples of what else is available. Note: some devices require individuals to have a broadband connection.

- Light sensors – turn on when someone is in proximity, and thus can reduce the risk of falling
- Call screening devices – only allow trusted callers through
- Bluetooth trackers – allows objects such as keys to be located easily
- Visual Impairment devices – e.g. OrCam reads text to someone who is partially sighted
- Memo minder – plays a personalised message when someone walks by
- Electronic entry – Sentry-key device giving access to an individual’s home by electronic means (also provides an audit trail)
- Data hubs which record the information sent from sensors and then use this to analyse if an individual’s behaviour has changed e.g. Cascade Connected Care, Kemuri.
- Video calling (e.g. in lieu of domiciliary care visits)
- Electronic medication dispensers e.g. Biodose. This can be used with tailored alerts e.g. blinking lights to encourage usage. If the medication is not removed chosen contracts can receive a customised alert.
- Voice activated assistants – Amazon Alexa and Google Home
- Smartplugs, remote heating control, and other internet connected devices
- Tablets/smartphones and apps – numerous examples of where they can provide support

## 7.0 Current Contract

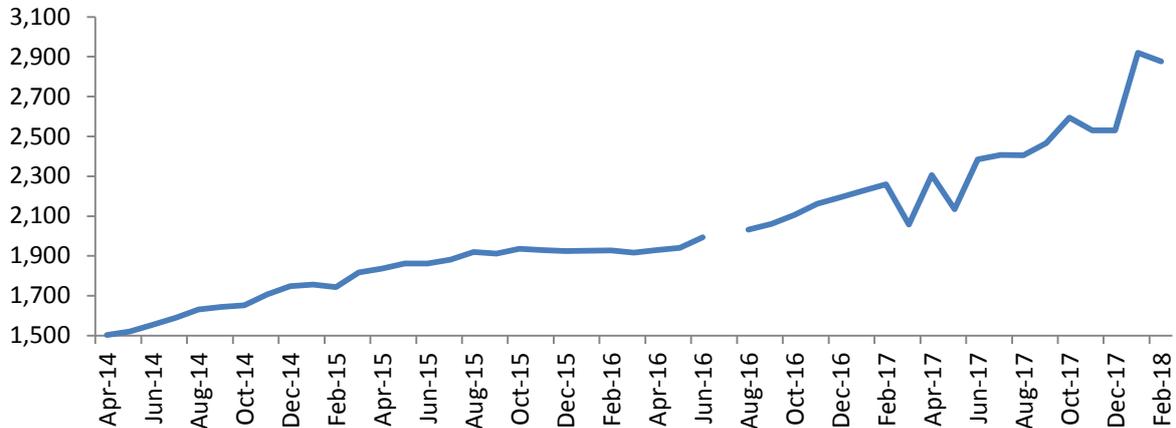
Cheshire East Council’s contract with Peaks and Plains consists of installation, maintenance and withdrawal of Assistive Technology, a contact centre, and a carer’s response card. Following a referral, Peaks and Plains are responsible for installing the equipment. This is carried out by making an appointment and explaining to the customers how the equipment works. Under the contract terms, installations should be re-visited one week after installation to ensure that the customer/carer is accustomed to the kit and that it is functioning correctly. Peaks and Plains are also responsible for removing the equipment when required, maintaining it, and keeping a stock list.

The contact centre responds to issues with sensors by liaising with the public over the phone/via a device and through home visits where necessary. They also contact other agencies such as the ambulance service when required.

### 8.0 Current Usage

Graph 1 illustrates that usage of Telecare has risen steadily over time, with usage in February 2017 being 2,877. It is unclear how much of this growth has been due to genuine need or is due to lack of control over prescribing behaviour.

Graph 1: Usage of Telecare over Time

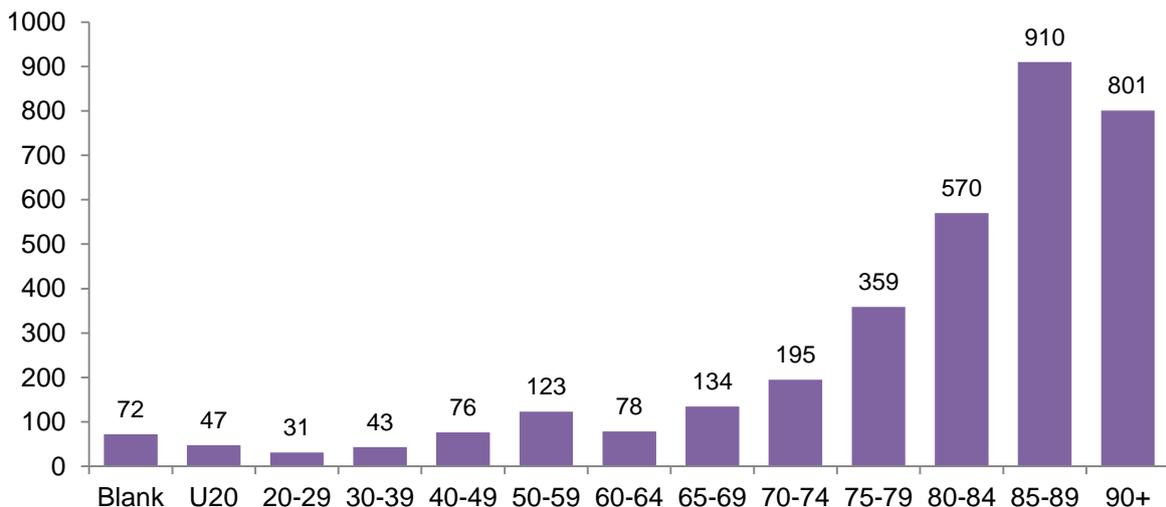


Note: figures were not available for July 2016 hence the gap

Graph 2 below shows current assistive technology users by age band. The peak in the 85+ bands is likely to be due mostly to the charging policy (85 year olds living alone will receive assistive technology for free).

Graph 2: Age Bands of Current Assistive Technology Users

*Current users of Assistive Technology by age band*



It should be noted that a significant tranche of service users receive assistive technology without any other element making up their care package.

### *Carer's Card*

A Carer's (or ACE) Card provides an emergency contact number for every carer who signs up. This allows an emergency plan to be enacted by Peaks and Plains if the carer gets into difficulty, which will involve them getting in touch with relevant alternative individuals. If there is no alternative support, the SMART Team can be contacted to provide support whilst care arrangements are made. The original aim of putting this in place was to try and reduce pressure on the ambulance service in these scenarios. 1,042 carers currently have a response card, with 45 new carers joining in Q4 17/18.

## **9.0 Options Appraisal – Procurement**

There are four primary components to an Assistive Technology service:

- a) Assessment for equipment
- b) Fitting, Maintenance and Withdrawal at home
- c) Response centre to sensor alerts/ phone calls
- d) Falls pick-up service

As such, the following options have been evaluated:

### *1. In-house assessment, with external fitting and response (current model)*

Full assessment for assistive technology would continue to take place by operational staff. Note: currently this can be via social care assessors or telecare workers.

Equipment would be fitted, checked and maintained by the provider (and withdrawn when no longer needed). A response centre would operate which would contact users whose equipment has triggered alerts e.g. falls sensors and would handle conversations with users deriving from equipment e.g. telecare base unit.

### *2. Fully external service*

Referral by social care assessors would take place to external assistive technology workers who would carry out a detailed technology based assessment. The remaining service is as in 1).

### *3. Fully external service*

As in 2. but the response centre would be commissioned separately.

The opportunity to include a falls pick-up service has also been reviewed independently of these options.

### *4a. Falls Pick-Up Service*

The response centre would also include wider provision for response around falls. This would be when the person does not require medical attention.

### *4b. No Falls Pick Up Service*

This would mean the Clinical Commissioning Groups continue to have full responsibility for these services and for there to be no coordinated approach across the Borough (falls response would purely be confined to Assistive Technology)

*Other Options Considered and Eliminated:*

1. *Fully internal service* – this does not align with the Council’s declared aim of being a commissioning council. It would also require the management of additional services such as a specialist call centre and logistics operation (together with the employment of appropriate staff) which the Local Authority has only modest expertise in. We would also lose the potential economies of scale that would come from an external provider running services across multiple areas.
2. *No Council funded Assistive Technology Service* – This would remove the opportunity Assistive Technology provides to service users to have greater independence (including the ability to stay in their own home), choice and control. Moreover, it provides benefits to carers e.g. reassurance. It would also mean a missed opportunity to utilise the savings that Assistive Technology can provide on the costs of care packages.
3. *Conducting a joint procurement for a Community Equipment and Assistive Technology Service* – This might offer potential economies of scale by putting the two contracts together. However, the Community Equipment Service is still under review and no final decision has been taken on the future of in-house provision. It would also require agreement with Clinical Commissioning Group partners which could not be achieved within an appropriate timescale to that required by Assistive Technology procurement.

Moreover, there is a risk that these contracts cannot be easily disentangled if there is a major issue with one contract area. In these circumstances, quickly e-procuring both services at once would be a significant undertaking. Additionally, it would significantly reduce the number of providers able to tender, meaning the ability to achieve value might be reduced.

*Detailed Options Appraisal*

	<i>Strengths</i>	<i>Weaknesses</i>	<i>Opportunities</i>	<i>Threats</i>
1. In-house assessment, with external fitting and response  Note: assessment via specialist Assistive Technology workers	-Assessment for Assistive Technology can take place as part of the conventional social care needs assessment in which people’s outcomes are reviewed. This reduces duplication for the customer.	-Without strong control there is a danger that Assistive Technology is either forgotten or given out indiscriminately.	-To further build expertise amongst operational staff over the advantages of Assistive Technology  -To achieve economies of scale through sharing of workforce between areas e.g. call	-The difficulty of staff keeping up to date with changes in technology. Note: this could be tackled through continued use of specialist Assistive Technology workers.

			centre	
2. Fully external service	<p>-Assessment for Assistive Technology can be conducted by specialists in technology.</p> <p>-Potential economies in assessment being carried out by external provider.</p> <p>-Larger contract may be more attractive to suppliers. Examples from other areas where this has taken place.</p> <p>- May prevent/delay access to Social Care/ Health</p> <p>- May reduce barriers to accessing Assistive Technology due to perceptions of Social Care Assessments</p> <p>User experience i.e. seamless/single pathway for Assistive Technology</p>	<p>-Provider may have an incentive to over prescribe equipment although control would happen via contract management</p> <p>-Putting components together risks a smaller number of providers being able to deliver the contract as a whole</p> <p>-TUPE would apply and it would create disruption for staff</p> <p>-Possible loss of early intervention and prevention focus by Social Care teams i.e. becoming disjointed from Social Care Assessments, Reviews and Care Planning</p>	<p>-To achieve economies of scale through the sharing of workforce between areas e.g. call centre</p>	<p>-Less flexibility to reconfigure service delivery in the future, although some variations will be negotiable.</p>
3. Fully external service but the response service would be commissioned separately	<p>As 2</p> <p>-Separate contracts might increase the opportunity for smaller and more local providers to be involved</p>	<p>As 2</p> <p>-Splitting components risks larger providers being less interested in contract delivery</p> <p>-Transfer of information would need to be handled seamlessly</p>	As 2	As 2
4a. Falls Pick-Up service (provided with the externally commissioned response centre. This would also	<p>There is no borough wide joint falls pick up service. Opportunity to instigate something as part of a new</p>	<p>Clinical Commissioning Groups already have commissioned falls pick up services (although</p>	<p>Opportunity to link falls services across the Local Authority and Clinical Commissioning Groups thus</p>	<p>Lack of clarity over long term funding stream for this</p>

<p>deal with non Assistive Technology clients)</p>	<p>Borough wide falls initiative</p> <p>Clinical Commissioning Groups falls pick up services are not joined up and there are potential real efficiencies in linking these together.</p> <p>May result in people with social care needs being able to live independently for longer.</p> <p>Helps to safeguard individuals.</p>	<p>small scale in south). There would be a need for these arrangements to end. Discussions are in their very early stages in relation to working together on this.</p> <p>The Council would require financial contributions from the Clinical Commissioning Groups to make this viable.</p> <p>The evidence base in terms of financial impact to Adult Social Care needs more research</p>	<p>resulting in enhanced service for local people</p> <p>Links to the Fire Service Safe and Well Checks.</p>	
<p>4b. No Falls Pick Up Service</p>	<p>Joining up of services does not necessarily have to involve the Council or the Assistive Technology contract.</p> <p>The evidence base in terms of financial impact to Adult Social Care requires further research and there is a risk we would commit resources to a service that might not generate significant savings for the Local Authority.</p>	<p>There would be a missed opportunity to join up falls pick-up services and to find system wide economies as a result</p>		<p>Without this, risk of growing numbers of people being admitted to residential care</p>

*Financial Modelling - Benchmarking*

Note: Full details have not been given of the Local Authority the spend relates to, due to agreements over confidentiality. These values should also be considered a guide only, as it is hard to know what has been excluded or included from figures provided.

Council	Spend/ Model	Provider
A	Total gross expenditure on Assistive Technology for 2017/18 including relevant staffing costs was £1,161,751.	In-house assessment + Housing Association

B	£220K for 17/18 for 2,200 people. Assessments by provider.	Housing Association
C	£230K including equipment and falls lifting service for 1200 people 17/18	Housing Association
D	£504K for 4,900 people for 15/16 (includes falls lifting service)	In-house

The full extent of realisable savings is currently being explored (e.g. by soft market testing).

*Preferred Option:*

Whilst discussions have been had with a cross-section of operational managers, further senior input is required to determine the preferred option.

Further work is also required in terms of the falls pick-up service to establish viability and efficiencies. This will include partnership work with the CCGs through the Cheshire East Falls Prevention Group.

### 10.0 Risks

Risk	Likelihood (1-4)	Impact (1-4)	Score
1. Budget shortfall due to uncertainties in future Better Care Fund finances.	2	4	8
2. Difficulty of finding providers prepared to pick up different service strands.	2	3	6
3. Delays in delivery due to complexities involved e.g. potential TUPE	2	2	4
4. Genuine savings not realised due to lack of precision in assessment process.	1	3	3
5. Difficulty of understanding our current Assistive Technology asset base	1	1	1
6. The difficulty in implementing a new contract with sufficient flexibility e.g. due to changes in technology and approach	1	2	2

### 11.0 Assistive Technology Strategy

An initial draft of an Assistive Technology strategy has been completed which will need further development with partners including CCGs. This will identify future ways in which we can make the best use of technology via a whole systems approach. This will also include a focus on Telehealth. Note: a falls prevention strategy is also under development with a range of partners, which will play into this.

*Report Author: Nik Darwin, Senior Commissioning Manager*

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*Working for a brighter future together*

## **Cabinet**

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**Date of Meeting:** 10 July 2018

**Report Title:** Risk Management and Business Continuity Policy Statements

**Portfolio Holder:** Cllr Paul Findlow, Corporate Policy and Legal Services

**Senior Officer:** Daniel Dickinson, Acting Director Legal Services

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### **1.0 Report Summary**

1.1 Cabinet has responsibility for approving the Council's Risk Management Policy and Risk Appetite Statement and the Council's Business Continuity Policy Statement and Strategy, following reference to and recommendation from the Audit and Governance Committee. In order to support Cabinet in fulfilling its role this report provides Members with;

- an updated Risk Management Policy and Risk Appetite Statement set out in Appendix A; and
- a Business Continuity Policy Statement and Strategy set out in Appendix B.

### **2.0 Recommendations**

2.1 That Cabinet

2.1.1 Approve the updated Risk Management Policy and Risk Appetite Statement as set out in Appendix A; and

2.1.2 Approve the Business Continuity Policy Statement and Strategy as set out in Appendix B.

### **3.0 Reasons for Recommendations**

3.1 Risk management is central to good governance and effective strategic management. Cheshire East Council is publicly accountable and must be able to demonstrate effective management of the kinds of risks which threaten the achievement of its strategic objectives, the effectiveness of its operations, the reliability of its financial reporting, and the security and value of its assets. Risk Management provides a structured, consistent and continuous process across the whole of Cheshire East Council for identifying, assessing, deciding on responses to, and reporting on opportunities and threats that affect the achievement of the Council's Corporate Plan objectives and outcomes.

- 3.2 The benefit of a strong risk management framework from a governance viewpoint is that it gives a greater level of confidence that management have properly and adequately fulfilled their responsibility in operating an effective system of internal control. This in turn gives confidence to both Members and staff to support a higher appetite for risk, at a time when major change is necessary and desirable. Cabinet needs to provide a consistent, coherent, sustained and visible leadership in terms of how we behave and respond when dealing with risk. Publishing a clear risk management policy covering risk management philosophy and responsibilities helps to set our desired risk culture.
- 3.3 Business continuity management is concerned with developing an organisation's ability to provide critical services, or business processes in the event of an interruption, and incorporates all aspects of an incident lifecycle from identification of an incident through to resuming business as usual activities. The Council's corporate risk register identifies a wide range of threats which may disrupt services; these include capacity and resource threats, financial resilience, and technology threats which mean that the need for plans to deal with potential disruptions is more important than ever before.
- 3.4 This is reinforced by the Civil Contingencies Act 2004 (CCA), which imposes a statutory duty for the Council to be resilient. The Council recognises the importance of having effective business continuity management arrangements to ensure the effective identification, evaluation and management of business critical services. In order to achieve this, a new Business Continuity Policy Statement and Strategy has been drafted.
- 3.5 Following approval the policies will be reviewed annually and any necessary minor adjustments made.

#### **4.0 Other Options Considered**

- 4.1 The requirement for the Council to have a Risk Management Policy is long established with the last version being approved by Cabinet at its meeting on 9 February 2016. This report advises Cabinet of the outcome of the latest review.
- 4.2 Business Continuity is a specialist area of risk management and is an established requirement. The previous Business Continuity Policy was a sub policy of the risk management policy and was last approved on 22 July 2013. This report provides a new policy statement and strategy for approval.

#### **5.0 Background**

- 5.1 The Council's Risk Management Policy Statement was last approved by Cabinet at its meeting on 9 February 2016, since then a review of the policy has been undertaken and a small number of actions to improve the Council's risk management arrangements were reported to the Audit and Governance Committee in May 2018, This has resulted in an updated Risk Management Policy and Risk Appetite Statement which Cabinet is asked to approve. The Policy has been endorsed by the Corporate Leadership Team, and the Audit

and Governance Committee recommended its adoption to Cabinet at its meeting on 31 May 2018.

- 5.2 The Business Continuity Policy was last approved by Cabinet on 22 July 2013. A new Business Continuity Statement and Strategy has been endorsed by the Corporate Leadership Team, and the Audit and Governance Committee recommended its adoption also to Cabinet alongside the Risk Management Policy at its meeting on 31 May 2018.

## **6.0 Implications of the Recommendations**

### **6.1 Legal Implications**

6.1.1 The Accounts and Audit Regulations 2015 require the Council to have a sound system of internal control which includes effective arrangements for the management of risk and the Civil Contingencies Act 2004 (CCA) imposes a statutory duty for the Council to be resilient.

6.1.2 Alongside the need to protect the Council's ability to achieve its strategic priorities and to operate its business, general principles of good governance require that it should also identify risks which threaten its ability to be legally compliant and operate within the confines of the legislative frameworks. These policies are aimed at addressing those requirements.

### **6.2 Finance Implications**

Effective risk management and business continuity arrangements help to maximise opportunities, achieve service objectives and minimise loss events including those with financial consequences.

## **7.0 Policy Implications**

### **7.1 Equality Implications**

The Council's equality impact assessment process has been used throughout the development of the Risk Management Policy Statement and Business Continuity Policy and Strategy documents. The process has concluded that there is no need to proceed to a full equality impact assessment.

### **7.2 Human Resources Implications**

In order to ensure that the policies and strategy are implemented effectively, training will need to be delivered to Members, senior managers and staff to ensure that they are familiar with risk management and business continuity principles and aware of their responsibilities in relation to these two areas. Promotion and explanation of the policies through training sessions, and during induction sessions for new staff will take place. The requirements of the policy strategy and procedures will also need to be reiterated and discussed regularly at staff meetings to ensure they remain relevant.

### **7.3 Risk Management Implications**

The Council recognises that there are risks and opportunities involved in everything it does and that it has a duty to manage them in a balanced, structured and cost effective way. In doing this, the Council is better placed to achieve its objectives and enhance the value of the services it provides.

Taken together the Risk Management Policy and Appetite Statement and the Business Continuity Policy Statement and Strategy provide a framework by which managers and Members can view, manage and respond to risk (both threats and opportunities) in a robust and systematic way. An effective framework for managing risks and preparing resilience plans helps to ensure that every effort is made to manage risk appropriately to maximise potential opportunities and minimise the adverse effects of risk.

### **7.4 Rural Communities Implications**

There are no direct implications for rural communities.

### **7.5 Implications for Children & Young People**

There are no direct implications for children and young people.

### **7.6 Public Health Implications**

There are no direct implications for public health.

### **8.0 Ward Members Affected**

All wards are affected by the policies.

### **9.0 Access to Information**

Reports been provided to the Audit and Governance Committee of 31 May 2018 which recommends the policy statements and strategy for approval by Cabinet.

### **10.0 Contact Information**

Any questions relating to this report should be directed to the following officer:

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# RISK MANAGEMENT POLICY AND APPETITE STATEMENT 2018-2020



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## **1.0 Foreword and Attitude to Risk Management by Cllr Paul Findlow, Corporate Policy and Legal Services Portfolio Holder**

- 1.1 This risk management policy and appetite statement forms part of Cheshire East Council's internal control and corporate governance arrangements. This policy, and the adoption of the overall risk process, including allocating appropriate resources to risk management, is owned by the Acting Director of Legal Services with delegated authority from the Chief Executive. The purpose of this policy is to clearly outline the council's commitment to risk management, describe the objectives of risk management and provide a framework for embedding risk management across the organisation, with defined roles and responsibilities and a structured process. Effective risk management is not about eliminating or avoiding risk, indeed with active risk management we may decide to take more risks on an informed basis to innovate as effectively and cost efficiently as possible as we continue to transform and achieve our ambition. Through the implementation and embedding of an effective risk management framework, and ensuring an appropriate risk appetite for Cheshire East Council, we will ensure that it is better placed to manage its performance, achieve its corporate objectives and provide an enhanced level of service and outcomes to the community.



### **Cheshire East Council**

## **Risk Management Policy and Appetite Statement**

### **2.0 Managing risk is part of good governance and good business management**

- 2.1 As the Council looks towards 2020, even over this relatively short period of time, there will be a host of factors which influence the nature of the Council's relationships with its residents, businesses, communities, neighbouring authorities, and other key partners. These factors challenge the Council to continually review its systems and approaches, and to experiment with new ideas allowing mixed and flexible use of its resources. In this constantly evolving environment, with a need to continually adapt internal organisation to meet legal requirements, economic challenges, urban changes, demographic and social changes, managers and decision makers will face risk.
- 2.2 Consideration and response to existing and new threats, and the ability to recognise and seize new opportunities, is fundamental to achieving the Council's desired corporate objectives and outcomes in the Corporate Plan 2017-2020. Underlying this is a commitment from the Council to transparency and good governance. Decisions of the Council are evidence based and subject to appropriate challenge, this encompasses having high standards of governance. Effective risk management is a key principle of corporate governance and a key contributor to a sound control environment.
- 2.3 A risk is an expression of uncertainty and can be a threat or an opportunity. A threat is a possible future event or action which will adversely affect the Council's ability to achieve its

stated objectives and to successfully deliver approved strategies. An opportunity is an event or action that will enhance the Council's ability to achieve its objectives and deliver approved strategies. Risk is part of everything we do. Managing risk improves the way we deliver our business. It is acknowledged that some risks will always exist and will never be eliminated but through risk identification we anticipate eventualities and it helps us to respond to changes in need.

2.4 There are two principal objectives detailed below which outline the Council's approach to risk management and internal control:

**2.4.1 Objective 1: Risk Governance and Culture:** Embed risk management into the ethos, culture, policies and practices of the council so that risk management is an integral part of the council's decision making, management and governance practices.

2.4.2 Risk management plays a key role in helping us achieve our corporate objectives and outcomes. It helps ensure decision-making is better informed; precious resources are used efficiently and it helps us to avoid unwelcome surprises. Good risk management should be an integral part of everyday business, including performance management, business planning and assurance activity.

**2.4.3 Objective 2: Risk Management Arrangements:** Ensure the council successfully manages risks and opportunities at all levels – strategic, operational, programme, project and partnership so that it increases the probability of achieving its objectives and outcomes.

2.4.4 Accountability for business delivery brings with it responsibility for identifying, assessing, owning, managing and communicating key risks to that delivery. This requires the collaborative effort of our Members, all our staff and our key partners.

2.5 This Statement sets out Cabinet and the Corporate Leadership Team's commitment to managing risks effectively across the Council, and the standard of risk management we expect across the Council. It seeks to demonstrate the explicit commitment to effective risk management from the top of our organisation and is inclusive to the rest of the organisation. The Policy Statement aims to sets the right tone for the organisation and to increase the likelihood that the management of risk will be given appropriate consideration.

**3.0 Cabinet and the Corporate Leadership Team will ensure we have an environment that will allow well managed risk taking to excel**

3.1 We will:

- Lead by example with a combination of positive attitudes, behaviours and activities to create an environment where consideration of risk is part of everything we do
- encourage innovation and considered risk-taking, and in doing so improve delivery of services and secure better value for money for our residents

- promote open, honest and collaborative discussions about our risks and encourage a culture where our staff feel comfortable in escalating risks and concerns
- communicate clear messages, ensuring everyone understand the role they have to play in identifying and managing the key risks and opportunities we face in the successful delivery of our business objectives
- create a no-blame risk environment to support the effective management of risk
- engender a continuous improvement mind-set towards the way we manage risk, learning lessons along the way.

**4.0 Cabinet and the Corporate Leadership Team will ensure that staff have the skills and knowledge they need to fulfil their risk management responsibilities**

4.1 We will support risk management by:

- ensuring all managers have a good understanding and awareness of risk management to enable them to fulfil their duties
- equipping our staff with the tools, skills and time they need to fulfil their risk management responsibilities for example through the provision of training, guidance, templates, and by allowing time on meeting agendas for risk discussion
- encouraging and supporting staff in the identification and discussion of risk in their everyday business; and pro-actively dealing with risks that come to their attention
- ensuring that key risks are visible; are owned at the right level of the organisation; and are actively addressed

**5.0 Cabinet and the Corporate Leadership Team are committed to the consistent application and embedding of the agreed risk management behaviours and approach across the Council.**

5.1 We will:

- lead by example in taking ownership and being accountable for Corporate and Directorate level risks, ensuring that effective and proportionate action is taken to mitigate those risks
- implement a standard approach to risk management throughout Cheshire East Council
- integrate the management of risk into our business processes including finance, planning, performance management, key decision-making processes, project and programme management and major change initiatives.

## 6.0 Cheshire East Council Risk Appetite Statement

- 6.1 Understanding and setting a clear risk appetite level is essential to achieving an effective risk management framework and should be done before managers consider how to treat risks. Establishing and articulating the risk appetite level helps to ensure that consideration in the way management, Cabinet and Council respond to risk is consistent and that there is a shared vision for managing risk. There are risks for which the Council is custodian on behalf of the public and the environment, where risk appetite may be very low, and there may be risks with choices about investment in projects, research and delivery roles, where risk taking may be encouraged.
- 6.2 This risk appetite statement sets out how Cheshire East Council balances threats and opportunities in pursuit of achieving its objectives. The statement forms a key element of the Council's assurance and governance framework and is set by Cabinet. Breaches of risk appetite, or tensions arising from its implementation will be dealt with by the Cabinet and may reflect a need to review the risk appetite statement. In determining the statement, it is recognised that risk appetite is subject to change and needs to flex in line with the organisation's strategic environment and business conditions; and as such the statement will be reviewed on a regular basis.
- 6.3 The Council distinguishes between those risks which are operational in nature and as such are within our control (such as Employee Engagement and Retention) and those external risk factors (such as exiting the European Union) which are not directly within our control but which nevertheless must be identified and considered to address those risks we can influence or contingency plans we need to make.

### 6.4 Overarching Risk Appetite Statement

- 6.4.1 Cheshire East Council recognises that in pursuit of its objectives and outcomes it may choose to accept an increased degree of risk. The council will establish and articulate risk appetite for the differing areas of its business. Where the council chooses to accept an increased level of risk it will do so, subject always to ensuring that the potential benefits and threats are fully understood before developments are authorised, that it has sufficient risk capacity and that sensible measures to mitigate risk are established.
- 6.4.2 The Council is **not averse** to taking risks; our approach is based on judgement and the circumstances of each potential action, and an assessment of its impact. This means we will not seek to intervene in all risk situations, rather we prioritise in terms of the risk, cost and perceived benefits in a consistent and transparent way, choosing the most appropriate course of action from our risk management tools. In determining the risk appetite for an activity we take account of anticipated outcomes and benefits, internal and external drivers for the activity, risk exposure, and the Council's risk capability and capacity to manage risk. This includes key questions around financial and reputation capability; sufficiency of infrastructure, knowledge, people and skills; and political and stakeholders views.
- 6.4.3 Statutory / External Regulatory: The public sector is undergoing reform, involving new legal frameworks, the creation of new delivery models, and new entities for the Council to engage with. We are regulated and we are also regulators. We are **averse** to risks to our

statutory obligations and to our objectives relating to those we regulate that must meet standards required by law. We have an **open** appetite for taking well managed risks where innovation and change creates opportunities for discernible benefits and clear improvement in our ability to achieve our objectives.

6.4.4 Operational: In acknowledgement of the maturity of our multiple service areas, we maintain a **cautious** risk appetite towards sustaining appropriate operational processes, systems and controls to support delivery but adopt a more **open** appetite for the development and enhancement of these systems. As the Council looks to set a Commercial Strategy and detailed commercial objectives these will be risk assessed and a risk appetite defined.

6.4.5 We are heavily reliant upon information and data to be able to operate as an effective Council and therefore have a **minimalist** appetite for risks to information and data objectives. The accidental or deliberate wrongful disclosure of sensitive or restricted information has the potential to result in financial penalties, erode trust, damage our reputation and ultimately prevent us from being able to function.

6.4.6 Countering Fraud and Corruption: We are **averse** to the risks of internal fraud and corruption and will maintain appropriately robust controls and sanctions to maximise prevention, detection and deterrence of this type of act or behaviour.

6.4.7 Legal: Where we are working with relatively untested legislation we are willing to adopt an **open** risk appetite to achieve our statutory objectives and to determine the extent of the Council's powers and our jurisdiction. We retain an **averse** risk appetite to behaving in an illegal, unreasonable or irrational way or any other way which would likely give rise to a successful judicial review.

6.4.8 Reputational: We rely on our reputation in order to secure the engagement of our key stakeholders, businesses, partners, communities and residents. The support of these parties is essential to achieving the Council's Corporate Plan and our objectives and we have a strong commitment to being seen as a responsible, efficient and effective organisation and retain an overall **cautious** risk appetite with regard to our reputation. We are however prepared to take a stance which may be opposed to some of our audience where we believe it is necessary for the achievement of one or all of our statutory objectives.

## 6.5 Risk Capacity

The Council's risk capacity is determined through understanding the following areas:-

- Reputation – can the council withstand pressures as they arise as a result of the activity
- Financial – is there sufficient financial contingency for the activity
- Political – what political tolerance is there for any adverse risk events materialising
- Infrastructure – is there sufficient infrastructure to manage risk
- People – is there sufficient trained and skilled individuals
- Knowledge - is sufficient knowledge available to the council

## 6.6 Risk Tolerance and Thresholds

6.6.1 Tolerance levels will be established for organisational activities at different levels across the Council and a risk contingency will be determined and defined for different business areas. Access to contingency has to be approved by the budget holder or the Interim Executive Director of Corporate Services. Where analysis indicates that the returns or outcomes will deviate by more than acceptable limits these will have to be referred as soon as the deviation is forecast. This includes forecasts that may enhance objectives as well as those that may erode objectives.

## 6.7 Definitions

Appetite	Description
<b>Hungry</b> / High Risk Appetite 5	Eager to be innovative and choose activities that focus on maximising opportunities to achieve objectives (with additional benefits and goals) and offering potentially very high reward, even if these activities carry a very high residual risk that may result in reputation damage, financial loss or exposure.
<b>Open</b> / Moderate Risk Appetite 4	Willing to undertake activities seeking to achieve a balance between a high likelihood of successful delivery and a high degree of reward and value for money. Activities themselves may potentially carry, or contribute to, a high degree of residual risk.
<b>Cautious</b> / Modest Risk Appetite 3	Willing to accept / tolerate a degree of risk in certain circumstances when selecting which activities to undertake to achieve key objectives, deliverables or initiatives, where we have identified scope to achieve significant reward and/or opportunity. Activities undertaken may carry a high degree of inherent risk that is deemed controllable to a large extent.
<b>Minimalist</b> / Low Risk Appetite 2	Preference to undertake activities considered to be very safe in the achievement of key deliverables or initiatives. Activities will only be taken where they have a low degree of inherent risk. The associated potential for reward / pursuit of opportunity is not a key driver in selecting activities.
<b>Averse</b> / Zero Risk Appetite 1	Avoidance of risk and uncertainty in achievement of key deliverables or initiatives is paramount. The Council is not willing to accept risks under any circumstances and activities undertaken will only be those considered to carry virtually no inherent risk.

## BUSINESS CONTINUITY POLICY STATEMENT

Cheshire East Council's Corporate Plan sets out the Councils' corporate objectives, priorities and outcomes. In this regard the Council recognises it has a duty of care to its stakeholders, residents, employees, members and partners. It is therefore essential that the Council protects and preserves its ability to provide services and achieve its long-term strategic goals.

The Civil Contingencies Act 2004 places a statutory requirement for Local Authorities to maintain plans for the continuation of services in the event of an emergency, so far as is reasonably practicable. Therefore, the Council is committed to ensuring it can deliver continuity and restore key services as efficiently as possible in the event of a disruption, such as fire, flood, staff absence, power and communication failure.

In order to achieve this, the Council recognises the importance of having effective business continuity management arrangements to ensure the effective identification, evaluation and management of business critical services.

This policy has the full support of the Council's Cabinet and Corporate Leadership Team. As such, they see effective business continuity management as part of our responsibility to deliver an effective service to the residents of Cheshire East.

## BUSINESS CONTINUITY STRATEGY

### 1.0 Introduction

- 1.1 The Council's has adopted a Business Continuity policy statement, strategy and framework to ensure a focused and structure approach to business continuity arrangements. The policy statement sets out the rationale and mandate for business continuity and the strategy aims to set the priorities for business continuity.
- 1.2 The main purpose of Business Continuity Management is to ensure continuity of service delivery following an unexpected disruption to normal working. This document defines how the Council will plan for maintaining continuity of service delivery in the event of serious interruption or disruption. Further details are embodied in the Business Continuity Management Framework.
- 1.3 The policy statement, strategy and framework have the full support of Cabinet and the Corporate Leadership Team.

### 2.0 What do we mean by "Business Continuity"?

#### 2.1 Business Continuity

The capability to continue delivery of products or services at acceptable predefined levels following a disruptive incident.

**2.2 Business Continuity Management**

A holistic management process that identifies potential threats to an organisation and the impacts to business operations those threats, if realised, might cause, and which provides a framework for building organisational resilience with the capability of an effective response that safeguards the interests of its key stakeholders, reputation, brand and value-creating activities. (Source: ISO 22301:2012)

**2.3 Business Continuity Plan**

A plan that when activated provides for the orderly cost-effective continuity of an organisation’s essential services, programs and operations if and when a disruption occurs. Plans may be for use at the operational level (Service Plans) or at a strategic level (The Corporate Business Continuity Plan).

**2.4 Critical Activity**

An activity, the continuity of which, an organisation needs to ensure, in order to meet its business objectives. Activities can be categorised into the following:

Priority:	Activity must be restored by:
1 – Critical	0 – 24 hours
2 – Serious	2 – 5 days
3 – Non Urgent	Can be suspended up to 14 days

**2.5 Business Impact Analysis**

The process of analysing activities, and the effect that a business disruption may have upon them. The Business Impact Analysis identifies consequences of an incident in terms of loss of operations or services, revenue loss, confidence/reputation, and the expected length of the interruption.

**3.0 Principles of Business Continuity Management**

**3.1 Business Continuity Management should:**

- Use a risk based approach to strike the right balance between increasing resilience and tying up resources
- Identify and prioritise the business critical activities with the aim of responding to an incident and ensuring all critical activities are up and running to an acceptable level within 24 hours
- Ensure arrangements can integrate with the Council’s Major Emergency Response Plan for external incidents, but be capable of operating as a stand-alone process for those incidents that affect the Council
- Ensure business continuity plans are in place for all services and are regularly tested to give assurance as to their effectiveness and to incorporate lessons learned from their application
- Help to ensure the Council complies with its duties under the Civil Contingencies Act 2004 and with current best practice.

**4.0 What are the real benefits of Business Continuity Management?**

4.1 Effective Business Continuity Management will:

- Ensure the Council can maintain its business critical activities in the event of disruption
- Ensure the welfare, safety and security of staff, their environment and members of the public who use those services

**5.0 What do we want to achieve with Business Continuity?**

5.1 To embed the business continuity culture within the Council in order to:

- Comply with legislation
- Improve resilience against disruption to services and;
- Minimise costs in the event of a disruption
- Ensure effective business continuity arrangements are in place in the event of a disruption

**6.0 Business Continuity priorities over the next 12 months;**

6.1 In order to develop and embed effective business continuity management arrangements across the Council, the following actions are priorities for the next 12 months;

6.2 Development of a business continuity framework underpinning the policy statement and strategy that clarifies;

- how the Council's Senior Managers and elected members intend to manage business continuity – being explicit about what needs to be accomplished, how, by when, and who is responsible for what, recognising that embedding the business continuity culture and strong controls in the daily and regular business of the Council is an iterative process.
- the scope of the business continuity management activity in the Council – being explicit about how all services plan for continuity of business in the event of a disruption.
- how the Council will identify its critical activities and ensure business continuity plans are developed for these areas
- a consistent approach to the development of business continuity plans and ensuring the plans are shared with the appropriate people and can be easily accessed in the event of disruption.
- Identify 'business continuity champions', who will be responsible for co-ordinating and communicating the directorate's business continuity planning arrangements.

6.3 These will be achieved by:

- The Corporate Leadership Team (CLT) having primary responsibility for ensuring that the Council's business continuity management framework is fit for purpose and operates as intended.
- CLT providing leadership and direction to the employees in respect of business continuity management.

- Heads of service and service managers taking ownership, responsibility and accountability for business continuity in their own area of activity in accordance with the requirements of the framework.
- Establishing a centralised business continuity framework with the Business Governance and Risk Manager monitoring and facilitating the implementation of effective business continuity management
- Reporting the relevant business continuity information up and down the organisation
- Review the current business continuity planning template to ensure it is fit for purpose
- The introduction of a quality review and testing regime of business critical business continuity plans.
- The Business Governance and Risk Manager will objectively examine, evaluate and report on the adequacy of the Council's business continuity management arrangements
- Encouraging the Council's ASDV's, key external providers and partners to adopt robust business continuity management processes
- Ensuring appropriate guidance is readily available to staff on business continuity planning and devising a training programme to suit the needs of staff involved with business continuity